

AMENDED 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 R-H-ED~~ 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 H-ED (RESIDENTIAL:
5 HISTORIC-ENVIRONMENTAL DISTRICT) 125".

6 On page 6, immediately after line 12, insert "R-SA-H ——— RESIDENTIAL: SINGLE FAMILY
7 ATTACHED-HISTORIC R-H-ED (RESIDENTIAL: HISTORIC-ENVIRONMENTAL DISTRICT)".

8 Immediately after page 124, insert the following:

9 "SECTION 111.1: R-SA-H (RESIDENTIAL: SINGLE FAMILY ATTACHED-HISTORIC) DISTRICT R-H-
10 ED (RESIDENTIAL: HISTORIC-ENVIRONMENTAL DISTRICT)

11 A. PURPOSE

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

19 THE R-H-ED DISTRICT IS ESTABLISHED TO PROVIDE REQUIREMENTS FOR SINGLE FAMILY
20 ATTACHED DWELLING UNITS ON CERTAIN PROPERTIES DETERMINED TO CONTRIBUTE TO THE
21 HISTORIC CHARACTER OF AREAS DESIGNATED ON THE NATIONAL REGISTER OF HISTORIC
22 PLACES. IT IS THE INTENT OF THIS DISTRICT THAT THE ATTACHED DWELLINGS BE
23 COMPATIBLE WITH THE HISTORIC CHARACTER OF THE AREA, AND BE DEVELOPED WITH
24 SENSITIVITY TO THE NATURAL ENVIRONMENT. PROTECTION OF HISTORIC AND
25 ENVIRONMENTAL RESOURCES IS TO BE ACHIEVED BY REQUIRING HISTORIC DISTRICT
26 COMMISSION REVIEW AND DIRECTING DEVELOPMENT AWAY FROM SENSITIVE RESOURCES.

27
28 B. USES PERMITTED AS A MATTER OF RIGHT

1. ONE SINGLE-FAMILY DETACHED DWELLING UNIT PER LOT.
2. ONE ZERO LOT LINE DWELLING UNIT PER LOT.
3. SINGLE-FAMILY ATTACHED DWELLING UNITS.
4. FARMING.
5. CONSERVATION AREAS, INCLUDING WILDLIFE AND FOREST PRESERVES,
ENVIRONMENTAL MANAGEMENT AREAS, REFORESTATION AREAS, AND SIMILAR USES.
6. CONVENTS AND MONASTERIES USED FOR RESIDENTIAL PURPOSES.
7. GOVERNMENT STRUCTURES, FACILITIES AND USES, INCLUDING PUBLIC SCHOOLS AND
COLLEGES.
8. PRIVATE RECREATIONAL FACILITIES, SUCH AS SWIMMING POOLS, BASKETBALL
COURTS AND TENNIS COURTS, RESERVED FOR THE USE OF ON-SITE RESIDENTS AND
THEIR GUESTS. SUCH FACILITIES MAY BE LOCATED WITHIN CONDOMINIUM
DEVELOPMENTS AS WELL AS WITHIN COMMUNITIES WHERE ALL PROPERTIES ARE
INCLUDED WITHIN RECORDED COVENANTS AND LIENS WHICH GOVERN AND PROVIDE
FINANCIAL SUPPORT FOR OPERATIONS OF THE FACILITIES.
9. CARNIVALS AND FAIRS SPONSORED BY AND OPERATED ON A NONPROFIT BASIS FOR
THE BENEFIT OF CHARITABLE, SOCIAL, CIVIC OR EDUCATIONAL ORGANIZATIONS,
SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.D.
10. SEASONAL SALES OF CHRISTMAS TREES OR OTHER DECORATIVE PLANT MATERIALS,
SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.D.
11. UNDERGROUND PIPELINES; ELECTRIC TRANSMISSION AND DISTRIBUTION LINES;
TELEPHONE, TELEGRAPH AND CATV LINES; MOBILE TRANSFORMER UNITS;
TELEPHONE EQUIPMENT BOXES; AND OTHER SIMILAR PUBLIC UTILITY USES NOT
REQUIRING A CONDITIONAL USE.
12. COMMERCIAL COMMUNICATION ANTENNAS ATTACHED TO STRUCTURES, SUBJECT TO
THE REQUIREMENTS OF SECTION 128.0.E.4. COMMERCIAL COMMUNICATION TOWERS
LOCATED ON GOVERNMENT PROPERTY, EXCLUDING SCHOOL BOARD PROPERTY, AND
WITH A HEIGHT OF LESS THAN 200 FEET MEASURED FROM GROUND LEVEL, SUBJECT
TO THE REQUIREMENTS OF SECTION 128.0.E.2 AND SECTION 128.0.E.3. THIS HEIGHT
LIMIT DOES NOT APPLY TO GOVERNMENT COMMUNICATION TOWERS, WHICH ARE
PERMITTED AS A MATTER OF RIGHT UNDER THE PROVISIONS FOR "GOVERNMENT
STRUCTURES, FACILITIES AND USES."
13. VOLUNTEER FIRE DEPARTMENTS.

C. ACCESSORY USES

1 THE FOLLOWING ARE PERMITTED ACCESSORY USES IN THE ~~R-S-A-H~~ R-H-ED DISTRICT. MORE
2 THAN ONE ACCESSORY USE SHALL BE PERMITTED ON A LOT, PROVIDED THAT THE
3 COMBINATION OF ACCESSORY USES REMAINS SECONDARY, INCIDENTAL AND SUBORDINATE TO
4 THE PRINCIPAL USE.

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

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

14
15 4. THE HOUSING BY A RESIDENT FAMILY OF:

16
17 A. NOT MORE THAN FOUR NON-TRANSIENT ROOMERS OR BOARDERS; OR

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

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

26
27 5. HOME OCCUPATIONS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.C.

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

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

7
8 B. OFF-STREET PARKING OR STORAGE OF UNREGISTERED, INOPERABLE,
9 WRECKED, DISMANTLED OR DESTROYED MOTOR VEHICLES SHALL NOT BE
10 PERMITTED, EXCEPT AS PROVIDED BY SECTION 128.0.D.

11
12 8. STORAGE OF RECREATIONAL VEHICLES OR BOATS, PROVIDED THAT ON LOTS OF
13 20,000 SQUARE FEET OR SMALLER, SUCH STORAGE SHALL BE LIMITED TO THE
14 FOLLOWING:

15
16 A. ONE RECREATIONAL VEHICLE WITH A LENGTH OF 30 FEET OR LESS; AND

17
18 B. ONE BOAT WITH A LENGTH OF 20 FEET OR LESS.

19
20 9. SNOWBALL STANDS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.D.

21
22 10. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY DETACHED
23 DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE
24 REQUIREMENTS OF SECTION 128.0.L

25
26 **D. BULK REGULATIONS**

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

29
30 1. THE FOLLOWING MAXIMUM LIMITATIONS SHALL APPLY:

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32 A. HEIGHT

33 (1) PRINCIPAL STRUCTURE.....40 FEET

34 (2) ACCESSORY STRUCTURES 15 FEET

35
36 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 UNITS8 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

(2) USES (OTHER THAN STRUCTURES) IN ALL DEVELOPMENT PROJECTS
EXCEPT SINGLE-FAMILY
DETACHED..... 30 FEET

B. FROM OTHER PUBLIC STREET RIGHT-OF-WAY OR PRIVATE STREET

(1) STRUCTURES

(A) SINGLE FAMILY ATTACHED FRONT OR SIDE 20 FEET

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- (B) SINGLE FAMILY ATTACHED FRONT OR SIDE WITH DETACHED GARAGES20 FEET
- (C) SINGLE FAMILY ATTACHED FRONT OR SIDE WITHOUT DETACHED GARAGES.....15 FEET
- (D) REAR TO PUBLIC STREET.....40 FEET
- (E) REAR TO PRIVATE STREET 20 FEET
- (F) REAR TO INTERNAL ALLEY5 FEET

- (2) USES (OTHER THAN STRUCTURES) EXCLUDING USES IN SINGLE-FAMILY DETACHED DEVELOPMENT PROJECTS AND PARKING FOR SINGLE-FAMILY ATTACHED DWELLINGS 20 FEET

C. FROM VICINAL PROPERTIES - FOR ALL STRUCTURES AND USES IN SINGLE-FAMILY ATTACHED OR APARTMENT DEVELOPMENT PROJECTS

- (1) FROM AN RC, RR, R-20, R-12, R-ED OR R-SC DISTRICT OR A SINGLE-FAMILY LAND USE AREA OF A NT, PGCC OR MXD DISTRICT

- (A) SINGLE-FAMILY ATTACHED DWELLINGS..... 50 FEET
- (B) OTHER STRUCTURES OR USES50 FEET

- (2) FROM ANY OTHER ZONING DISTRICT OR, IF LAND ADJACENT TO PROJECT IS ZONED ~~R-SA-H~~ R-H-ED, FROM THE PROJECT BOUNDARY

- (A) SINGLE FAMILY ATTACHED 25 FEET
- (B) OTHER STRUCTURES OR USES 20 FEET

- (3) IF ANOTHER RESIDENTIAL ZONING DISTRICT IS SEPARATED FROM THE ~~R-SA-H~~ R-H-ED DISTRICT BY A PUBLIC STREET, ONLY THE SETBACKS FROM THE PUBLIC STREET RIGHT-OF-WAY APPLY.

D. FROM LOT LINES

- (1) STRUCTURES IN ALL DEVELOPMENT PROJECTS EXCEPT SINGLE-FAMILY ATTACHED

- (A) FRONT.....20 FEET
- (B) SIDE

- (I) DEVELOPMENT OTHER THAN ZERO LOT LINE..... 7.5 FEET

- (II) ZERO LOT LINE DEVELOPMENT.....0 FEET

A MINIMUM OF 15 FEET MUST BE PROVIDED BETWEEN RESIDENTIAL STRUCTURES.

- (C) REAR

1 (I) PRINCIPAL STRUCTURES 30 FEET

2 (II) ACCESSORY STRUCTURES 10 FEET

3 (2) USES (OTHER THAN STRUCTURES) IN ALL DEVELOPMENT PROJECTS

4 EXCEPT SINGLE-FAMILY DETACHED OR ATTACHED.... 20 FEET

5 E. FROM STREAMS, NOTWITHSTANDING SECTION 16.116 OF THE COUNTY CODE,

6 STRUCTURES AND USES 250 FEET

7 5. MINIMUM DISTANCES BETWEEN ~~MULTI-FAMILY BUILDINGS, OR BETWEEN SINGLE-~~
8 FAMILY ATTACHED BUILDINGS AND SINGLE-FAMILY DETACHED DWELLINGS:

10 A. FACE TO FACE..... 30 FEET

12 B. FACE TO SIDE/REAR TO SIDE..... 30 FEET

14 C. SIDE TO SIDE..... 15 FEET

16 D. REAR TO REAR 60 FEET

18 E. REAR TO FACE..... 100 FEET

21 **E. USABLE OUTDOOR SPACE**

23 SINGLE FAMILY ATTACHED UNITS SHALL HAVE USABLE OUTDOOR SPACE
24 EQUAL TO A 15 FOOT DEEP YARD. ALTERNATIVELY THE RECREATION OPEN
25 SPACE REQUIREMENT IN SECTION 16.121(A)(4) OF THE SUBDIVISION AND LAND
26 DEVELOPMENT REGULATIONS SHALL BE INCREASED BY 300 SQUARE FEET
27 PER UNIT.

28 **F. APPROVAL OF THE PRELIMINARY EQUIVALENT SKETCH PLAN BY PLANNING BOARD**

30 1. FOR DEVELOPMENTS IN THE R-H-ED DISTRICT REQUIRING A SKETCH PLAN, A PRELIMINARY
31 EQUIVALENT SKETCH PLAN MUST BE APPROVED BY THE PLANNING BOARD.

32 2. PRIOR TO PLANNING BOARD APPROVAL, THE PRELIMINARY SKETCH PLAN WILL BE EVALUATED BY
33 THE DESIGN ADVISORY PANEL IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN SECTION
34 16.1500 OF THE COUNTY CODE. THE DESIGN ADVISORY PANEL RECOMMENDATIONS SHALL BE
35 INCLUDED IN THE TECHNICAL STAFF REPORT PRODUCED BY THE DEPARTMENT OF PLANNING AND

1 ZONING AND FORWARDED TO THE PLANNING BOARD OF ITS CONSIDERATION.

2 3. THE PLANNING BOARD, BEFORE ACTING UPON THE PRELIMINARY EQUIVALENT SKETCH PLAN,
3 SHALL REVIEW COMMENTS FROM THE DEPARTMENT OF PLANNING AND ZONING AND THE
4 SUBDIVISION REVIEW COMMITTEE AND SHALL HOLD A PUBLIC MEETING.

5 4. A PRELIMINARY EQUIVALENT SKETCH PLAN SUBMITTED FOR REVIEW SHALL INCLUDE ALL OF THE
6 INFORMATION REQUIRED BY THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS OF THE
7 HOWARD COUNTY CODE AS WELL AS THE FOLLOWING INFORMATION:

8 A. THE EXISTING ENVIRONMENTAL AND HISTORIC RESOURCES OF THE SITE, INCLUDING:
9 STREAMS, WETLANDS AND THEIR BUFFERS; EXTENT AND QUALITY OF EXISTING VEGETATION,
10 ESPECIALLY TREE COVER, STEEP SLOPES; HISTORIC STRUCTURES AND THEIR LANDSCAPE
11 SETTING; AND THE SCENIC QUALITIES OF THE SITE.

12 B. THE LOCATION OF PROPOSED IMPROVEMENTS IN RELATION TO THE RESOURCES CITED
13 ABOVE.

14 C. THE LOCATION AND AMOUNT OF SENSITIVE AREAS WHICH WILL BE DISTURBED BY
15 STRUCTURES, PAVED SURFACES, AND INFRASTRUCTURE, IF ANY, AND PLANS FOR MINIMIZING
16 SUCH DISTURBANCES.

17 D. THE LOCATION AND AMOUNT OF GRADING AND CLEARING.

18 E. PLANS FOR MINIMIZING SITE DISTURBANCE AND PRESERVING THE EXISTING TOPOGRAPHY,
19 VEGETATION AND LANDSCAPE CHARACTER.

20 F. DOCUMENTATION INDICATING HOW THE PROPOSED DEVELOPMENT WILL COMPLY WITH
21 THE REQUIREMENTS OF THE HOWARD COUNTY FOREST CONSERVATION PROGRAM.

22 G. THE PROPOSED CONSTRUCTION PRACTICES AND POST-CONSTRUCTION SITE MAINTENANCE
23 STRATEGIES TO MINIMIZE DEVELOPMENT IMPACTS ON FOREST AND OTHER RESOURCES.

24 H. PROPOSED OPEN SPACE, EASEMENTS, AND OTHER FORMS OF PERMANENT PROTECTION FOR
25 SENSITIVE AREAS, FOREST CONSERVATION AREAS, OR OTHER ON-SITE RESOURCES SUCH AS
26 HISTORIC 36 STRUCTURES AND SETTINGS.

27 5. THE PLANNING BOARD MAY APPROVE, APPROVE WITH MODIFICATIONS AND/OR CONDITIONS
28 ATTACHED, OR DISAPPROVE THE PRELIMINARY EQUIVALENT SKETCH PLAN, STATING THE REASONS
29 FOR ITS ACTION. THE PLANNING BOARD'S DECISION SHALL BE BASED UPON THE CRITERIA GIVEN IN
30 SUBSECTION 111.1.F.6 BELOW.

31 6. THE PLANNING BOARD MAY, AT THE TIME OF APPROVAL OF THE PRELIMINARY EQUIVALENT
32 SKETCH PLAN, REQUIRE THE SUBSEQUENT APPROVAL BY THE BOARD OF A SITE DEVELOPMENT PLAN
33 FOR ALL OR A PORTION OF THE DEVELOPMENT.

34 7. THE FOLLOWING CRITERIA SHALL BE USED IN EVALUATING PRELIMINARY EQUIVALENT SKETCH
35 PLANS:

36 A. THE PROPOSED LAY-OUT OF LOTS AND OPEN SPACE EFFECTIVELY PROTECTS

1 ENVIRONMENTAL AND HISTORIC RESOURCES.

2 B. BUILDINGS, PARKING AREAS, ROADS, STORM WATER MANAGEMENT FACILITIES AND OTHER
3 SITE FEATURES ARE LOCATED TO TAKE ADVANTAGE OF EXISTING TOPOGRAPHY AND TO LIMIT
4 THE EXTENT OF CLEARING AND GRADING.

5 C. SETBACKS, LANDSCAPED BUFFERS, OR OTHER METHODS ARE PROPOSED TO BUFFER THE
6 DEVELOPMENT FROM EXISTING NEIGHBORHOODS OR ROADS, ESPECIALLY FROM DESIGNATED
7 SCENIC ROADS OR HISTORIC DISTRICTS.

8
9 **G. APPROVAL OF THE SITE DEVELOPMENT PLAN BY THE PLANNING BOARD**

10 **1. PLANNING BOARD APPROVAL OF A SITE DEVELOPMENT PLAN IS REQUIRED IF:**

11 A. A SKETCH PLAN IS NOT REQUIRED FOR THE DEVELOPMENT; OR B. THE BOARD HAS
12 RESERVED FOR ITSELF THE AUTHORITY TO APPROVE THE SITE DEVELOPMENT PLAN; OR C.
13 THE SITE DEVELOPMENT PLAN IS FOR THE DEVELOPMENT OF BUILDINGS ON AN OPEN SPACE
14 LOT; OR D. THE PROPOSED DEVELOPMENT DIFFERS FROM THE APPROVED PRELIMINARY
15 EQUIVALENT SKETCH PLAN IN ONE OF THE FOLLOWING WAYS:

16 (1) THE LIMITS OF CLEARING AND GRADING ARE SUCH THAT THE DEVELOPMENT WILL
17 IMPACT A SIGNIFICANTLY LARGER AREA OF THE SITE THAN INDICATED ON THE
18 SKETCH PLAN.

19 (2) THE DEVELOPMENT WILL HAVE A GREATER ADVERSE IMPACT ON
20 ENVIRONMENTALLY SENSITIVE AREAS THAN INDICATED ON THE SKETCH PLAN.

21 2. THE PLANNING BOARD MAY APPROVE, APPROVE WITH MODIFICATIONS AND/OR
22 CONDITIONS ATTACHED, OR DISAPPROVE THE SITE DEVELOPMENT PLAN, STATING THE
23 REASONS FOR ITS ACTION. THE PLANNING BOARD'S DECISION SHALL BE BASED UPON THE
24 CRITERIA LISTED IN SECTION 111.1.F.6 ABOVE.

25 3. MINOR ADDITIONS AND MODIFICATIONS TO SITE DEVELOPMENT PLANS APPROVED BY THE
26 PLANNING BOARD AND MEETING THE CRITERIA BELOW SHALL NOT REQUIRE PLANNING
27 BOARD APPROVAL. ALSO, MINOR NEW PROJECTS WHICH HAVE BEEN GRANTED A WAIVER OF
28 THE SITE DEVELOPMENT PLAN REQUIREMENT BY THE DIRECTOR OF PLANNING AND ZONING
29 DO NOT REQUIRE PLANNING BOARD APPROVAL. HOWEVER, ALL CHANGES OF USE WHICH
30 REQUIRE EXTERIOR SITE ALTERATIONS REQUIRE PLANNING BOARD APPROVAL.

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32 **FH. MODERATE INCOME HOUSING UNITS**

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34 AT LEAST 10% OF THE DWELLINGS IN EACH ~~R-S-A-H~~ R-H-ED DEVELOPMENT
35 SHALL BE MODERATE INCOME HOUSING UNITS.

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2 **GI. OTHER PROVISIONS**
3

4 1. HISTORIC DISTRICT COMMISSION

5 THE DESIGN OF NEW STRUCTURES SHALL BE DETERMINED BY THE HISTORIC DISTRICT
6 COMMISSION TO BE COMPATIBLE WITH THE HISTORIC CHARACTER OF THE AREA.
7

8 2. ZERO LOT LINE DWELLINGS
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10 A ZERO LOT LINE DWELLING UNIT MAY BE LOCATED ON THE PROPERTY LINE
11 PROVIDED THAT NO PART OF THE BUILDING SHALL PROTRUDE ONTO THE ADJOINING
12 LOT, AND PROVIDED THAT AT THE TIME OF RECORDATION OF THE FINAL SUBDIVISION
13 PLAN, EASEMENTS SHALL BE RECORDED TO PERMIT ACCESS TO THE ADJOINING LOT
14 FOR PURPOSES OF MAINTENANCE TO THE SIDE OF ANY ZERO LOT LINE DWELLING
15 WHICH FACES A SIDE YARD OF LESS THAN SEVEN AND ONE-HALF FEET. FURTHER, A
16 MAINTENANCE AGREEMENT SHALL BE INCLUDED IN THE DEED WHERE APPROPRIATE.

17 3. LOT DISTURBANCE AND WALKABILITY
18

19 THE DESIGN AND CONSTRUCTION OF THE COMMUNITY SHALL LIMIT SITE
20 DISTURBANCE AND ENCOURAGE WALKABILITY IN HISTORIC AREAS.
21

22 **HJ. CONDITIONAL USES**
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24 THE FOLLOWING ARE CONDITIONAL USES IN THE R-SA-H DISTRICT, SUBJECT TO THE
25 DETAILED REQUIREMENTS FOR CONDITIONAL USES GIVEN IN SECTION 131. IF THERE IS A
26 CONFLICT BETWEEN THIS SECTION AND SECTION 131, SECTION 131 SHALL PREVAIL.
27

28 1. ~~AGE RESTRICTED ADULT HOUSING;~~

29 2. ~~ATHLETIC FACILITIES, OUTDOOR;~~

30 3. ~~BED AND BREAKFAST INNS;~~

31 4. ~~CEMETERIES AND MAUSOLEUMS;~~

32 5. ~~COMMUNICATIONS TOWERS OR ANTENNAS (COMMERCIAL);~~

33 6. ~~COUNTRY CLUBS AND GOLF COURSES;~~

34 7. ~~COUNTRY INNS;~~

35 8. ~~CHILD DAY CARE CENTERS AND NURSERY SCHOOLS, DAY TREATMENT AND CARE~~
36 ~~FACILITIES;~~

9. ~~HISTORIC BUILDING USES: APARTMENTS, BUSINESS AND PROFESSIONAL~~
10. ~~OFFICES AND COMMUNITY MEETING HALLS;~~
11. ~~HOME OCCUPATIONS~~
12. ~~NON-PROFIT CLUBS, LODGES, COMMUNITY HALLS, AND CAMPS;~~
13. ~~NURSING HOMES AND RESIDENTIAL CARE FACILITIES;~~
14. ~~RELIGIOUS ACTIVITIES, STRUCTURES USED PRIMARILY FOR;~~
15. ~~SCHOOLS, COLLEGES, UNIVERSITIES - PRIVATE (ACADEMIC);~~
16. ~~SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE FAMILY ATTACHED DWELLINGS; AND~~
17. ~~UTILITY USES, PUBLIC.”~~

CONDITIONAL USES IN THE R-H-ED DISTRICT ARE SUBJECT TO THE DETAILED REQUIREMENTS FOR CONDITIONAL USES GIVEN IN SECTION 131.0. FOR THE LIST OF PERMITTED CONDITIONAL USES, REFER TO THE CHART IN SECTION 131.0.

Renumber the remaining pages accordingly.

On page 394, in line 18, after ‘R-SA-8,’ insert ‘R-H-ED.’

On page 406, in line 9, after ‘R-SA-8,’ insert ‘R-H-ED,’ and in line 21, after ‘R-SA-8,’ insert ‘R-H-ED.’

Also on page 406, in the table beginning in line 24, immediately below the “R-SA-8” row, insert

<u>R-H-ED</u>	<u>20 or more</u>	<u>10</u>
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On page 408, in line 1, after ‘R-SA-8,’ insert ‘, R-H-ED.’ Also on page 408, in line 40, immediately after ‘R-12’ insert ‘, R-H-ED’.

On page 409, in line 10, after ‘R-SA-8,’ insert ‘, R-H-ED’.

On page 414, in line 39, after ‘SA-8,’ insert ‘R-H-ED.’

On page 417, in line 46, after ‘R-SA-8,’ insert ‘R-H-ED.’

On page 419, in line 9, after ‘R-SA-8,’ insert ‘R-H-ED.’

Also on page 419, in line 25, after ‘R-SA-8,’ insert ‘R-H-ED.’

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On page 420, in line 18, after ‘R-SA-8,’ insert ‘R-H-ED.’.

On page 432, in line 9, after ‘R-SA-8,’ insert ‘R-H-ED.’. Also on page 432, in the chart beginning in 21, below the ‘R-SA-8’ row, insert

<u>R-H-ED</u>	<u>10 per net acre</u>
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On page 434, in line 51, after ‘R-SA-8,’ insert ‘R-H-ED.’.

On page 441, make the following changes:

1. In line 4, strike the second instance of ‘and’ and substitute ‘,’;
2. In line 4, after ‘R-SA-8’ insert ‘, and R-H-ED’; and
3. In line 38, after ‘R-SA-8,’ insert ‘R-H-ED.’.

On page 446, in line 6, after ‘R-SA-8,’ insert ‘R-H-ED.’.

On page 454, in line 11, after ‘R-SA-8,’ insert ‘R-H-ED.’.

On page 455, in line 3, after ‘R-SA-8,’ insert ‘R-H-ED.’. Also on page 455, at the beginning of line 36, insert ‘R-H-ED.’.

On page 460, in line 47, after ‘R-SA-8,’ insert ‘R-H-ED.’.

Add the R-H-ED zone to the chart in Section 131.0 and provide checks for the following permitted uses in that zone: age-restricted adult housing; athletic facilities – outdoor; cemeteries and mausoleums; child care centers and nursery schools, day treatment and care facilities; communication towers; golf courses; historic building uses; home occupations; nonprofit clubs, lodges, community halls and camps; nursing homes and residential care facilities; religious facilities, structures and land used primarily for religious activities; schools, colleges, universities – private (academic); small wind energy systems, buildings mounted; and utility uses, public.