

**N- FBC Zoning Text Amendment:
Part 4 Building Envelope Standards – 402 General Standards - D. Neighborhood Manners
July 24, 2019**

Purpose of Study.

The purpose of this study is to review the current language in the Neighborhood Manners Section 402.D.1.b. of the Columbia Pike Neighborhoods Special Revitalization District Form Based Code (N-FBC). This section of the N-FBC provides height and setback regulations for properties within the N-FBC boundary that share lot lines with R or RA district properties not within the N-FBC boundary. The existing text states that the height and setback provisions of Section 402.D.1.b.i-iv apply to R districts regardless of the existing use and apply to RA districts only if they have a one-family detached dwelling unit. This study will evaluate the following:

- If the intent of the code was to differentiate between R and RA districts
- If an amendment that changes the applicability of Section 402.D.1.b.i-iv to N-FBC sites when they share a common lot line with an R or an RA district only if there is a one-family detached dwelling is appropriate
- If the amendment described above would have any unintended impacts on other R zoned districts that share lot lines with the N-FBC boundary

Form Based Code References.

- Part 4 Building Envelope Standards
 - 402 General Standards
 - D.1.b. Neighborhood Manners

Background.

The N-FBC was adopted by the County Board in November 2013. The N-FBC was developed as an optional zoning district tool that provides incentives for redevelopment of multi-family residential areas along Columbia Pike that surround its commercial centers. The application of the N-FBC will facilitate the preservation of 6,200 affordable housing units, encourage higher density development, and connect new housing to transportation, open space, and other community amenities.

Part 4. Building Envelope Standards (BES)

The BES Standards in the N-FBC establish both the limitations and specific requirements for building form and frontages.

402.D. Neighborhood Manners

The Neighborhood Manners section of the N-FBC provides regulations based on the BES frontage type that ensure the future development under the N-FBC is scaled and placed appropriately within the context of existing residential development.

Section 402.D.1.b.

Section 402.D.1.b. of the N-FBC provides the height and setback regulations for BES sites that share a common lot line with an R or RA zoning district (does not apply when there is a street dividing the properties). The intent of this section of the N-FBC was to create appropriate transitions between N-FBC redevelopment sites and existing one-family detached dwellings not within the N-FBC district boundary, when they share a common lot line.

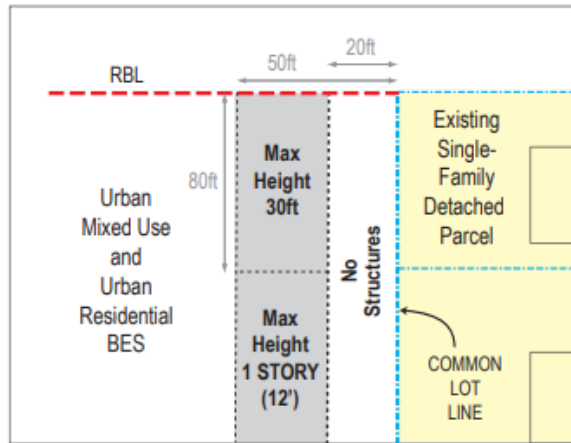
The current language in Section 402.D.1.b reads as follows (this study focuses on the text bolded below):

D. Neighborhood Manners

1. For URBAN MIXED USE and URBAN RESIDENTIAL frontages, the following apply to the BES SITE:

b. Where a BES SITE has a COMMON LOT LINE with a lot in an R-district or with an RA district occupied by one-family detached dwelling:

- (i) There shall be a setback of at least 20 feet from the COMMON LOT LINE. (See diagram 402.D.1.b.);
- (ii) Where any portion on of structure is within 50 feet of the COMMON LOT LINE, and within 80 feet of any RBL, that portion on of the structure shall have an ULTIMATE BUILDING HEIGHT of 30 feet. This requirement supersedes any applicable minimum story requirement. (See diagram 402.D.1.b);
- (iii) Where any portion on of a structure is more than 80 feet from any RBL and within 50 feet of the COMMON LOT LINE, that portion on of the structure shall have a maximum height of 1 STORY with an ULTIMATE BUILDING HEIGHT OF 12 feet. (See diagram 402.D.1.b.); and
- (iv) A GARDEN WALL at least 6 feet in height shall be constructed within one foot of the entire length of the COMMON LOT LINE.



402.D.1.b.

Section 402.D.1.b as written states that the Neighborhood Manners provisions (Section 402.D.1.b.i-iv), apply when a property within the N-FBC district is adjacent to any property that with the R-district zoning designation, regardless of what is existing on the property. Whereas the same text also states that the Neighborhood Manners provisions only apply to properties within the N-FBC district that are adjacent to an RA-district that have a one-family detached dwelling on the property. It

should be noted that the corresponding figure 402.D.1.b. shown above does not differentiate between the R and RA zoning districts.

Recommendation.

Amend Section 402.D.b.1. of the N-FBC to state that the Neighborhood Manners provisions (Section 402.D.b.1.i-iv) apply to N-FBC properties that share a common lot line with an R or an RA district only when there is a one-family detached dwelling.

Staff Analysis.

Staff evaluated all R-district properties that share lot lines with properties within the N-FBC. The results of this exercise revealed that there was only one area in which the R-district property had a use other than a one-family detached dwelling. The one outlying property is an R-6 zoning district that is occupied by a golf course. Staff has concluded that the intent of the N-FBC was not to impose the Neighborhood Manners standards (Section 402.D.1.b.) on a property adjacent to a golf course. An amendment to align the treatment of R and RA districts when adjacent to an N-FBC district property would have no unintended impacts on other R-districts under the same conditions as they are all occupied by one-family detached dwellings.

Recommendation.

Amend Section 402.D.b.1. of the N-FBC to align the treatment of R and RA districts.

Staff Team.

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- Project Manager: Matt Mattauszek – Principal Planner, CPHD – Planning Division

Timeline/Key Milestones.

- June 24, 2019 – Form Based Code Advisory Working Group: Review of the amendment
- October 2019 – ZOCO: Review of the amendment
- November 2019 – County Board Request to Advertise
- December 2019 – Planning Commission Hearing and Recommendation
- December 2019 – County Board Hearing Approval

FBC AWG Comments (July 2019).

ZOCO Comments (October 2019).

Planning Commission Comments and Recommendation.