PHED Committee #1
March 16, 2015

MEMORANDUM

March 12, 2015

TO: Planning Housing and Economic Development Committee

FROM: Jeff Zyontz, Legislative Attorney JZ

SUBJECT: Zoning Text Amendment 15-02, Townhouse Living – Design for Life

Background

Zoning Text Amendment (ZTA) 15-02, sponsored by Councilmembers Rice, Katz, Floreen, Berliner, Navarro and Hucker, would allow a conditional use for Design for Life projects with increased density under certain circumstances. ZTA 15-02 was introduced on January 20, 2015.

The County allows tax credits to builders and homeowners for including features in new and existing single-family dwelling units that improve accessibility for persons with disabilities. There are standards for both making it easier for physically challenged visitors (Level I[1]) and physically challenged occupants (Level II[2]). The tax credits became effective on July 1, 2014. The intent of this law was to increase stock accessible dwelling units in the County and thereby create a more inclusive community. Builders of new dwelling units have not taken advantage of this provision. The Council's intent to provide more housing for disabled persons has not been realized. Although some larger builders offered accessibility improvements as an option in new homes, no new home buyer took advantage of this option.

The sponsors of ZTA 15-02 believe that more incentives are warranted for new accessible communities. ZTA 15-02 would create a new conditional use for Design for Life communities that include features to make access easier for visitors and residents.[3] The approval of the conditional use would increase the

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[1] Level I Accessibility Standard means a permanent addition to a single-family residence that include at least one no-step entrance located at any entry door to the house that is connected to an accessible route to a place to visit on the entry level, a usable powder room or bathroom, and a 32-inch nominal clear width interior door. Other jurisdictions call Level I improvements "visitability standards".

[2] Level II Accessibility Standard means permanent additions to a single-family residence that provide all of the Level I Accessibility Standards plus an accessible circulation path that connects the accessible entrance to an accessible kitchen, a full bath, and at least one accessible bedroom, as further defined and described in Executive Regulations adopted under Method 2.

[3] Feature means a permanent modification to a residence that results in:

(1) a no-step front door entrance with a threshold that does not exceed ½ inch in depth with tapered advance and return surfaces or, if a no-step front entrance is not feasible, a no-step entrance to another part of the residence that provides access to the main living space of the residence;

number of dwelling units per acre over a site's base zoning and require Level II accommodations. In the sponsors' opinion, the criteria for approval will restrict conditional use approvals to appropriate areas of the County.

Public Hearing

The Council conducted a public hearing on February 24, 2014. All 7 speakers, including the Planning Board Chair, spoke in favor of ZTA 15-02. Several possible revisions were suggested in testimony:

1) Reduce the maximum allowable density from the proposed 15.25 units per acre (the maximum in the TMD zone) to 9.76 units per acre (the maximum density in the TLD zone).
2) Prohibit the Design for Life conditional use in the R-40 and R-60 zone.
3) Require a maximum 2% slope from the public right-of way to an accessible entry and from the parking area to the accessible entry.

Issues

1) Is the maximum density proposed appropriate to the benefit?

The Council paid great attention to the protections afforded single-family detached dwellings when it approved the new zoning code. Potential zoning changes through a local map amendment were viewed through that prism. The owner of land in a residential zone may request a floating zone for no more than 2.5 times the density of the land's Euclidean zoning unless more density is recommended in a master plan. The modestly higher density decreased the likelihood of floating zone applications and increased the likelihood that the resulting development would be compatible with the surrounding neighborhood. The maximum density that could be allowed as a conditional use under ZTA 15-02 is 15.25 units per acre. Under ZTA 15-02, the density allowed by conditional use approval would not vary with the density of the underlying zone.

As the Planning Board noted in its testimony, there are constraints in granting the maximum density. A local map amendment must be approved by the Council and found to "substantially conform with the recommendation of the applicable master plan". A conditional use must be approved by the Hearing Examiner with a finding that the proposed development would be "compatible with the character of the residential neighborhood". Site plan approval, which requires master plan conformance, would also be necessary before the issuance of building permits. An application may never get its maximum density, but zoning sets the limits on the density that may be approved.

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(2) an installed ramp creating a no-step entrance;
(3) an interior doorway that provides a 32-inch wide or wider clearing opening;
(4) an exterior doorway that provides a 32-inch wide or wider clear opening, but only if accompanied by exterior lighting that is either controlled from inside the residence, automatically controlled, or continuously on;
(5) walls around a toilet, tub, or shower reinforced to allow for the proper installation of grab bars with grab bars installed in accordance with the Americans with Disabilities Act Standards for Accessible Design;
(6) maneuvering space of at least 30 inches by 48 inches in a bathroom or kitchen so that a person using a mobility aid may enter the room, open and close the door, and operate each fixture or appliance;
(7) an exterior or interior elevator or lift or stair glide unit;
(8) an accessibility-enhanced bathroom, including a walk-in or roll-in shower or tub; or
(9) an alarm, appliance, and control structurally integrated into the unit designed to assist an individual with a sensory disability.

ZTA 15-02 would allow the density increase for producing a Design for Life development to vary inversely to the property's current density; the lowest density property (RE-1 zone; base density 1.09 units per acre) would be allowed to pursue the highest increase in density per acre (14.2 units per acre). The highest density zone (R-40 zone; base density 10.9 units per acre) would be allowed to pursue the lowest density increase per acre (4.4 units per acre).

Zone	Base Density (DU/acre)	Max. Zone Floating Density (DU/acre)	Proposed Max. Density (DU/acre)	Proposed Density Increase (DU/acre)
RE-1	1.09	2.18	15.25	14.16
R200	2.18	4.36	15.25	13.07
R-90	4.84	12.0	15.25	10.41
R-60	7.26	14.52	15.25	7.99
R-40	10.89	21.78	15.25	4.36

The economics of increased density are impressive. A detached single-family lot is worth about 25% of the sales price. Assuming a $750,000 detached house sales price, the value of the lot would be $187,500. The value of a townhouse lot is 15 to 20 percent of the sales price. Assuming a $400,000 townhouse sales price, the lot would be worth $80,000. Using RE-1 as an example with these assumptions, an approval of a Design for Life project at maximum density would increase the land value of one acre of land from $272,500 to $1,220,000. If Design for Life improvements add value equal to their cost, then ZTA 15-02 would add $947,500 of value per acre.[4]

In Staff's opinion, the density increase allowed by conditional use approval is out of scale to the far more conservative approach of the new zoning code. Staff suggests the following alternatives, depending upon the Council's goal.

- If the Council's goal is to get more accessible housing, it could require such attributes for some portion of units developed.[5]
- If a general requirement is more than the market could bear, then it could be required for all projects approved through local map amendments.
- If the Council wants Design for Life Projects to only be available by incentives, then Staff would recommend a lower maximum density. The maximum in the TLD zone (9.76 units per acre) would still offer a significant incentive in the RE-1 and R-200 zones and might avoid unrealistic expectations for what might be achieved in the approval process.

[4] The value of the lots would be reduced by the costs of completing the accessibility improvements that do not add market value to the house. If the unrecoverable costs are less than $62,000 per unit, the developer will break even on **land** costs minus expenses. There may be additional profits on 14 home sales beyond the lot value increase.

[5] Visitability legislation has been passed in many localities, including Atlanta, Georgia; Pima County, Arizona; Bolingbrook, Illinois; San Antonio, Texas; and the State of California. As of January 2014, 56 jurisdictions had a visitability program in place; most of these programs are mandatory ordinances; the others are voluntary initiatives (i.e., cash and tax incentives for builders and consumers, consumer awareness campaigns, and certification programs). The cities of Atlanta, Austin, and San Antonio adopted visitability ordinances for newly built single-family homes and duplexes that receive tax credits, city loans, land grants, or impact fee waivers. Pima County and Tucson, Arizona and Bolingbrook, Illinois require that all new single-family homes meet basic visitability criteria without regard to special benefits.

2) Should R-40 and R-60 zoned property be excluded from the ability to get increased density?

ZTA 15-04 would allow greater density by the approval of a conditional use only if the property is located within 2 miles of a Metro station and 5 miles of a hospital and adjoins a bus route. In addition, the density increase would be limited to some residential zones. The number of parcels and the acreage that satisfy those criteria are as follows:

Zone	Number of Parcels[6]	Acreage
RE-1	4	14
R-200	18	237
R-90	44	590
R-60	103	918
R-40	0	0
Split zoned	3	51
TOTAL	172	1,810

R-40 zoning allows a density of 10.9 units per acre. Land in this zoning classification generally developed as duplexes. There is no vacant R-40 zoned land. Based on the 2 acre minimum size, there are no R-40 parcels that would not satisfy the 2 acre minimum lot size requirement (without resubdividing improved property to larger lots).

Staff recommends deleting the increased density provisions for R-40 zoned land.

Older areas of the County are zoned R-60. The vast bulk of R-60 zoning is inside the beltway. There are 103 R-60 zoned parcels that satisfy the criteria of ZTA 15-02. Most of the larger parcels of R-60 are currently developed as schools. The largest parcel is the Chevy Chase Country Club.

Staff recommends deleting the increased density provisions for R-60 zoned land.

3) Should a lower slope be required leading to accessible entrances?

ZTA 15-02 would require a site that takes advantage of density increases to have a maximum slope of 5 percent.[7] Under ADA, that is the maximum allowed grade for a sidewalk along the path of travel. The maximum cross slope is 2 percent.

[6] Excludes park land and federally-owned land, but includes all institutional uses such as schools and golf courses.

[7] Above a 5 percent slope, a sidewalk is characterized as a ramp that would require railings and possibly landing areas.

ADA compliant parking spaces and the access aisles for the parking may not be more than a 2 percent grade in any direction. ZTA 15-02 would require 1 ADA compliant parking space per unit but does not require a 2 percent grade beyond the parking space. A 2 percent grade from the parking area to the accessible entry would be well in excess of ADA standards. The County ADA compliance officer did not recommend this requirement.

Staff does not recommended adding a 2 percent grade standard to the accessible entry.

4) Are the locational standards for a Design for Life conditional use appropriate?

There are 4 standards in ZT 15-02 that concern the general location of an approvable Design for Life project. Going from the largest geography unit to the smallest, those criteria are as follows:

- Within 5 miles of a hospital
- Within 2 miles of a Metrorail station
- Within 1,000 feet of a park
- Bus service on an abutting road

These criteria are general measures of urbanization. The 5 mile radius from a hospital is the broadest geographic area. All of the area within 2 miles of a Metrorail station is also within 5 miles of a hospital, but not all areas within 5 miles of a hospital are within 2 miles of a Metrorail station. The other factors, within 1,000 feet of a park and bus service on an abutting road, restrict the area within 2 miles of a Metrorail station. These criteria assure that conditional use approvals go to land connected to the surrounding community.

Staff recommends deleting the hospital distance requirement.

This Packet Contains	© number
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Zoning Text Amendment No.: 15-02
Concerning: Townhouse Living – Design for Life
Draft No. & Date: 1 – 1/5/15
Introduced: January 20, 2015
Public Hearing:
Adopted:
Effective:
Ordinance No.:

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Rice, Katz, Floreen, and Berliner

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Allow design for life projects with increased density under certain circumstances

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59.3.1.	"Use Table"
Section 59.3.1.6.	"Use Table"
Division 59.3.3.	"Residential Uses"
Section 59.3.3.1.	"Household Living"

EXPLANATION: ***Boldface*** *indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. DIVISION 59.3.1 is amended as follows:

DIVISION 59.3.1. Use Table

* * *

Section 3.1.6. Use Table

The following Use Table identifies uses allowed in each zone. Uses may be modified in Overlay zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential			Residential														
						Residential Detached							Residential Townhouse			Residential Multi-Unit				
		AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10		
* * *																				
RESIDENTIAL																			* * *	
HOUSEHOLD LIVING	3.3.1.																			
Single-Unit Living	3.3.1.B	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Two-Unit Living	3.3.1.C				P		L	L	L	L	L	P	P	P	P	P	P	P		
Townhouse Living	3.3.1.D				P		L	L/C	L/C	L/C	L/C	L/C	P	P	P	P	P	P		

* * *

Sec. 2. DIVISION 59.3.3 is amended as follows:

Division 3.3. Residential Uses

Section 3.3.1. Household Living

* * *

D. Townhouse Living

1. Defined

Townhouse Living means 3 or more dwelling units in a townhouse building type.

2. Use Standards

17 a. Where Townhouse Living is allowed as a limited use, it must
18 satisfy the following standards:
19 [a] i. In the RE-2C and RE-1 zones, Townhouse Living is
20 permitted as part of a development including optional
21 method Moderately Priced Dwelling Units (see
22 Division 4.4) if it is:
23 [i.] (a) served by public sewer service; or
24 [ii.] (b) designated for sewer service in an applicable
25 master plan.
26 [b] ii. In the R-200 and R-40 zones, Townhouse Living is
27 permitted as part of a development including optional
28 method Moderately Priced Dwelling Units (see
29 Division 4.4).
30 [c] iii. In the R-90 and R-60 zones, Townhouse Living is
31 permitted as part of the following:
32 [i.] (a) a development including optional method
33 Moderately Priced Dwelling Units (see
34 Division 4.4);
35 [ii.] (b) optional method cluster development (see
36 Division 4.4) that is a minimum of 10 acres in size;
37 or
38 [iii.] (c) optional method cluster development (see
39 Division 4.4) that is a minimum of 3 acres or more
40 in size and recommended in a master plan.
41 [d] iv. In the GR, NR, and EOF zones, the gross floor area of all
42 Household Living uses is limited to 30% of the gross
43 floor area on the subject site.

44 [e] v. In the LSC zone, all Household Living uses are limited to
45 30% of the maximum allowed FAR mapped on the
46 subject site.
47 b. Where Townhouse Living is allowed as a conditional use, it
48 may be permitted by the Hearing Examiner under Section
49 7.3.1, Conditional Use, and the following standards:
50 i. All buildings and structures must meet or exceed the
51 Level II Accessibility Standards established by Section
52 52-18(T) and detailed in Section 52-18(U).
53 ii. Public bus service must be available on a road abutting
54 the site.
55 iii. A Metro Station must be within 2 miles of the site.
56 iv. Public recreation or park facilities must be within 1,000
57 feet of the site.
58 v. A Hospital must be within a 5 mile radius of the site.
59 vi. A grading plan must demonstrate that the post
60 construction site will have a slope less than 5%.
61 vii. The minimum site size is 2 acres.
62 viii. The density limitations and development standards of the
63 TMD zone under optional method (Section 4.4.12.C)
64 apply in spite of any other limitation in this Chapter.
65 ix. Reducing the number of required parking spaces through
66 alternative compliance under Division 6.8 is prohibited.
67 x. A minimum of one parking space for each dwelling unit
68 must satisfy the dimensional standards for handicapped-
69 accessible vehicle parking required by the State.
70 * * *

71 **Sec. 3. Effective date**. This ordinance becomes effective 20 days after the
72 date of Council adoption.
73
74 This is a correct copy of Council action.
75
76 _____
77 Linda M. Lauer, Clerk of the Council

MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

February 13, 2015

TO: The County Council for Montgomery County, Maryland, sitting as the District Council for the Maryland-Washington Regional District in Montgomery County, Maryland

FROM: Montgomery County Planning Board

SUBJECT: Zoning Text Amendment No. 15-02

BOARD RECOMMENDATION

The Montgomery County Planning Board of The Maryland–National Capital Park and Planning Commission reviewed Zoning Text Amendment No. 15-02 at our regular meeting on February 12, 2015. By a vote of 5:0, the Planning Board recommends approval of the text amendment to require a conditional use for design for life projects with increased density under certain circumstances. The ZTA as introduced reflects incentive density for a design for life project commensurate with the limitations and standards of the Townhouse Medium Density (TMD) zone.

The Design for Life program is intended to incentivize builders and property owners to install accessibility features in existing and new construction. A key objective of the Design for Life program is to increase the stock of existing and new residences usable by people of diverse abilities. The County provides tax credits to builders and homeowners for including features in new and existing residential housing that improve accessibility for persons of all ages, including seniors and those with disabilities. There are standards for both making it easier for physically challenged visitors and physically challenged occupants.

ZTA No. 15-02 would require a conditional use for design for life townhouse living proposed outside of the optional method MPDU or cluster development provisions in the RE-1, R-200, R-90, R-60 and R-40 zones that includes increased density equivalent to the limitations and development standards of the Townhouse-Medium Density (TMD) zone. A townhouse living proposal under these provisions must: meet the Level II Accessibility Standards of Sections 52-18(T) and 18(U) for all units; be located in close proximity to public transit (public bus service must abut project site; metro station must be located within 2 miles); be located near public recreation or park (within 1000 feet of the site); be located near hospital services (within 5 mile radius); demonstrate that the post construction site will be

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minimally sloped (less than 5%); be on a site of at least 2 acres; and provide at least one parking space for each dwelling unit satisfying the dimensional standards for handicapped-accessible vehicle parking.

The Board has no objection to the standards established for a design for life townhouse living project. The Level II Accessibility Standards ensures that each unit has at least one no-step entrance located at an entry door to the house that is connected to an accessible route to a place to visit on the entry level, a usable powder room or bathroom, and a 32-inch nominal clear width interior door while also providing an accessible circulation path that connects the accessible entrance to an accessible kitchen, a full bath, and at least one accessible bedroom. In essence, the Level II Accessibility standards ensure accessibility for those visiting as well as for those living in the townhouse unit. Adjacency to public transit provides ease of access for those who might not, at some point, be able to drive, while the provision for a handicapped space for each unit provides easy access to vehicles for those who continue to own a vehicle- ease of access to either of these provisions would be enhanced by the minimally sloped topography.

The Planning Board recognizes that because every project must go through the conditional use process, attaining the maximum allowed density of the TMD zone is not a guarantee. However, the Board believes that the maximum proposed density of 15.25 dwelling units per acre using the TMD optional method of development provisions is an appropriate tradeoff for the costs associated with producing Level II Accessibility townhouse living units.

CERTIFICATION

This is to certify that the attached report is a true and correct copy of the technical staff report and the foregoing is the recommendation adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, at its regular meeting held in Silver Spring, Maryland, on Thursday, February 12, 2015.

Casey Anderson
Chair

CA:GR

MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item No.
Date: 2-12-15

Zoning Text Amendment (ZTA) No. 15-02, Townhouse Living – Design for Life

Gregory Russ, Planner Coordinator, FP&P, gregory.russ@montgomeryplanning.org, 301-495-2174

Pam Dunn, Acting Chief, FP&P, pamela.dunn@montgomeryplanning.org, 301-650-5649

Completed: 02/09/15

Description

ZTA No. 15-02 would allow a conditional use for design for life projects with increased density under certain circumstances. Specifically, the ZTA would allow a conditional use for townhouse living in the RE-1, R-200, R-90, R-60 and R-40 zones under requirements that include: meeting the Level II Accessibility Standards of Sections 52-18(T) and 18(U) for all units; close proximity to public transit, public recreation and hospital services; demonstration that the post construction site will be minimally sloped; a project site of at least 2 acres; density limitations and development standards of the TMD zone under optional method; and at least one parking space for each dwelling unit satisfying the dimensional standards for handicapped-accessible vehicle parking.

Summary

Staff recommends approval, with modifications, of ZTA No. 15-02 to allow a conditional use for design for life projects with increased density under certain circumstances. Staff modifications reflect a more appropriate incentive density commensurate with the limitations and standards of the Townhouse Low Density (TLD) zone. As introduced, the incentive density reflects the limitations and standards of the Townhouse Medium Density (TMD) zone.

Background/Analysis

The Design for Life program is intended to incentivize builders and property owners to install accessibility features in existing and new construction. A key objective of the Design for Life program is to increase the stock of existing and new residences usable by people of diverse abilities. The County provides tax credits to builders and homeowners for including features in new and existing residential housing that improve accessibility for persons of all ages, including seniors and those with disabilities. There are standards for both making it easier for physically challenged visitors and physically challenged occupants. The law was effective on July 1, 2014. The intent of this law was to increase stock accessible dwelling units in the County and thereby create a more inclusive community. As no new dwelling units have taken advantage of this provision, this intent has not been realized.

The sponsors of ZTA 15-02 believe that more incentives are warranted for new accessible communities. ZTA 15-02 would create a new conditional use for Design for Life communities that at least make access easier for visitors. The approval of the conditional use would increase the number of dwelling units per acre over a site's base zoning. In the sponsors' opinion, the conditions for approval will restrict approvals to appropriate areas of the County.

In General- Universal Design Living

Within the building industry, universal design is considered far more than just ADA compliance or accessibility. The National Association of Home Builders defines universal design as "the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design." Universal Design involves designing products and spaces so that they can be used by the widest range of people possible. Universal Design evolved from Accessible Design, a design process that addresses the needs of people with disabilities. Universal Design goes further by recognizing that there is a wide spectrum of human abilities. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness, injury and old age. By designing for this human diversity, we can create things that will be easier for all people to use

A universally designed home is convenient for an age-diverse population without overtly suggesting any age. It does include features that are designed to provide independence: no-step entry, wide doorways and hallways, and good lighting with easy-to-use rocker switches.

The Center for Inclusive Design and Environmental Access (IDeA Center) states that there are a number of goals for this type of design: body fit that covers a wide range of sizes; design that helps with promoting wellness and preventing injury; and personalization, so that residents have an element of choice and individuality in their environment. With these goals in mind, architects and builders can create housing that avoids feeling institutional. They further refer to this type of design as "enabling rather than disabling." The new universal design is attractive, easy to use, and has high-tech functionality that is nearly invisible. Although right now this is a concept that has been age driven, it is anticipated that the target will soon be everyone.

ZTA Provisions and Staff Comments

Currently Townhouse Living is a limited use in all but one Residential Detached zone (the RE-2 zone). The limitation allows townhouses only as part of a development including optional method Moderately Priced Dwelling Units. In the R-90 and R-60 zones, Townhouse Living is also permitted as part of an optional method cluster development that is a minimum of 10 acres in size or as part of an optional method cluster development that is a minimum of 3 acres or more in size and recommended in a master plan. ZTA No. 15-02 would require a conditional use for townhouse living proposed outside of the parameters stated above that includes increased density equivalent to the limitations and development standards of the Townhouse-Medium Density (TMD) zone. A townhouse living proposal under these provisions must: meet the Level II Accessibility Standards of Sections 52-18(T) and 18(U) for all units; be located in close proximity to public transit (public bus service must abut project site; metro station must be located within 2 miles); be located near public recreation or park (within 1000 feet of the site); be located near hospital services (within 5 mile radius); demonstrate that the post construction site will be

minimally sloped (less than 5%); be on a site of at least 2 acres; and provide at least one parking space for each dwelling unit satisfying the dimensional standards for handicapped-accessible vehicle parking.

Staff has no objection to a majority of the standards established for a design for life townhouse living project. The Level II Accessibility Standards (Attachment 2) ensures that each unit has at least one no-step entrance located at an entry door to the house that is connected to an accessible route to a place to visit on the entry level, a usable powder room or bathroom, and a 32-inch nominal clear width interior door while also providing an accessible circulation path that connects the accessible entrance to an accessible kitchen, a full bath, and at least one accessible bedroom. In essence, the Level II Accessibility standards ensure accessibility for those visiting as well as for those living in the townhouse unit. Adjacency to public transit provides ease of access for those who might not, at some point, be able to drive, while the provision for a handicapped space for each unit provides easy access to vehicles for those who continue to own a vehicle- Ease of access to either of these provisions would be enhanced by the minimally sloped topography.

The one provision that staff has some concern with pertains to the amount of additional density permitted for a design for life townhouse living project. Staff recognizes that because every project must go through the conditional use process, attaining the maximum allowed density of the TMD zone is not a guarantee. However, with a maximum allowed density of 15.25 dwelling units per acre using the TMD optional method of development provisions, in the RE-1 zone, for example, one could potentially gain approximately 12.5 times more density for a design for life project than they could attain otherwise (maximum density of 1.22 du/ac). Staff believes that the density limitations (9.76 du/ac) and standards of the Townhouse Low Density (TLD) zone would be a more appropriate tradeoff. Staff recommends this modification to ZTA No. 15-02.

Conclusion

With the proposed change to the ZTA language as depicted in Attachment 1 (density modification from TMD to TLD), staff recommends approval of ZTA No. 15-02.

Attachments

1. ZTA No. 15-02 as modified by staff
2. Accessibility Standards of Sections 52-18(T) and 52-18(U)