

§267-55. R1, R2, R3 and R4 Urban Residential Districts.

A. Purpose. These districts are intended to accommodate urban residential needs by providing for a wide range of densities and building types where public water and sewer are available. Conventional development with open space (COS), and planned residential development (PRD) are permitted where open space and environmental features are provided or preserved. Note that Flexible Design FDD is omitted. We would note that there are 4 zoning urban zoning categories. Those 4 categories each have these differing densities:

Zoning Density Differences

R1
 R1 with COS
 R1 with Elderly or CCRC

R2
 R2 with COS
 R2 with Elderly or CCRC

R3
 R3 with COS
 R3 with PRD
 R3 with Elderly or CCRC

R4
 R4 with COS
 R4 with PRD
 R4 with Elderly or CCRC

FOH: In addition to this array of densities, there are the following uses permitted within these zoning categories: (From Permitted Use Charts pp 133 – 150)

Zoning	Special Exception	Special Development	Temporary	Permitted
R1	15	3	2	14
R2	16	11	2	14
R3	15	29	2	16
R4	19	39	2	26

This is a very confusing system of uses. We feel this should be simplified by expansion of the zoning classifications which would lessen Special Exceptions and Special Development uses and densities within each district.

B. General regulations.

(1) Minimum lot area, area per dwelling or family unit, building setback from adjacent residential lot lines, lot width, front, side and rear yard and maximum building height, as displayed in Tables 55-1 through 55-4.3, shall apply, subject to

other requirements of this Part 1.

(2) Landscaping shall comply with the requirements set forth in §267-29 (Landscaping).

(3) Buffer yards shall comply with requirements set forth in §267-30 (Buffer yards).

(4) Signage shall comply with requirements set forth in §267-33 (Signs.)

C. Specific regulations. The following uses are permitted, subject to the additional requirements below:

(1) Agriculture. On a lot of 2 acres or more, all buildings associated with this use, including farmhouses, barns and silos, shall meet the required minimum setbacks for principal uses.

(2) Urban residential uses. The permitted density of development, the permitted dwelling unit types and design requirements shall depend upon whether the development is designed as a conventional development, conventional development with open space (COS), planned residential development (PRD), housing for the elderly or continuing care retirement community (CCRC).

(a) Conventional development. Conventional residential development shall be permitted, as of right, in all urban residential districts.

(b) Conventional development with open space (COS) and minimum parcel area. Conventional development with open space shall be developed in accordance with the provisions of Article VIII. The conventional development with open space shall be permitted in Urban Residential Districts R1, R2, R3 and R4. The minimum parcel areas (MPA) required shall be as follows:

District	MPA (acres)
R1	10
R2	10
R3	5
R4	5

Note the COS MPA in the R1 district has been downsized from 15 to 10 acres.

(c) Planned residential development (PRD). The planned residential development shall be developed in accordance with the provisions of Article VIII. The planned residential development shall be permitted only in R3 and R4 Districts.

(d) Housing for the elderly. The housing for the elderly shall be developed in accordance with the provisions of Article VIII. Housing for the elderly shall be permitted in the R1, R2, R3 and R4 Districts and minimum lot size shall be 4 acres.

(e) Continuing care retirement community (CCRC). The continuing care retirement community shall be developed in accordance with the provisions of Article VIII. The CCRC shall be permitted in R1, R2, R3 and R4 Districts. The minimum lot size is 20 acres.

(f) Maximum density by district and type of development. The maximum density permitted shall be as follows:

District	Conventional (du/ga)	COS (du/ga)	PRD (du/ga)	Housing for the Elderly (du/go)	CCRC (du/ga)
R1	1.8	2.0	N/A	7	25
R2	3.5	4.5	N/A	7	25
R3	5.0	7.0	10.0	14	30
R4	8.0	10.0	14.0*	14	30

FOH: The R1 allowance of 7 du/ga for Housing for the Elderly which may be in townhouses is entirely too dense for R1 areas. This should be downsized to the normal COS 2.0 per gross acre. Elderly housing in R1 more than triples allowable density. In R2, it doubles the density. We do not believe that townhouses are what one expects in R1 and R2 zoning districts.

*NOTE: The maximum density permitted for a high-rise apartment dwelling shall be 30 dwelling units per gross acre.

(g) Dwelling units per building block. A building block shall be a series of attached dwellings. The number of dwelling units per building block shall be as follows:

Dwelling Type	Number of Dwelling Units Per building Block	
	Minimum	Maximum
Semidetached dwelling	2	2
Patio/court/atrium dwelling	2	6
Multiplex dwelling	3	8
Townhouse dwelling, R2	3	4
Townhouse dwelling, R3/R4	3	8
Duplex dwelling	2	2
Row duplex dwelling	2	12
Garden apartment dwelling	4	36*
Mid-rise apartment dwelling	8	60*
High-rise apartment dwelling	8	80, except as special exception
Cluster Townhouse	4	7
Carriage court unit	4	16

*In housing for the elderly and CCRC special developments, there is no maximum.

(h) Building block length.

[1] The maximum length of a building block shall not exceed the following:

Building Block Type	Maximum Length Without Offset (Feet)	Maximum Length With Offset (Feet)
Townhouse dwelling	100	160
Row duplex dwelling	100	160
Multiplex dwelling	100	160
Carriage court unit	100	300
Garden apartment dwelling	150	300
Mid-rise apartment dwelling	120	200
High-rise apartment dwelling	120	200
Cluster townhouse	120	150

[2] Enclosed pedestrian bridges or walks between buildings shall not be construed as part of the building for building block length calculations.

(i) Maximum building coverage. The maximum building coverage shall be as follows:

Dwelling Types	Maximum Building Coverage (percent of total lot)
Patio/court/atrium, semidetached, townhouse, multiplex and row duplex and cluster townhouse	40
Garden, mid-rise and high-rise apartments	30

(j) Impervious surface ratio. The maximum impervious surface for any urban residential project shall not exceed 65% of the total parcel area.

(k) Variation in townhouse or multiplex width.

[1] In the R3 and R4 Districts, the permitted width of a townhouse or multiple dwelling may be reduced by a maximum of 4 feet, for not more than 50% of the townhouse or multiplex units, in any development. In the R2 District, the permitted width of a townhouse or multiplex dwelling may be reduced by a maximum of 4 feet, for not more than 25% of the townhouse or multiplex units, in any development.

[2] Where narrower units are provided, lot sizes, not yard sizes or setbacks, may be reduced proportionally. Such units shall be integrated into the overall design of the townhouse or multiplex development and shall be intermixed with other townhouses or multiplex units throughout the development.

(l) Variation in patio/court/atrium yard requirements. The front and rear yards required for the patio/court/atrium building block may be waived when the following have been provided:

[1] An area for utility services in the road right-of-way.

[2] Private atriums or courts surrounded by buildings or enclosed walls totaling 25% of the minimum lot requirement.

[3] All living spaces face the atriums or courts.

(m) Permitted dwelling units by lot. Types of dwelling units, for example, townhouse, lot line, single-family detached, shall be permitted only on lots for which specific approval is granted during subdivision review. Where no dwelling-unit type is specified, only single-family detached units shall be permitted.

(n) Multiplex dwellings and cluster townhouse. No detached accessory structures will be permitted in side or rear yards. Exterior storage shall be integrated in the design of the overall structure. Fencing shall be harmonious with the multiplex dwelling and shall be uniform in type and height. Said fencing shall be constructed in conjunction with the construction of the multiplex or cluster townhouse dwelling.

(o) Carriage court unit. Not more than 50% of carriage court unit building blocks, proposed for a development, shall contain the maximum number of dwelling units permitted for each building block.

[1] The following structures are permitted in accordance with the stated requirements:

[a] Detached accessory storage only as specified in the site plan approval; and

[b] Attached exterior storage, provided that the structure is integrated in the design of the overall dwelling, and does not permit a direct means of access to the dwelling.

[2] ~~All EACH units shall be accessible to emergency vehicles by means of either a paved surface or alternative load-bearing way. The Director of Planning and Zoning Volunteer Fire and EMS officials at the DAC process may require changes to the layout of the development to create safe environments for all residents and allow the speedy arrival of emergency vehicles AND ACCESS to each unit. shall establish standards and specifications for the paved surface or load-bearing way.~~

FOH: EMS and Fire officials have more expertise in the area of fire safety than the Director of Planning and Zoning. Allowing them to just speak their opinions with no authority has caused a serious problem in Joppatowne with Hackley's Reserve development where fire and emergency equipment may not be able to directly approach a townhouse. To only require standards for the access road or surface is not enough.

(3) Dwelling units, when on a permanent foundation.

(4) Rubble landfills are permitted in accordance with §267-87 (Rubble Landfills).

FOH: We note that many use classifications in the design charts have a decreased minimum lot width, front yard, side yard width and rear yard width. The minimum lot size has remained the same in all cases. This translates to larger houses with smaller yards which appears to be a standard more acceptable to today's buying public. We would hope that this would also enable builders to be less rigid and offer more variety within a single development than the same monotone of design, size and color.

FOH: This may lead to variance requests which cannot and should not be approved due to the extremely small distances between houses, streets or property lines. We suggest that where lot widths or yard widths have been markedly reduced, deeds and settlement papers should have spelled out that the lots may not accommodate accessory or auxiliary uses in side or rear yards. If someone buys a house with a side yard of 6 feet or a rear yard depth of 22', they should know when they buy the house, that there may not be room for a porch, pool or shed to be placed.