

Two-Family, Detached Definition

(Docket #240-21)

ZONING AND PLANNING COMMITTEE

SEPTEMBER 27, 2021

PLANNING & DEVELOPMENT

Overview

- Part of zoning cleanup items
- Item held for staff to provide additional detail on history and context
- Based on analysis, staff recommend Option 2 presented in August, which simplifies definition

History – Pre-2015 Definition

Dwelling, two-family. A building or structure that meets all of the following requirements:

- (a) It contains (2) dwelling units;*
- (b) It contains either: (1) a common floor-ceiling assembly between the upper and lower level dwelling units; or (2) a common wall connector and a common roof connector, as defined in section 30-1*

Intent of Current Definition

(Sec. 1.5.1.B)

- Create stricter rules for the layout of two-family buildings
- Prevent two-family buildings that had minimal mass connecting the two units
- Some ZAP members found this form aesthetically undesirable and not in keeping with the intent of the two-family housing type

Current Definition

Two-Family, Detached. A building that contains 2 dwelling units and is either divided vertically so that the dwelling units are side by side but separated by a shared wall extending the entire maximum height of one or both units, and/or is divided horizontally so that one dwelling unit is above another

Issues Raised in Creation of Current Definition

(Sec. 1.5.1.B)

- Most communities have a simple definition for Two-Family that works well
- Issues around the new construction of two-family homes are best addressed through dimensional regulations and district standards, not the definition
- Possible unintended consequences of requiring the shared wall extend the entire height of the building would be buildings that “end up looking like boxes”

Observed Issues with Current Definition

(Sec. 1.5.1.E)

Two-Family, Detached. A building that contains 2 dwelling units and is either divided vertically so that the dwelling units are side by side but separated by a shared wall extending the entire maximum height of one or both units, and/or is divided horizontally so that one dwelling unit is above another

- Existing definition limits design options for two-family buildings
- Having two attached garages touching is not allowed
- Having one garage touching living space of an adjacent unit is not allowed
- Building professionals and homeowners have pointed to this inflexibility as a barrier to good and varied design

Previous Alternative Revision Considered

Proposed Edits- Option 1

Two-Family, Detached. A building that contains 2 dwelling units and is either divided vertically so that the dwelling units are side by side but separated by a shared wall extending the entire maximum height of one or both units, including garages, and/or is divided horizontally so that one dwelling unit is above another. Accessory apartments shall not be considered a separate dwelling unit for the purposes of this section.

- Allowed garages to touch
- Maintained requirement for complete connection between each unit
- Option 1 also included an amendment to Sec. 3.4.4.F requiring habitable space above the garages if they share a wall (1 and 1 ½ story residences exempted)

Proposed Two-Family, Detached Definition

(Sec. 1.5.1.B)

Proposed Edits-Option 2

Two-Family, Detached. A building that contains 2 dwelling units ~~and is either divided vertically so that the dwelling units are side by side but separated by a shared wall extending the entire maximum height of one or both units, and/or is divided horizontally so that one dwelling unit is above another.~~

Accessory apartments shall not be considered a separate dwelling unit for the purposes of this section

- Allows for garages to touch
- Allows for flexibility in how the massing and units are arranged
- Allows for fewer curb cuts & less paving
- Overall mass will still be controlled by FAR and other zoning dimensional controls such as setbacks and lot coverage