



Town of Ashland

Center of the Universe

STAFF REPORT

To: Town Council, Town of Ashland, Virginia
From: Nora Amos
Date: December 20, 2016
Case Type: Text Amendment
Case No.: ORD2016-07
Case Name: R-3 Lot Size

REQUEST:

Staff has requested a text amendment to specify the minimum lot size for single-family, attached homes in R-3, Residential Medium zoning. The current zoning allows two-family dwellings at a minimum lot size of 10,000 square feet, but does not specify the lots sizes if they were to be divided for use as single-family, attached. This is clarified in R-4, Residential High, where the minimum lot for single-family, attached is 6,000 square feet. The proposed amendment would apply this same lot size minimum (6,000 square feet) to R-3.

RECOMMENDATION:

On November 9th the Planning Commission held a public hearing and voted (4-0) to recommend approval of ORD2016-07. Factors they considered are detailed in the staff report.

Staff is recommending approval of ORD2016-07 to clarify lot size interpretation and setbacks for single-family attached homes in R-3.

MOTION:

Approve – I move to approve ORD2016-07.

Approve w/ amendments – I move to approve ORD2016-07 with the following changes...

Deny – I move to deny ORD2016-07.

Defer – I move to defer action on ORD2016-07 until the ____ Town Council meeting.

REQUEST:

Staff has requested a text amendment to specify the minimum lot size for single-family, attached homes in R-3, Residential Medium zoning. The current zoning allows two-family dwellings at a minimum lot size of 10,000 square feet, but does not specify the lot sizes if they were to be divided for use as single-family, attached.

Minimum lot size for single-family, attached is clarified in R-4, Residential High, where the minimum lot for single-family, attached is 6,000 square feet. The proposed amendment would apply this same lot size minimum (6,000 square feet), frontage (37.5' per lot), and specify single family, attached in R-3.

ZONING:

Comparisons between R-3 and all other zoning districts can be seen in the attached zoning comparison chart. Note that two-family homes are permitted in both R-3 and R-4 today, but minimum lot size is not specified for the use in R-3.

There is a difference between two-family and single-family, attached. As seen in the image and zoning definitions below, two-family dwellings would most likely become duplexes with a single owner of two units. Single-family, attached homes would lend themselves to one property, one house, as is common with single-family, detached homes.



Dwelling, two-family. A structure arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

Dwelling, single-family, attached. A single-family dwelling attached to one other one-family dwelling by a common vertical wall.

Dwelling unit. One or more rooms in a dwelling designed for living or sleeping purposes, and having only one kitchen.

Single-family, attached and two-family homes were added to the zoning ordinance in 2001 to allow for the development of townhomes along Myrtle Street. The Planning Commission minutes and staff report are attached to this report. In these documents it is not noted why “two-family dwelling” was listed as a permitted use with a CUP in R-3, but without any minimum lot size specified.

COMPREHENSIVE PLAN:

Although this ordinance amendment is mainly a clarification of an existing permitted use, Comprehensive Plan policies for increasing homeownership (Policy HN.3) can be met with the allowance of single-family, attached. With duplexes already permitted within R-3, the single-family, attached use could increase homeownership as it would be one home, one lot. Additional policies for variety in home and lot size within single-family residential districts (Policy LU.1 and H.5) support the inclusion of a range of housing types.

Single-family, attached homes comprise approximately 6% of the total housing units.

Table HN-1

Residential Structure Types		
	2000	
TOTAL	2,445	
Single-Family Detached	1,373	56%
Single-Family Attached	146	6%
Multi-Family	631	26%
Mobile Homes	295	12%
Source: US Census 2000		

Action #1 under the “To Do List” for Community Character & Design identifies updated zoning to allow for infill housing. This was a process that the Planning Commission started in work sessions in 2015, and temporarily halted in 2016 for the Comprehensive Plan Update. Actions such as the update presented in this ordinance would have been covered in the update.

PLANNING COMMISSION – November 9th Meeting

On November 9th the Planning Commission held a public hearing and received a presentation from staff. No one spoke at the public hearing. The Commissioners discussed

the differences between R-3 and R-4 zoning, examples of existing single-family attached homes, location of R-3 zoning in town, and side yard setback. The Commissioners then voted (4-0) to recommend approval of ORD2016-07.

ANALYSIS AND RECOMMENDATION:

Staff has requested a text amendment to specify the minimum lot size for single-family, attached homes in R-3, Residential Medium zoning. This request does not permit additional housing construction than what would be permitted today, but clarifies how the code will be applied to two-family and single family, attached dwellings.

In researching these regulations, two-family dwelling was listed as a permitted use in the district, but regulation was not detailed to specify minimum lot size or frontage regulations if it were developed as single-family, attached housing. The Buifant rezoning received earlier this year was the first attempt by someone to develop under the two-family dwelling use in R-3. An interpretation from how the code is applied to lot width and minimum lot size could be made, but to have a strong legal standing it was recommended to have standards specified in R-3.

Staff is recommending the R-4 standards for minimum lot size (6,000sf) and frontage (37.5') be specified for single-family, attached as the single-family, detached and two-family dwelling regulations mirror one another in the two districts.

Finally, by clarifying regulation to allow for single-family, attached development of the Comprehensive Plan goals for increasing homeownership have a greater chance of being fulfilled as this opens the opportunity for single-lot homeowners, as opposed to duplexes.

Staff is recommending approval of ORD2016-07 to clarify lot size interpretation and setbacks for single-family attached homes in R-3.

ORD2016-07 R-3 Lot Size

AN ORDINANCE WHICH AMENDS THE CODE OF THE TOWN OF ASHLAND ARTICLE VI, "RESIDENTIAL MEDIUM DISTRICT R-3," TO SPECIFY A MINIMUM LOT SIZE OF SIX THOUSAND (6,000) SQUARE FEET FOR SINGLE FAMILY, ATTACHED HOMES AND LIST SINGLE FAMILY, ATTACHED HOMES AS A PERMITTED USE WITH A CONDITIONAL USE PERMIT.

BE IT ORDAINED by the Ashland Town Council that the Ashland Town Code, Chapter 21, "Zoning," Article VI, "Residential Medium R-3," be amended to read as follows:

"ARTICLE VI RESIDENTIAL, MEDIUM DISTRICT R-3

Sec 21-48 Use Regulations

The following uses and structures shall be permitted in the Residential District R-3:

1. Single-family dwellings, detached.
2. ~~Reserved.~~ Single-family, attached with a conditional use permit.
3. Two-family dwellings; i.e., duplex, with a conditional use permit.
4. Home occupations.
5. Churches and other places of worship. Not-for-profit accessory uses such as day care centers, schools, bingo establishments and community centers, with a conditional use permit.
6. Lodges.
7. Off-street parking in accordance with ATC chapter 21, article XIX.
8. Parks and playgrounds, with a conditional use permit.
9. Accessory uses and structures as defined in ATC chapter 21, article I.
10. Day schools and kindergartens, public schools, and private schools having substantially the same curriculum as public schools, with a conditional use permit.
11. Signs in accordance with ATC chapter 21, article XX.
12. Major utilities such as plant expansions, tanks, pump stations, or other buildings require a conditional use permit. See ATC article XXII of this chapter for underground utility requirements.
13. Accessory apartments, in accordance with ATC article XXV of this chapter, and with a conditional use permit to be reviewed every five (5) years to assure compliance with the original conditions.
14. Community centers as defined in article I, with a conditional use permit.
15. Bed and breakfast, with a conditional use permit and in accordance with ATC chapter 21, article XXV, Various Regulations.
16. Adult day care services, when accessory to a church or community center, with a conditional use permit.

Sec 21-49 Area Regulations

The minimum lot area shall be eight thousand (8,000) square feet for single-family, detached dwellings; six thousand (6,000) for single family attached; and ten thousand (10,000) square feet for two-family dwellings.”

Sec 21-51 Frontage Regulations

The minimum width of any lot at the setback shall be sixty (60) feet for non-residential uses.

The minimum width of any lot at the setback shall be sixty (60) feet for single-family detached dwellings, and thirty-seven and one-half (37.5) feet for single-family attached dwellings and two-family dwellings.

This Ordinance shall take effect upon adoption.

Introduced:

Town Council referred to Planning Commission:

Advertised:

Planning Commission:

Herald Progress:

Town Council:

Herald Progress:

Public Hearing:

Planning Commission:

Town Council:

Adopted:

Effective:

		RRI	RRC	RI	R2	R3	R4	R5
Area	Single Family	2ac	25ac (total)	15,000sf	10,000sf	8,000sf	6,000sf (A)	-
			1ac				8,000sf (D)	
	Two-Family	-	-	-	-	10,000sf	10,000sf	-
	Townhouse	-	-	-	-	-	1ac	2.5ac
Multifamily	-	-	-	-	-	-	2.5ac	
Front Setback		50'	40'	40'	30'	25'	30'	50'
Public Road Frontage	Single Family	200'	150'	100'	75'	60'	37.5' (A)	-
							60' (D)	
	Two-Family	-	-	-	-	60'	75'	-
	Townhouse	-	-	-	-	-	200' (24' unit)	180'
Apartment	-	-	-	-	-	-	180'	
Side Yard		50'	20'	15'	15'	10'	10' (30')*	15' (30')*
Side Yard (Street)		50'	30'	30'	25'	25'	25'	25'
Rear Yard		50'	40'	35'	25'	25'	25', 30' twn	25' (30')
Density (units/acre)		-	0.6	-	-	-	7 twn	12 (15**)
Height		35'	35'	35'	35'	35'	35'	35'
Open Space		-	25%	-	-	-	30% twn	50%
Recreation Space		-	-	-	-	-	200 per unit	250sf per unit
Other		-	See 21-30.6	-	-	-	6 twn row	100sf patio

twn = Townhouse (A) = Single-family, attached (D) = Single-family, detached

Accessory structures, min. 5' setback to side and rear

* Numbers in parentheses (#) are minimum setback to other structures

** May be increased to 15 units/acre if 750sf per unit is provided