Zoning Ordinance Text Amendment ZOTA #26-05 HDO Setbacks

Planning Commission Work Session
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LIVE DIFFERENTLY. TOWN OF Herndon VIRGINIA

Background

- HDRB may grant setbacks in HDO for single-family residential properties
  - May not be less than 20 feet from property line
- HDRB passed a resolution in support of this ZOTA
  - Allows the HDRB to grant greater setback reductions than currently permitted

Purpose

- ZOTA 26-05 will increase the HDRB's ability to grant setback reductions
  - Must be compatible with adjacent dwellings and HDO character
- Updates the existing language pertaining to HDO setback reduction
  - Chapter 78 (ZONING), Article VI (Overlay Districts), Section 78-60.3(e) (Historic District Overlay (HDO) - Reduction of setback)
- Also clarifies that setback reduction process is separate and exempt from the Certificate of Appropriateness requirement - Section 78-60.3(g)(2) (HDO - Exemptions from COA)

HDO Setback Reduction – Proposed Language

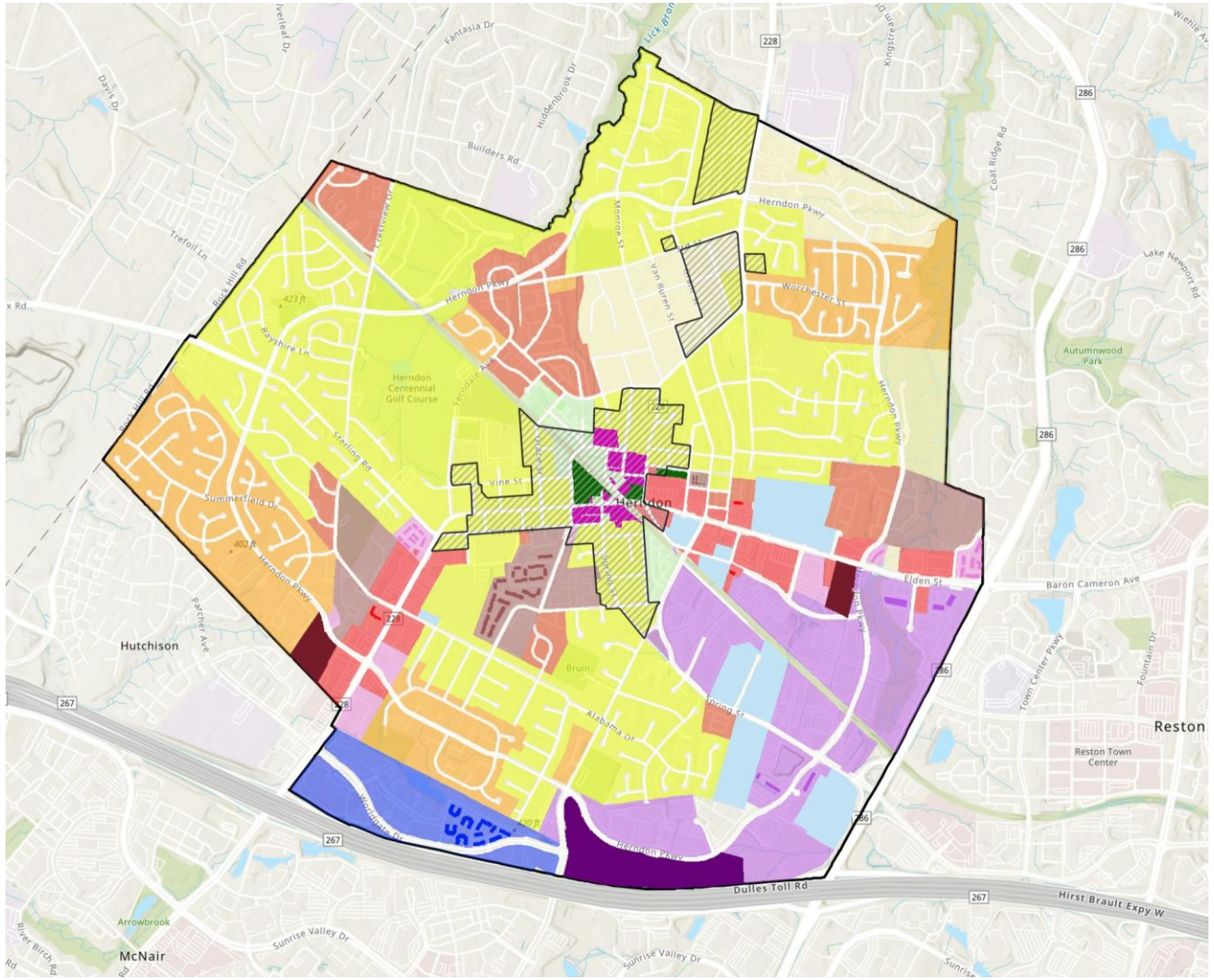
Sec. 78-60.3(e) - Reduction of setback

Reduction of setback. In the HDO, the front setback **may be reduced** for a **lot with a** single-family detached dwelling**, including for additions to an existing dwelling, construction of a new single-family detached dwelling, or a new accessory building,** ~~may be reduced from 35 feet to a lesser amount but not less than 20 feet~~, in instances where the HDRB makes a finding that such reduction shall cause the subject structure to be more compatible with nearby contributing structures. **Such reduction shall not prohibit compliance with streetscape standards, and shall not conflict with requirements of Section 78-21(e).**

Sec. 78-60.3(g)(2) - Exemptions from COA

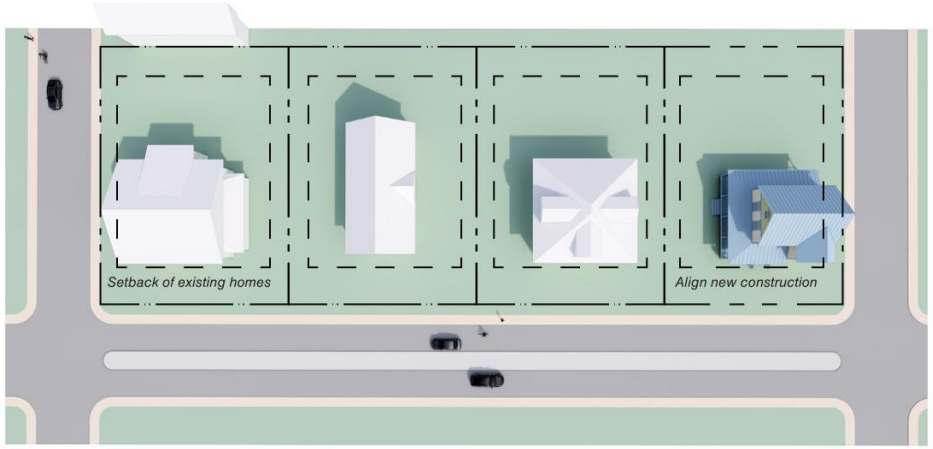
- (h) Similar development determined by the zoning administrator not to have permanent effects on the character of the HPD.
- (i) Reductions of setback requirements in the HDO pursuant to 78-60.3(e).

HDO Boundaries



Historic District Character

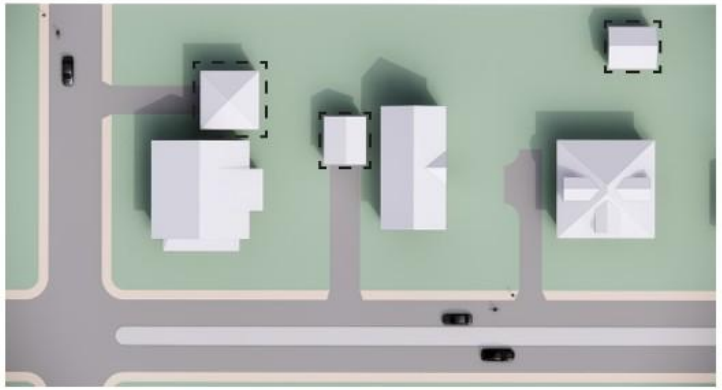




Property Lines

Setbacks

Appropriate setbacks, building orientation, and building scale should match adjacent properties



Appropriate placement of accessory structures and parking behind and to the side of the principle building.

Source: Herndon Historic District Overlay Guidelines (updated 2020)

Historic District Character





R-10 Example


R-10 Example: 706 Main Dr
Vine Street
Total: 8.4 ft
Total: 28.9 ft
28.9 ft
Total: 33.7 ft
33.7 ft
Main Street
0
0.02
0.0 Miles
This map is intended for reference purposes only. Fairfax County does not provide any guarantee of the accuracy or completeness regarding the map information.





R-15 Example


R-15 Example: 1100 Grant St
Grant Street
2nd Street
28.1 ft
Total: 28.1 ft
0
0.04
0.1 Miles
This map is intended for reference purposes only. Fairfax County does not provide any guarantee of the accuracy or completeness regarding the map information.





Examples from other jurisdictions

Arlington County, VA

§ 15.7.4 - Setback modification permitted - As part of the certificate of appropriateness review process, the Review Board may find that the proposed setback for buildings and structures is **consistent with the existing streetscape and historic district design guidelines** even though such setback is inconsistent with the requirements of the underlying zoning district. When the Review Board makes this finding, the zoning administrator shall grant a modification to the underlying setbacks, **unless such modification violates visual clearance requirements from §3.2.6.A.4.**

Emphasis added; Source: Arlington County Zoning Ordinance

Examples from other jurisdictions

Loudoun County, VA

Section 11.04(D)(3) Review and make recommendations on all applications for Site Plan, Subdivision, Variance, Zoning Map Amendment, Zoning Concept Plan Amendment, Special Exception, Minor Special Exception, or Zoning Modification in any Historic Overlay District.

Emphasis added; Source: Loudoun County Zoning Ordinance

Examples from other jurisdictions

Town of Leesburg, VA

Sec. 10.4(D)

New or expanded developments within the H-1 Overlay District may be located closer to the street frontage than otherwise authorized by the underlying zoning district, **up to the average setback of existing buildings** (including any covered or enclosed portions of such structures) which abut the property along the street frontage. In circumstances **where there will not be an adverse impact to adjoining properties**, an existing principal structure may be expanded along an established nonconforming perimeter yard setback. In both situations, the applicant must demonstrate to the satisfaction of the Board of Architectural Review and the Zoning Administrator that **the proposed structure will be compatible with the surrounding properties** and will not interfere with the light, air, convenience of access, public improvements, and safety from fire, flood and other dangers.

Emphasis added; Source: Town of Leesburg Zoning Ordinance

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Sec. 78-60.3(g)(2) - Exemptions from COA

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Staff Recommendation

- Recommend approval of the staff proposed language to the Town Council