

# Unified Development Ordinance

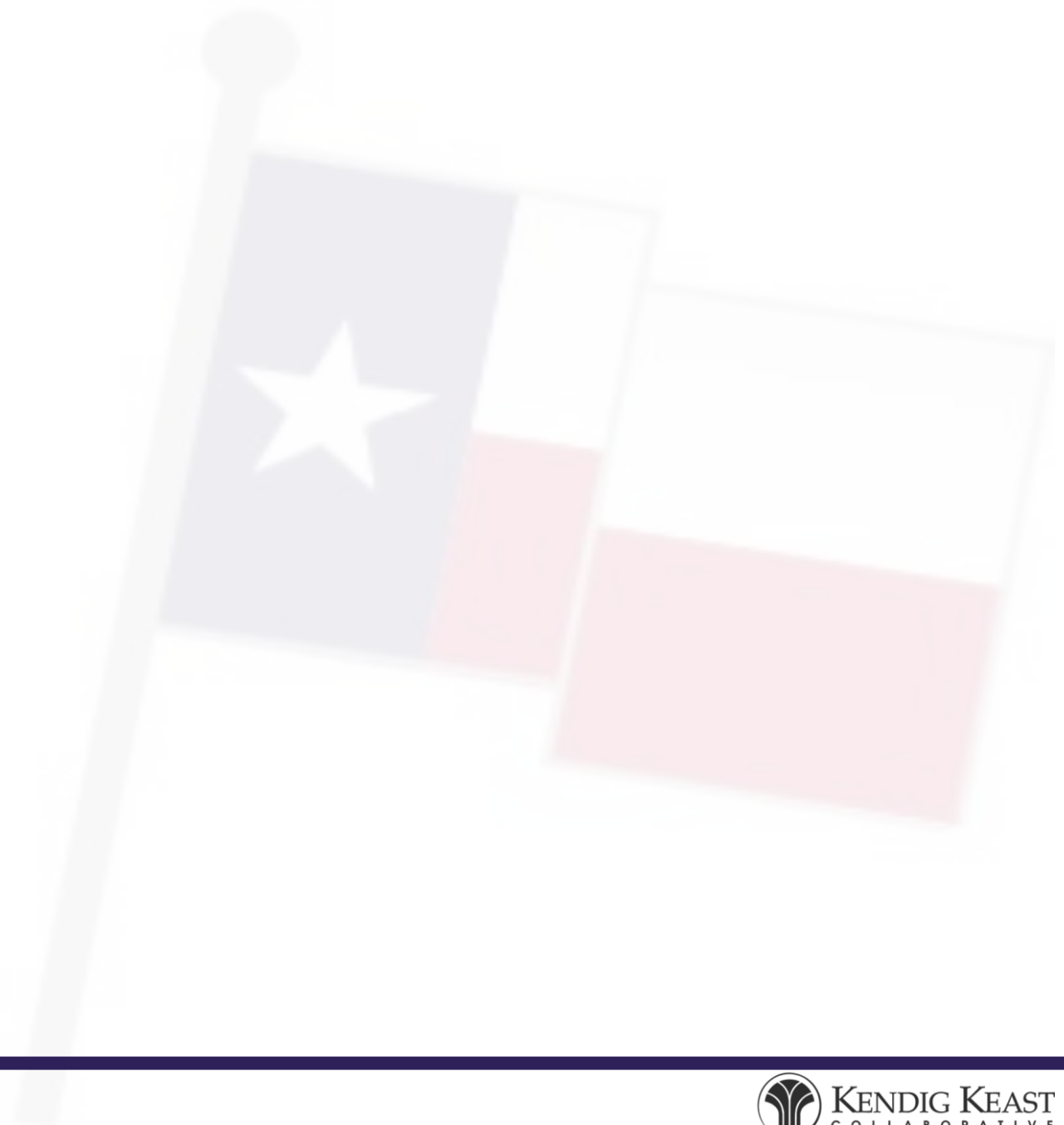
*Interim Ordinance Workshop*

*November 19, 2024*



# Today's Agenda

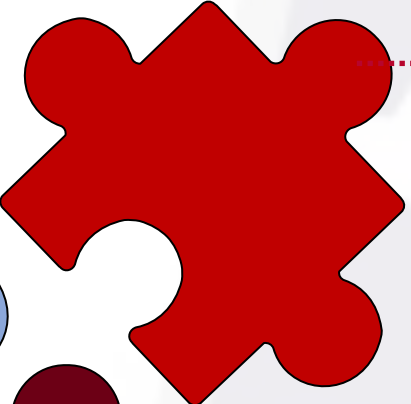
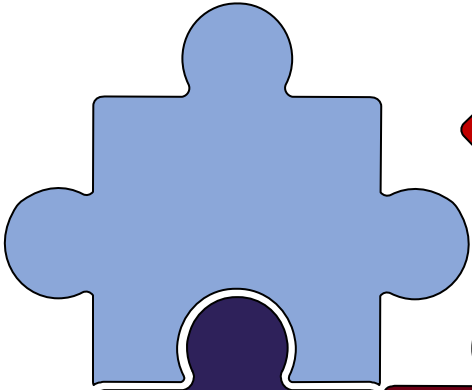
- ★ Project Overview
- ★ Interim Ordinance Updates
  - Overview
  - Scope
  - Content Explanation
    - Downtown Zoning District; and
    - Building Design Standards
- ★ Questions & Discussions



# Project Overview

This project is made up of 4 main components:

Future Land Use,  
Thoroughfare, and  
Open Space Plans

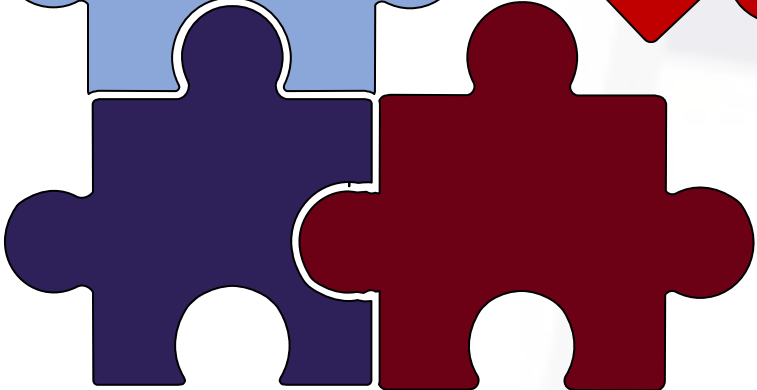


This will be the focus of today's workshop!



**Interim Ordinance  
Updates**

Illustrated Master  
Plan



**Unified Development  
Ordinance (UDO)**

# Interim Ordinance Updates | Overview

- ★ As part of creating the UDO, several chapters of the Code of Ordinances will be overhauled and combined into one document to guide development in Montgomery.
  - This is currently scheduled to wrap up fall/winter 2025.
- ★ The interim ordinances are more targeted updates to Chapter 78, Subdivisions and Chapter 98, Zoning in order to get high priority changes done quickly.
- ★ Updates have been guided by conversations with staff and the public input from KKC's trip in May.
- ★ Once the interim ordinances are adopted, that doesn't mean they cannot and/or will not change during the creation of the UDO.

# Interim Ordinance Updates | Scope

## ★ Issues addressed in the interim ordinances:

1. **Uses in R-2 Zoning District** – Make all uses require a special use permit.
2. **Building Design** – Create new building design standards for multi-family and commercial developments;
3. **Downtown Zoning District** – Establish a new Downtown zoning district;
4. **Historic Preservation** – Update the language of the current guidelines (optional) so they are standards (mandatory);
5. **Planned District (PD)** – Add more perimeters for when they can be used and what is required;
6. **Sidewalks** – Require sidewalks when development occurs;
7. **Street Improvements** – Require developers to improve existing streets they are fronting to meet the standards required for the development; and
8. **Tree Preservation** – Strengthen standards and penalties when violations occur and make standards apply when property is developed, not just when it is subdivided.

★ These topics are interwoven throughout the pertinent Chapters so multiple sections and articles will have some text changed, added, or removed. Definitions were added as needed.



# Content Explanation | Downtown Zoning District

★ Created new Downtown (DT) zoning district

★ Permitted Uses

- Townhouses, Upper-Story Residential Units, and various nonresidential uses such as retail, restaurants, micromanufacturing, and event venues (subject to additional standards)

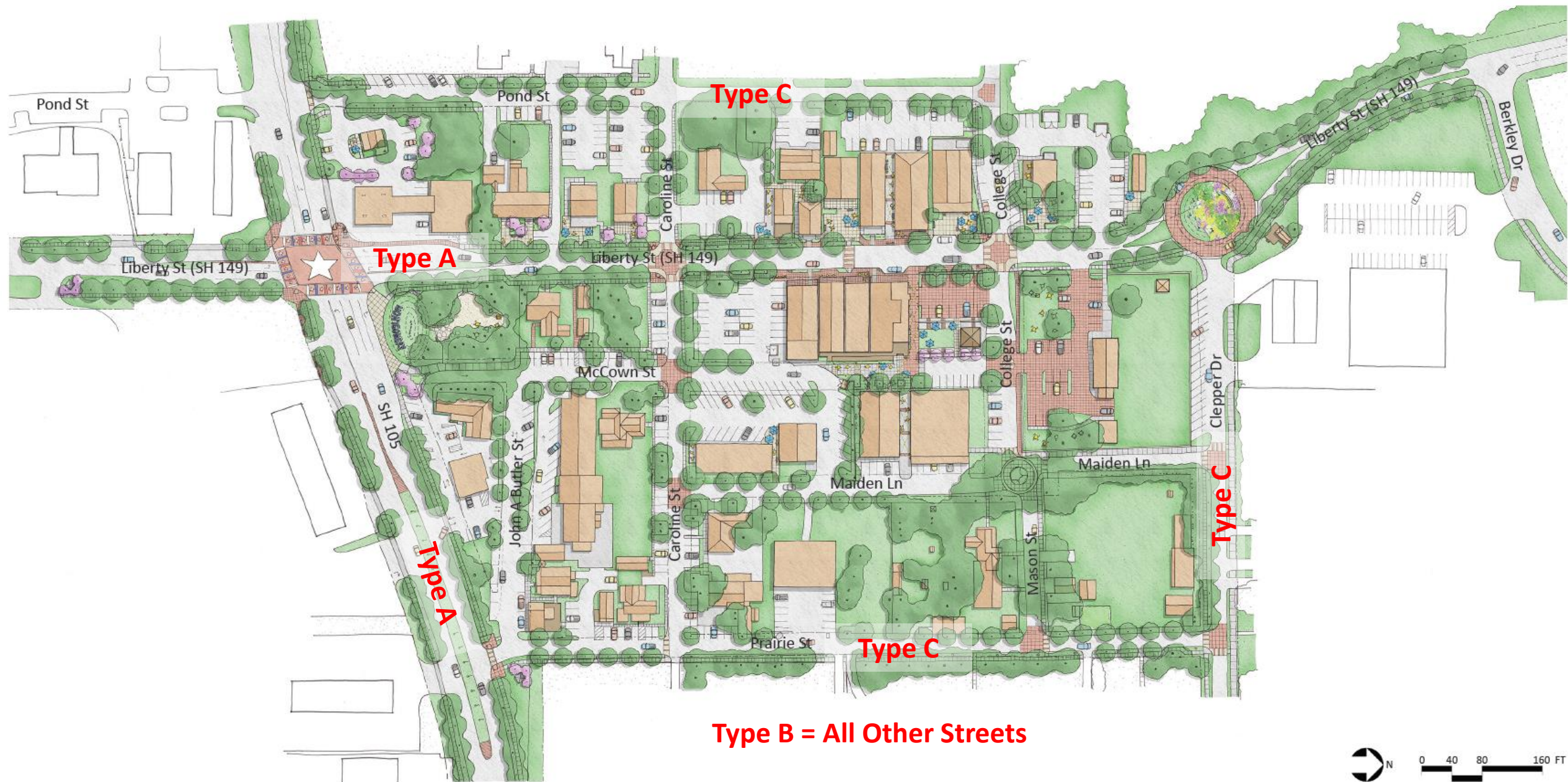
★ Use Regulation Examples

▪ Townhouses

- Townhouses are permitted along Type B and C streets, as established in Subsection 98--286(c), Street Designations.
- A maximum of four consecutive townhouse units are permitted. End units shall have a minimum side setback of ten feet.

▪ Event Venues

- Food and beverage preparation is limited to on-site consumption for guests.
- The use shall comply with noise regulations set forth in Chapter 34, Article III, Noise, of the Code of Ordinances.
- Events shall not be conducted between 11:00 p.m. and 7:00 a.m.
- The business is conducted so that it does not create parking or traffic congestion



**Type A**

**Type C**

**Type A**

**Type C**

**Type C**

**Type B = All Other Streets**

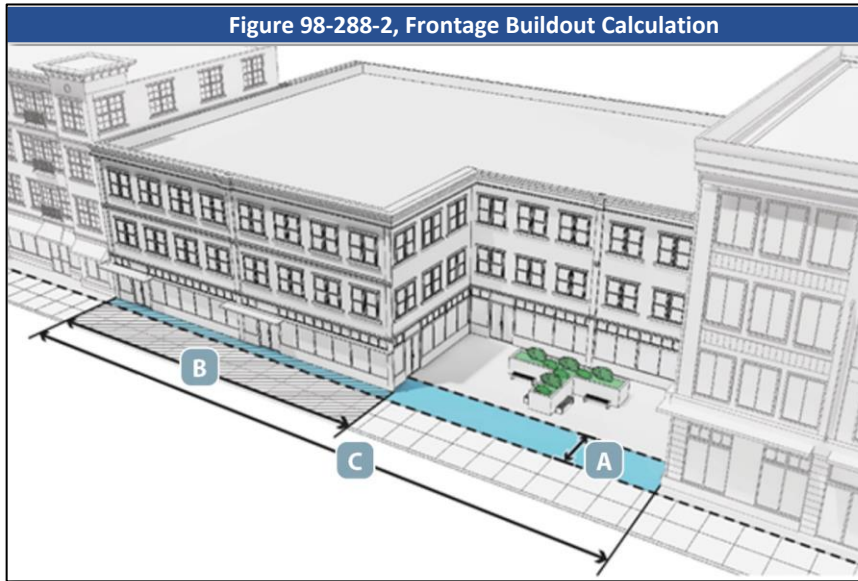




# Content Explanation | Downtown Zoning District (cont'd.)

## ★ Dimensional Standards

- Based on fronting street



- Frontage buildout means the portion of the building ("B" in the graphic below) that is within the range of the minimum and maximum front or side street setbacks ("A" in the diagram below), represented as a percentage of the width of the lot.
- For example, on a 60-foot wide lot, if 50 linear feet of the building lies within the range of the minimum and maximum setbacks, then the frontage buildout is 83% ( $50 / 60 = .83$ ).

| Table 98-288-1, Height and Area Requirements        |  |  |                   |                           |  |
|---|--|--|-------------------|---------------------------|--|
| Standards   | Fronting Street                            |  |                   |                           |  |
|   | Type A - State Highway<br>105 / Eva Street | Type A - State Highway<br>149 / Liberty Street | Type B Streets    | Type C Streets            |  |
| Lot Area, Minimum                                   |  |  | 1,500 square feet | 1,500 square feet         |  |
| A Townhouse   | Not Permitted                              | Not Permitted                                  | 1,500 square feet | 1,500 square feet         |  |
| All Other Uses                                      | NA   | NA   | 2,000 square feet | 2,000 square feet         |  |
| Lot Width, Minimum                                  |  |  | 15 feet           | 15 feet                   |  |
| B Townhouse   | Not Permitted                              | Not Permitted                                  | 15 feet           | 15 feet                   |  |
| All Other Uses                                      | 25 feet                                    | 25 feet  | 40 feet           | 40 feet                   |  |
| C Bldg Height, Minimum/Maximum                      | 30 feet / 60 feet                          | 30 feet / 45 feet                              | NA / 45 feet      | NA / 45 feet              |  |
| D, E Front and Side Street Setback, Minimum/Maximum | 5 feet / 10 feet                           | 0 feet / 5 feet                                | 5 feet / 10 feet  | 10 feet <sup>1</sup> / NA |  |
| Frontage Buildout, Minimum <sup>2</sup>             | 80%  | 80%  | 60%               | 0%                        |  |
| F Side Setback, Minimum                             | 0 feet                                     | 0 feet   | 0 feet            | 5 feet <sup>3</sup>       |  |
| G Rear Setback, Minimum                             | 10 feet                                    | 10 feet  | 10 feet           | 10 feet                   |  |
| Lot Coverage, Maximum <sup>4</sup>                  | 95%  | 95%  | 85%               | 70%                       |  |

Table Notes:

1. A front loaded garage shall be set back a minimum of 20 feet from the front or side street property line.
2. Refer to Figure 98-288-2, below, for a graphic depiction of this measurement.
3. Townhouses shall have a 0' side setback.
4. Refer to Figure 98-288-3, below, for a graphic depiction of this measurement.




# Content Explanation | Downtown Zoning District (cont'd.)

## ★ Signs

- Includes signs types that are allowed in the DT zoning district and standards specific to the sign type.
- Permitted Sign Types:
  - Awning Signs
  - Canopy Signs
  - Hanging Signs
  - Marquee Signs
  - Projecting Signs
  - Wall Signs
- Prohibited Sign Types:
  - Roof Signs
  - Cabinet Signs
  - Pole or Pylon Signs
  - Electronic Message Boards

Table 98-289-2 Allowed Attached Permanent Signs



**Awning Signs**

|   |   |
|---|---|
| Maximum Number Allowed  | 1 per building front or per storefront  |
| Maximum Area  | 5 square feet per linear foot of awning or canopy length                                      |
| Minimum / Maximum Distance from Building Wall to Farthest Part of Sign (Projection) | 4 feet / No more than half the distance from the building facade into the public right-of-way |
| Maximum Height  | 8 feet above grade  |
| Illumination  | External  |
| Other Standards   | N/A   |



Example of an electronic message board



Example of a channel sign

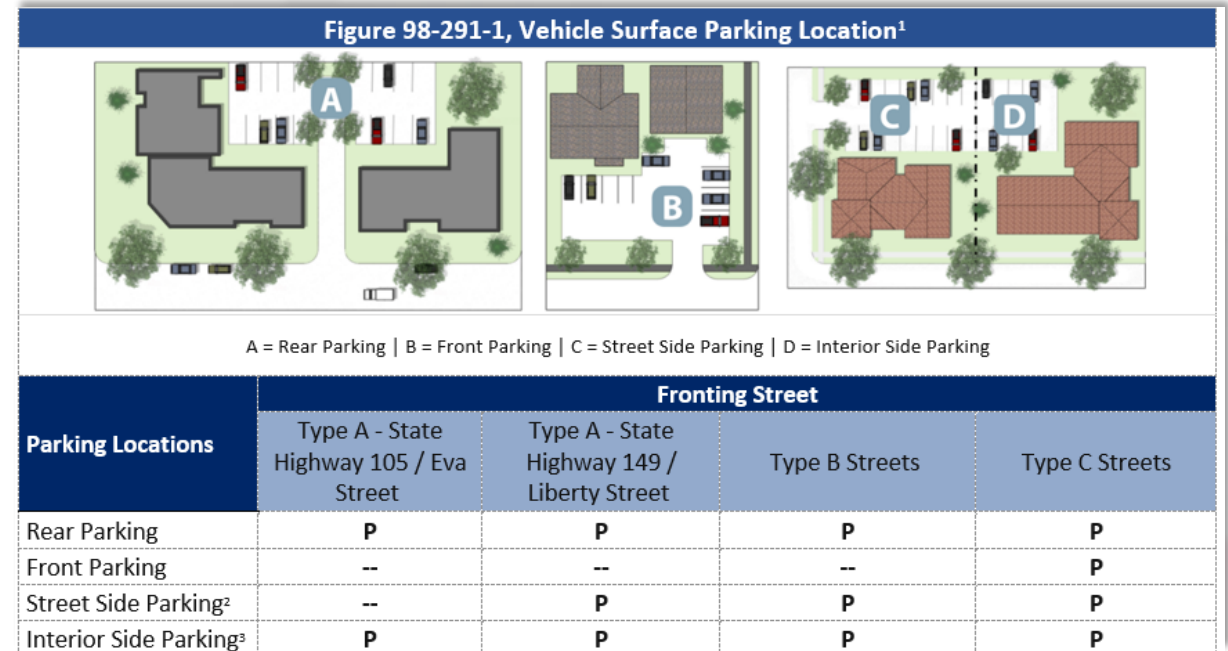


Example of a cabinet sign

# Content Explanation | Downtown Zoning District (cont'd.)

## ★ Parking

- Minimum parking spaces required only applies to properties fronting onto Type A Streets
- Maximum parking is 125% of minimum parking required
- Location of parking based on street type.
- Can receive credit and/or reductions for providing things like:
  - Shared parking agreements;
  - Off-site parking spaces within DT;
  - Dedicated spaces for ride-sharing drop-off/pick-up; and
  - A study or professional's recommendation demonstrating a reduction would be appropriate and decided by the Planning and Zoning Commission



# Content Explanation | Downtown Zoning District (cont'd.)

## ★ Parking

- Structured parking (parking garages) are permitted in the DT district, subject to standards for each type.




## ★ Shared and Cross Access

- Shared and cross access to travel between adjacent sites is required to limit the amount of entrances off the primary road.

## ★ Driveways

- Limits the amount of driveways on different street types.

Table 98-291-2, Parking Structure Type Descriptions and Standards







| Description  | Standards  | Image   |
|--|--|---|
| Stand-alone parking structures are freestanding structures located in the center of a larger block.                  | Stand-alone structures shall be separated from adjacent buildings by a minimum of 20 feet to provide sufficient light and privacy for adjacent structures. This separation may accommodate an alley and/or rear yards. Stand-alone parking structures are not permitted on properties with frontage on Type A streets. |  |
| Activated structures are parking structures with retail uses at the base that are oriented solely toward the street. | Liner buildings associated with activated structures may be directly attached or detached by a minimal fire separation distance.   |  |
| Integrated structures are parking structures located within an occupied building.                                    | Integrated structures may be fully or partially integrated with the surrounding building.  |  |



# Content Explanation | Downtown Zoning District (cont'd.)

## ★ Landscaping and Amenity Space

- All nonresidential development in DT required to provide amenity space – 4 sq. ft. for every 100 sq. ft. of gross floor area.
- Permitted types of amenity areas:
  - Plaza
  - Square
  - Courtyard
  - Community Garden
  - Town Green
  - Paseo



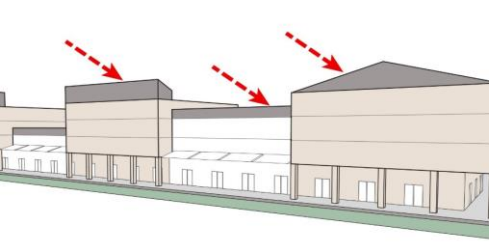
| Table 98-292-1, Amenity Space Standards |   | Table 98-292-1, Amenity Space Standards |   |
|---|---|---|---|
| Amenity Space Type                      | Description   | Amenity Space Type                      | Description   |
| Plaza                                   |  <p>Plazas are open areas that are enclosed or partially enclosed on two or three sides by buildings, with seating that is adjacent to, or part of, a building. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands.</p> | Community Garden                        |  <p>Community gardens are sites operated and maintained by a property owners association or other private entity that are open to the public to cultivate herbs, fruits, vegetables, flowers, and ornamental foliage for personal use, consumption, or off-site sale of items grown on the site.</p> |
| Square                                  |  <p>Squares are areas enclosed or partially enclosed on four sides by buildings, improved with a combination of landscaped area and hardscape.</p>  | Town Green                              |  <p>Town greens are sites that are much like plazas but are mostly of green space, rather than hardscape. They are appropriate for public activities such as festivals, community events, informal play, and other similar events.</p>   |
| Courtyard                               |  <p>Courtyards are unroofed open areas, that are completely or mostly enclosed within the walls of a building.</p>   | Paseo                                   |  <p>Paseos are linear shaded amenity spaces that occur between buildings and allow for social and commercial activities into the public realm.</p>  |

# Content Explanation | Building Design

★ Building design standards for residential developments (only applies to townhouses and apartments) and mixed-use and nonresidential developments.

- 2 parts of the building design standards
  1. General standards that always apply; and
  2. Menu of options with varying development elements to choose from. Each element is assigned a point value.
    - Applicants can select from design menu to reach the required number of points based on the number of dwelling units of the development.
    - If applicants choose elements that exceed the required points amount and it hits certain threshold, they are eligible for a height bonus

★ Include descriptions of building design elements with illustrated images.

| Table 98-394.-5, Varied Massing Techniques   |  |  |
|--|--|--|
| Description  | Image  | Stand  |
| <b>Vertical Variation</b>  |  |  |
| Vertical variation is a change in the height of at least one floor for a portion of the building.  |   | A change in height shall count as a varied massing technique when the taller section extends back a minimum of 20% of the depth of the building. |
| <b>Building Corner or Focal Point</b>  |  |  |
| Building corner elements or focal points are achieved using the techniques in this table or can be achieved by adding a strong visual element. |   | Visual elements shall extend 15 feet or more from the maximum building corner.   |
| <b>Roof Variation</b>  |  |  |
| Roof variations add visual interest to the building.   |  | A roof variation shall count as a varied massing technique when the minimum roof pitch of one roof is: 2:12 or steeper at least 80% frontage.    |

# Content Explanation

# Building Design (cont'd.)

| Table 98-393-4, Residential Building Design Options Menu   |  |                                   |
|--|--|-----------------------------------|
| Key: -- = Not Applicable   |  |                                   |
| Building Design Element  | Design Standard  | Points Earned (+) or Deducted (-) |
| <b>Building Design Features</b>  |  |                                   |
| <i>Façade Width Before Articulation (max.)</i>   | 15 ft.   | +5                                |
| <i>Façade Height Before Articulation (max.)</i>  | 15 ft.   | +5                                |
| <i>Varied Design Features (min.)</i>   | 2 of the following: <ul style="list-style-type: none"> <li>▪ Dormer windows or cupolas;</li> <li>▪ Pillars, posts, or pilasters; or</li> <li>▪ Bay windows with a min. 12-in projection</li> </ul> | +10                               |
| <i>Masonry, Concrete, Stucco, Structural Clay Tile, or Glass<sup>1</sup> as the Primary Material<sup>2</sup></i> | --   | +15                               |
| <i>Metal, Vinyl, Siding, Wood, Composites, or Other Material as the Primary Material<sup>2</sup></i>             | --   | -5                                |
| <i>Percentage of Ground Floor as Windows (min.)</i>  | 40% / 60%  | +5 / +10                          |
| <i>Percentage of Upper Floor(s) as Windows (min.)</i>  | 40% / 60%  | +5 / +10                          |
| <i>Neutral Building Colors</i>   | --   | +10                               |
| <i>Any Other Building Color</i>  | --   | -5                                |
| <b>Roof Design Features</b>  |  |                                   |
| <i>Standing Seam Metal or Shingles (Asphalt, Metal, Slate, or Wood)</i>  | --   | +15                               |
| <i>Asphalt, Concrete, Solar Shingles, and Vinyl Membrane</i>   | --   | -5                                |
| <i>Pitched Roof Over Principal Structure (min.)</i>  | 5/12 pitched roof design (including the roof area located over the garage)   | +10                               |
| <i>Pitched Roof Over Porch and Entrances (min.)</i>  | 4/12 pitched roof design   | +5                                |
| <i>Eave (min.)</i>   | 12" over all faces of the exterior walls   | +5                                |

| Table 98-394-4, Mixed-Use and Nonresidential Building Design Options Menu   |  |                                   |
|---|--|-----------------------------------|
| Key: -- = Not Applicable  |  |                                   |
| Building Design Element   | Design Standard  | Points Earned (+) or Deducted (-) |
| <b>Building Design Features</b>   |  |                                   |
| <i>Façade Width Before Articulation (max.)</i>  | 35 ft.   | +5                                |
| <i>Façade Height Before Articulation (max.)</i>   | 15 ft.   | +5                                |
| <i>Varied Design Features (min.)</i>  | 3 of the following: <ul style="list-style-type: none"> <li>▪ Canopies;</li> <li>▪ Roof overhangs;</li> <li>▪ Entry recesses;</li> <li>▪ Arcades;</li> <li>▪ Raised corniced parapets;</li> <li>▪ Outdoor plaza; or</li> <li>▪ Integral planters</li> </ul> | +10                               |
| <i>Varied Massing Techniques (min.)</i>   | 2 complying with Table 98-394-5, <i>Varied Massing Techniques</i> , below  | +10                               |
| <i>Natural Stone, Masonry, Concrete, Stucco, Structural Clay Tile, or Glass<sup>1</sup> as the Primary Material<sup>2</sup></i> | --   | +15                               |
| <i>Metal, Vinyl, Siding, Wood, Composites, or Other Material as the Primary Material<sup>2</sup></i>                            | --   | -5                                |
| <i>Percentage of Ground Floor as Windows (min.)</i>   | 55% / 65%  | +5 / +10                          |
| <i>Percentage of Upper Floor as Windows (min.)</i>  | 55% / 65%  | +5 / +10                          |
| <i>Neutral Building Colors</i>  | --   | +10                               |
| <i>Any Other Building Color</i>   | --   | -5                                |
| <b>Roof Design Features</b>   |  |                                   |
| <i>Standing Seam Metal or Shingles (Asphalt, Metal, Slate, or Wood)</i>   | --   | +15                               |
| <i>Asphalt, Concrete, Solar Shingles, or Vinyl Membrane</i>   | --   | -5                                |
| <i>Eave (min.)</i>  | 12" over all faces of the exterior walls   | +5                                |



# Thank you!

*Questions & Discussion*

