



**City of Winooski**  
Vermont's Opportunity City

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**Planning Commission Agenda**

**Thursday, January 9, 2020**

6:30 PM - Winooski City Hall (27 West Allen Street)

- I. Call to Order
- II. Changes to the Agenda
- III. Public Comment
- IV. Approve Previous Meeting Minutes
- V. Continue Discussion on Parking Standards

Documents:

[2019-12-6 Housing Commission Recommendations to PC - Parking Minimum Requirements.pdf](#)  
[Parking Waiver Information - v.1 - 12.12.2019.pdf](#)

- VI. Continue Discussion on Form Based Code – Siting Standards

Documents:

[Siting Standards Revisions - v.4 - 12.12.2019.pdf](#)

- VII. Department and City Updates
- VIII. Other Business
- IX. Adjourn

## Memorandum

**To:** Planning Commission  
**From:** Housing Commission, Heather Carrington staff liaison  
**Date:** December 6, 2019  
**Re:** Required Parking Minimums

### Parking Minimum Recommendations for Planning Commission

As part of the FY20 Housing Commission Work Plan, the Housing Commission committed to providing data and recommendations to the Planning Commission to assist their review of the existing parking requirements through an affordable housing lens. The Housing Commission has:

- performed a brief literature review on the topic of parking minimums;
- evaluated vehicle ownership data and trends for renters in Winooski;
- looked at modes of commute to work for Winooski residents; and
- reviewed the financial impact of required parking minimums on the affordability of rentals.

The Housing Commission reviewed the impact of required parking minimums through a narrowly focused lens strictly considering the impact to housing goals for Winooski. The Commission has established the following goals:

1. Encourage the development of **affordable** housing options for a broad range of income levels.
2. Foster a **mix** of housing types to serve the needs of different family compositions, household types and multi-generational needs.
3. Promote **quality** housing that is safe, healthy and durable.
4. Preserve and sustain the scale, character and settlement patterns of our **neighborhoods**.
5. Protect **current residents** from displacement.
6. Support sustainable growth, density and creation of **additional housing** units.
7. Be guided by **data-driven** decision making.



Currently, the City of Winooski Unified Land Use and Development Regulations specify a required minimum number of parking spaces to be provided with new developments. The requirement differs from one zoning district to another. For housing developments, most districts in the city require 1.0 parking space per unit + 1 space for every 4 units which roughly works out to 1.25 per unit (depends on total number of units). However, in residential districts R-B and R-C (see Zoning Map included in packet materials) the requirement is 2 parking spaces per unit. Thus, the districts that require the most spaces per unit (R-B and R-C) are the districts that have the most unused street parking, whereas the lower requirements are in the most parking congested districts of the city, such as the downtown, central business district, and gateways.

Construction of parking spaces for new housing comes at a cost, which is then passed along to the households who occupy the new units. These costs can be a significant portion of the overall cost of new housing construction. Based on the Housing Commission literature review, the cost of new parking spaces is roughly as follows:

**\$5,000 - \$10,000 per space for surface parking**  
**\$25,000 - \$40,000 per space for structured parking**

According to research published in Housing Policy Debate, a scholarly, peer-reviewed research journal, the **increase in cost of rental unit per parking space is a 17% increase in monthly rent.** The national average is roughly \$1,700/year or \$142/month. This has a substantial negative impact on housing affordability.

The Housing Commission also reviewed census data on vehicle ownership and commute to work for Winooski renter households. The focus was on renter households because the primary new development in Winooski is rental units. Census data shows that **68% of renter households have 0 or 1 vehicle available. 18% of renter households in Winooski have 0 vehicles.** This data does not support the 2.0 spaces required for a single dwelling unit in the R-B or R-C zoning districts.

**Winooski Housing Tenure by Vehicles Available 2017**

|                                     |       |               |
|-------------------------------------|-------|---------------|
| <b>Total:</b>                       | 3,205 |               |
| <b>Owner occupied:</b>              | 1,296 |               |
| <b>No vehicle available</b>         | 42    | 3.24%         |
| <b>1 vehicle available</b>          | 502   | 38.73%        |
| <b>2 vehicles available</b>         | 647   | 49.92%        |
| <b>3 vehicles available</b>         | 69    | 5.32%         |
| <b>4 vehicles available</b>         | 16    | 1.23%         |
| <b>5 or more vehicles available</b> | 20    | 1.54%         |
| <b>Renter occupied:</b>             | 1,909 |               |
| <b>No vehicle available</b>         | 346   | <b>18.12%</b> |
| <b>1 vehicle available</b>          | 948   | <b>49.66%</b> |
| <b>2 vehicles available</b>         | 546   | 28.60%        |



|                                     |    |       |
|-------------------------------------|----|-------|
| <b>3 vehicles available</b>         | 52 | 2.72% |
| <b>4 vehicles available</b>         | 17 | 0.89% |
| <b>5 or more vehicles available</b> | 0  | 0.00% |

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

**Winooski Renters' Means of Transportation to Work (2017 ACS)**

|                                  |            |
|----------------------------------|------------|
| Drove alone                      | 54%        |
| Carpooled                        | 10%        |
| Public Transportation            | 9%         |
| Walked                           | 15%        |
| Bicycle, motorcycle, taxi, other | 8%         |
| Worked from Home                 | 6%         |
| <b>Total Non-Car Commuters</b>   | <b>38%</b> |

Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates

**Recommendations to Planning Commission for Discussion:**

The Housing Commission evaluated what impact parking minimum requirements have on housing affordability, creation of new housing supply in Winooski, and economic integration of neighborhoods. The Commission finds that required parking minimums have the following impacts in Winooski:

- increase the cost of housing
- can suppress development of new housing
- create barriers to the economic integration of neighborhoods through higher parking requirements in areas with higher income households.

These impacts are indirect conflict with the Housing Commission goals to:

Encourage the development of **affordable** housing options for a broad range of income levels.

Support sustainable growth, density and creation of **additional housing** units.

In addition, the Housing Commission has identified target areas for new affordable units in higher income neighborhoods to promote economic sustainability. The existing parking minimums create barriers to production of new units in these areas.



The Commission recommends the following for the Planning Commission:

Process recommendations:

1. Recommend that Planning Commission request a CCRPC desk study of number of on-street parking spaces (parking supply) to inform decision-making.
2. Recommend that Planning Commission invite current Winooski developers to share their experience and insights and parking utilization data as part of the decision-making process.

Recommendations for Regulatory Changes to Consider

1. Recommend that the Planning Commission review parking minimum requirements in R-B and R-C districts. These are higher requirements than other areas of the city, but are in areas where on-street parking is less congested and more readily available. They are also some of the priority areas that the Housing Commission has identified for construction of new affordable housing.
2. Base parking minimums in the gateway districts on a demand analysis to be provided by developer, contingent on having the desk study of available on-street parking as a reference.
3. Utilize transportation demand management strategies in gateways.
4. Establish a payment-in-lieu of parking program for the gateways.
5. Reduce/eliminate parking requirements for projects building affordable housing (Current incentive for affordable housing is not functioning. This could work as an incentive.)
6. Establish a method for applying for a parking waiver through the Development Review Board



**SECTION 4.12 - PARKING, LOADING AND SERVICE AREAS**

- A. **Intent.** These parking standards are intended to:
1. Enable people to conveniently park and access a variety of commercial, residential, and civic enterprises in pedestrian friendly environments by encouraging shared parking.
  2. Reduce fragmented, uncoordinated, inefficient, reserved single-purpose parking.
  3. Avoid adverse parking impacts on neighborhoods adjacent to redevelopment areas.
  4. Maximize on-street parking where available.
- B. **Applicability.** These parking requirements shall apply only to uses and buildings newly constructed, changed, extended, or restored and shall not apply to those uses and buildings lawfully repaired or improved where no increase in gross floor area or change of use is made. The regulations in this section shall apply to all Zoning Districts except the Downtown Core District; and only **Section 4.12.C** shall apply to the Gateway Districts.
- C. **Minimum Reserved Parking Requirements.**
1. The quantity of parking spaces to be provided in each development proposal shall be determined based on the following requirements. When calculating the spaces required, a decimal shall be rounded up to the nearest whole number.

| Uses                                      | Base Parking Requirements  |
|---|--|
| Residential in R-A, R-B and R-C districts | 2.0 space/dwelling unit, except 1.0 space/accessory unit   |
| Residential – in all other districts      | 1.0 space/dwelling unit + 0.50 space/3 bedroom or larger dwelling unit + 1 space for every 4 units (calculated at increments of 4) |
| Commercial (retail, restaurant, etc.)     | 3.0 spaces/1,000 sq. ft. of gross floor area   |
| Hotel/B&B                                 | 1.0 space/room   |
| Theater                                   | 0.25 spaces/seat   |
| Industrial                                | 3.0 spaces/1,000 sq. ft. of gross floor area   |
| Office                                    | 4.0 spaces/1,000 sq. ft. of gross floor area   |

2. The applicant shall provide a calculation of the parking spaces allocated for each use (including for employees and for customers/clients) and by time period, and any proposed shared use or transportation demand management reductions, and the location of the parking spaces. The required reserved parking spaces may be adjusted, with approval from the DRB or ZA depending on the application requested, as follows:
  - a. Shared Use: Sites over 10,000 square feet in non-residential gross floor area, may be applicable for shared use of the required reserved parking spaces. No more than 60% of the required reserved spaces may be shared. Shared use calculations must be submitted and approved by the Applicable Authority.
  - b. Transportation Demand Management (TDM): Use of TDM strategies may be incorporated for a reduction of no greater than 10% of the required reserved parking spaces. Specific

strategies, and the associated single occupancy vehicle trip reductions must be submitted and approved by the Applicable Authority.

- c. Location: The applicant shall demonstrate sufficient parking for residents and employees are available and reserved for use on the applicant's site or off-site within 1400 feet from the project site. No more than 20% of the required reserved parking or 10 spaces, whichever is more, shall be allowed off-site. Each application involving the provision of reserved parking spaces off-site shall submit written proof of contractual arrangements with the owner of the lot which guarantees the continuous use of the required parking spaces for the particular use(s) for the duration of the use(s). The off-site parking provision is not permitted for development proposals within the Residential Zoning Districts.
- d. Public Parking: The customer or client (non-employee) portion of the minimum parking requirements may be accommodated in the City's public parking inventory upon approval of the Director of Public Works or Downtown Parking Administrator. However, the parking associated with the public parking inventory will not be reserved explicitly for any one business.

3. Waivers. In addition to the administrative reductions listed under Part 2, waivers to the required minimum number of parking spaces may be granted by the DRB as outlined in Section 6.8. Requests for waivers to the parking requirements shall include:

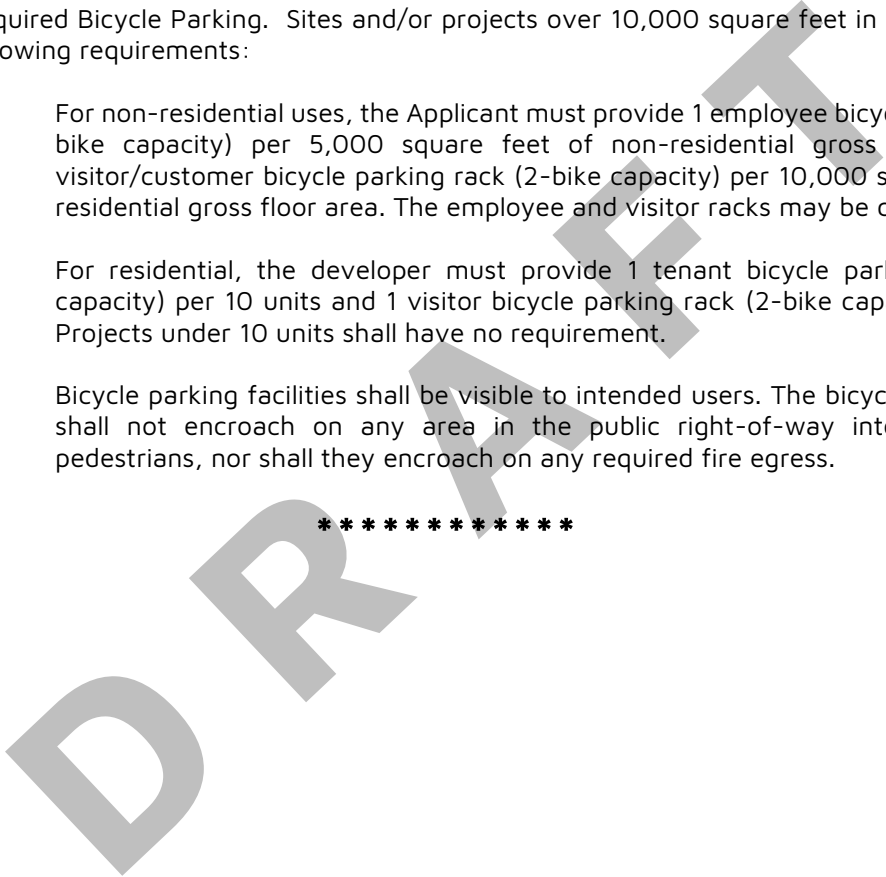
- a. A zoning application for a specific use (or uses) requesting the waiver including:
  - i. a narrative outlining the reason(s) the waiver should be granted
  - ii. the specific relief requested
  - iii. how the requested relief from the minimum parking standards will be managed to accommodate the proposed use(s)
- b. A parking study stamped by a Vermont Licensed Engineer outlining the justification for the waiver.
- c. A site plan identifying the location(s) of the proposed parking.
- d. Applicable fees for DRB hearings as outlined in Chapter 28 of the Winooski Municipal Code.
- e. Other information as deemed necessary for review by the Zoning Administrator or DRB.

4. Handicapped-Accessible Parking Spaces. Parking spaces for handicapped persons shall be provided for all non-residential uses. The size, number, and location of spaces shall comply with the ADA Accessibility Guidelines. Handicap accessible spaces are required to be eight feet (8'0") wide, with an adjacent access aisle five feet (5'0") wide. One in every eight (8) accessible spaces must have an access aisle eight feet (8'0") wide and must be signed "van accessible". The number of accessible spaces to be provided in each development proposal shall be determined based on the following requirements. When calculating the spaces required, a decimal shall be rounded up to the nearest whole number.

| Total parking spaces in lot                 | 1-25 | 26-50 | 51-75 | 76-100 | 101-150 | 151-200 | 201-300 | 301-400 | 401-500 | 501-1000    | > 1,000                   |
|---|------|-------|-------|--------|---------|---------|---------|---------|---------|-------------|---------------------------|
| Number of accessible spaces required in lot | 1    | 2     | 3     | 4      | 5       | 6       | 7       | 8       | 9       | 2% of total | 20 + 1 per 100 over 1,000 |

- 5.4.** Required Bicycle Parking. Sites and/or projects over 10,000 square feet in land area have the following requirements:
- a. For non-residential uses, the Applicant must provide 1 employee bicycle parking rack (2-bike capacity) per 5,000 square feet of non-residential gross floor area and 1 visitor/customer bicycle parking rack (2-bike capacity) per 10,000 square feet of non-residential gross floor area. The employee and visitor racks may be co-located.
  - b. For residential, the developer must provide 1 tenant bicycle parking rack (2-bike capacity) per 10 units and 1 visitor bicycle parking rack (2-bike capacity) per 25 units. Projects under 10 units shall have no requirement.
  - c. Bicycle parking facilities shall be visible to intended users. The bicycle parking facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians, nor shall they encroach on any required fire egress.

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## SECTION 6.8 - WAIVERS & VARIANCE REVIEW

- A. **Applications & Review Standards.** The DRB may waive application requirements, and site plan or conditional use review standards under Sections 6.6 and 6.7, that it determines are not relevant to a particular application.
- B. **Dimensional Waivers.** The DRB, in association with site plan or conditional use review, or on appeal of a ZA's determination, may reduce minimum district setback requirements (under Table 2.5) or minimum surface water and wetland setbacks (under Section 4.8) in accordance with the Act [§ 4414] and the following requirements.
1. A waiver request, including information regarding the specific circumstances, need and justification for the waiver shall be submitted in writing with the application for site plan or conditional use review.
  2. A waiver under this section may be granted by the DRB only as necessary to:
    - a. Allow for the reasonable development and use of a pre-existing nonconforming lot under Section 4.9.
    - b. Allow for additions or improvements to a pre-existing nonconforming structure under Section 4.9.
    - c. Comply with federal or state public health, safety, access and disability standards.
    - d. Allow for the siting of renewable energy structures.
  3. The minimum required setback distance shall be reduced by no more than 50% under this provision. Variance approval under Section 6.8 shall be required for any further reduction in dimensional requirements.
  4. In granting a waiver under this section, the DRB shall find, based upon clear and convincing evidence of a specific need and circumstances that:
    - a. No reasonable alternative exists for siting the structure, addition or improvement outside of the required setback area.
    - b. The reduced setback is not contrary to public health, safety and welfare, stated objectives and policies of the Winooski Municipal Development Plan, or the intent of these regulations.
    - c. The waiver represents the minimum setback reduction necessary to allow for the proposed development.
    - d. Any potential adverse impacts resulting from reduced setbacks on adjoining properties, surface waters or wetlands shall be mitigated through site design, landscaping and screening, or other accepted mitigation measures.
- C. **Parking Waivers.** The DRB, upon application, may grant a waiver to the minimum required parking for land uses as outlined in Section 4.12 C.
1. The DRB shall consider the specific reasons outlined when considering the waiver to the minimum parking requirements including:

- a. Identified need for parking reductions as outlined in the provided parking study
  - b. Ability for the proposed development to support the parking needs as indicated on the provided site plan
  - c. Potential impacts to surrounding parking facilities including City maintained streets or parking structures
  - d. The parking waiver request represents the minimum parking relief necessary to allow for the proposed development to occur
2. Following review of the parking waiver request, the DRB shall take action to:
- a. Approve the parking waiver request as submitted
  - b. Approve the parking waiver request with modifications as deemed appropriate
  - c. Deny the parking waiver request

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DRAFT

## Part 4. Building Form Standards

### 401. Intent

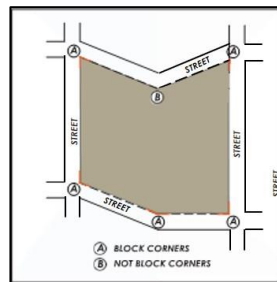
- A. The goal of the BUILDING FORM STANDARDS (BFS) is the creation of a vital, and coherent public realm through the creation of good STREET-SPACE. The intent of these form standards is to shape the STREET-SPACE—the specific physical and functional character—of the Gateway District. The form and function controls on building frontages work together to frame the STREET-SPACE while allowing the buildings greater latitude behind their FACADES. The BUILDING FORM STANDARDS aim for the minimum level of control necessary to meet this goal.
- B. The BFS set the basic parameters governing building construction, including the building envelope (in three dimensions) and certain required or permitted functional elements, such as FENESTRATION (windows and doors), STOOPS, BALCONIES, FRONT PORCHES, and STREET WALLS.
- C. The BFS establish the rules for development and redevelopment on private lots, unless otherwise indicated on the REGULATING PLAN.
- D. The REGULATING PLAN identifies the BUILDING FORM STANDARD within the Gateway District, establishing the rules for development and redevelopment on all lots, unless otherwise indicated on the REGULATING PLAN.

### 402. General Provisions

The following apply to all BFS, unless expressly stated otherwise within an individual BFS or otherwise designated on the REGULATING PLAN.

#### G. Siting

1. Building FACADES shall be built to the RBL as prescribed in the BFS.
2. The building FACADE shall be built to the RBL within 30 feet of a BLOCK CORNER, unless otherwise specified in the BFS. (See diagram 402.G.2.)
3. The RBL, for all BFS frontages except Detached, designated on the REGULATING PLAN as an absolute line, incorporates an offset area (or depth) of 24 inches behind that line (into the BUILDABLE AREA) allowing for jogs, FACADE articulation, etc. unless otherwise designated herein. Therefore, where the FACADE is placed within that 24-inch zone, it is considered to be “built to” the RBL.



402.G.2

3. In order to create interest and provide a pedestrian scale in the Urban General and Storefront BFS, when the RBL is co-located with the front property line on the REGULATING PLAN is designated on the regulating plan as an absolute line, the following requirements will apply to any building with a facade length of 75

linear feet or more.

- a. Up to 50% of the building FAÇADE in the Urban General or Storefront BFS may be set back up to five feet from the RBL, but no less than two feet from the RBL. This off-set will allow for entry ways, seating, landscaping, street furniture, or other amenities to enhance the STREET-SPACE as noted under *Part J. Elements*.
  - b. Each offset shall encompass a COMPLETE AND DISCRETE FACADE COMPOSITION and may include a functional entry door either to a SHOPFRONT or to the interior of the building.
4. Buildings in the Urban General or Storefront BFS with a FAÇADE length of 50 feet or less may set the entire building back up to five feet from the RBL provided the GROUND STORY is developed with COMMERCE, RETAIL, or CIVIC USES. Otherwise, the FAÇADE shall be built to within 24 inches of the RBL.
5. Buildings in the Townhouse/Detached Frontage BFS may be set back up to five feet from the RBL provide that:
- a. a front porch is not proposed for the development.
  - b. the RBL is co-located with the front property boundary and a setback is not already incorporated into the REGULATING PLAN.
4. For Detached frontages the RBL incorporates an offset area (or depth) of 10 feet behind that line (into the BUILDABLE AREA) allowing for jogs, FAÇADE articulation, etc. unless otherwise designated herein. Therefore, where the FAÇADE is placed within that 10 foot zone, it is considered to be "built to" the RBL.
5. Where a STREET WALL is required, it shall be located along any RBL frontage that is not otherwise occupied by a building; and shall be built to within the 24-inches of the RBL zone.
6. Buildings may only occupy that portion of the lot specified as the BUILDABLE AREA; within any LOT BUILDING LIMIT and outside of any NEIGHBORHOOD MANNERS setback.
7. No part of any building may be located outside of the BUILDABLE AREA except overhanging eaves, awnings, SHOPFRONTS, BAY WINDOWS, STOOPS, steps, handicapped ramps approved by the Zoning Administrator, or BALCONIES. STOOPS, steps, and ramps shall not be located within the CLEAR SIDEWALK area. For appropriate COMMERCE and RETAIL uses, temporary displays or cafe seating may be placed in the DOORYARD.
8. There is no required setback from COMMON DRIVES except as otherwise indicated in the BFS.
9. There are no side lot setbacks, except as specified in *Section E. Neighborhood Manners* (above) or in the individual BFS.
10. The PARKING SETBACK LINE is generally 30 feet behind the RBL and extends, vertically, from the first floor level, as a plane unless otherwise indicated on

the REGULATING PLAN or in the BFS. Vehicle parking shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade, on-street, or otherwise indicated on the REGULATING PLAN.

**XX.** The BUILDABLE AREA is defined for each BFS in Sections 403 thru 406 respectively and represents the maximum area where buildings can be located. If buildings are adjusted related to the RBL as noted in Section 402 G. 3 thru 5., the BUILDABLE AREA will similarly be adjusted to maintain the maximum size identified in each BFS and not be increased beyond what is noted.

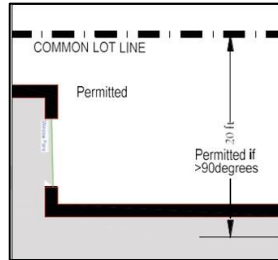
11. All lots, including CORNER LOTS and through lots, shall satisfy the build- to requirements for any and all of their RBL frontages, and the DOORYARD and/or FRONT YARD requirements for each designated BFS, unless otherwise specified in this Code.

## J. Elements

1. FENESTRATION is regulated as a percentage of the FAÇADE between floor levels. FENESTRATION is measured as glass area (including mullions, muntins, and similar window frame elements with a dimension less than one inch) and/or open area.
2. FENESTRATION shall be distributed such that no 30-foot section of a FAÇADE violates the BFS percentage parameters.
3. Windows shall not direct views into an adjacent private lot where the COMMON LOT LINE is within 20 feet. Specifically: the window opening and it's window panes shall be at an angle of greater than 90 degrees to/ with the COMMON LOT LINE, unless:
  - a. that view is contained within the lot (e.g. by a PRIVACY FENCE OR GARDEN WALL), or
  - b. the window's sill is at least 6 feet above its finished floor level, or
  - c. otherwise specified in the individual BFS.

4. No part of any building may project forward of the RBL except overhanging eaves, AWNINGS, SHOPFRONTS, BAY WINDOWS, STOOPS, steps, BALCONIES, or handicapped ramps approved by the Zoning Administrator.

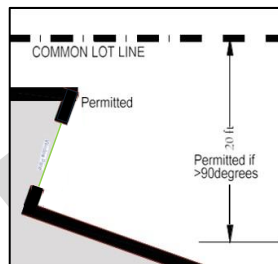
5. GROUND STORY AWNINGS shall have a minimum of ten-foot clear height above the sidewalk and a minimum five-foot depth, measured from the FAÇADE. The maximum depth is to back-of-curb or the TREE LAWN edge, whichever is less.



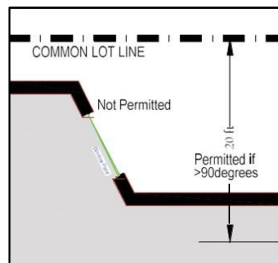
6. BALCONIES shall not project within 5 feet of a COMMON LOT LINE or encroach within the public right-of-way.

7. Where an individual BFS includes balconies as a method for achieving the required PRIVATE OPEN AREA, the BALCONY:

- a. shall be enclosed by balustrades, railings, or other means that block at least 55 percent of the view through them;
- b. shall not otherwise be enclosed above a height of 42 inches, except with insect screening and/or columns/posts supporting a roof or connecting with another BALCONY above; and
- c. shall be roofed.



8. BAY WINDOWS shall have an interior clear width of between four and eight feet at the main wall. BAY WINDOWS shall project no more than 42 inches beyond the RBL and walls and windows of the bay shall be between 90 degrees (perpendicular) and 0 degrees (parallel) relative to the primary building wall from which they project.



402.J.3  
Plan View Diagrams

9. ATTIC STORIES are permitted for all BFS frontages.

- a. On the RBL/FAÇADE side of the roof pitch (BLOCK interior elevations are not restricted) ATTIC STORY windows may only be located in DORMERS and/or gable-ends.
- b. ATTIC STORY DORMERS are permitted so long as they do not break the primary eave line, are individually less than 15 feet wide, and their collective width is not more than 60 percent of the RBL FAÇADE length.
- c. ATTIC STORIES do not count against the ULTIMATE BUILDING HEIGHT or maximum STORY height as long as they meet the above standards.

10. For Urban General and Urban Storefront frontages, as an alternate to the ATTIC STORY, a HALF STORY is allowed above the maximum full story, provided that:

- a. its footprint is no more than 50% of any of the STORIES below it,
  - b. it is set back from the FAÇADE below no less than 15 feet, and
  - c. not less than 1/3rd of the building's total roof area is constructed as a GREEN ROOF.
  - d. HALF STORIES do not count against the ULTIMATE BUILDING HEIGHT or maximum STORY height as long as they meet the above standards.
11. At least one functioning entry door shall be provided along each GROUND STORY FAÇADE. No GROUND STORY FAÇADE may include a section of greater than 75 feet without a functioning entry door, unless otherwise specified in the BFS.
  12. All required FRONT PORCHES shall be completely covered by a roof. FRONT PORCHES may be screened (insect screening) when all architectural elements (columns, railings, etc.) occur on the outside of the screen on the side facing the STREET-SPACE. The finished FRONT PORCH floor height shall be no more than 8 inches below the first interior finished floor level of the building to which it is attached. FRONT PORCHES shall not extend past the DOORYARD into the CLEAR WALKWAY.
  13. The finished STOOP floor height shall be no more than 8 inches below the first interior finished floor level of the building to which it is attached. STOOPS shall not extend past the DOORYARD into the CLEAR WALKWAY.
  14. PRIVACY FENCES may be constructed along and within 6 inches of COMMON LOT LINES, except those forward of the RBL, and along COMMON DRIVES. PRIVACY FENCES shall have a maximum height of 8 feet.

15. Any setbacks, as described under Section 402. G. 3, that are incorporated into a building design shall include the following elements:

- a. Setbacks up to 3 feet shall incorporate a ground cover suitable to control any runoff or erosion.
- b. Setbacks between 3 and 5 feet that do not include an entry door shall provide landscaping, street furniture (such as benches), bicycle parking facilities, or other pedestrian scale elements as approved by the Zoning Administrator.
- c. Setbacks that are done in conjunction with a SHOPFRONT shall include space that can be used for seating; temporary display of goods or merchandise; or similar facilities to support the use associated with the SHOPFRONT.

**Commented [EV1]:** Do we want to dictate what goes into the offset or allow the developer to propose something? Maybe more of a design question than a specific mandate.