

**LEXINGTON PLANNING COMMISSION**

**November 14, 2024 - 5:00 P.M**

**Rockbridge County Administrative Offices – First Floor Meeting Room  
150 South Main Street, Lexington, VA 24450**

**AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF MINUTES**  
Minutes from October 24, 2024\*
- 4. CITIZENS’ COMMENTS ON MATTERS NOT ON THE AGENDA**
- 5. NEW BUSINESS**
  - A. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.
    - 1) Staff Report\* and Commission Discussion
    - 2) Public Comment
- 6. OTHER BUSINESS**
  - A. Zoning and Planning Report
- 7. CITY COUNCIL REPORT**
- 8. ADJOURN**

\*indicates attachment

## MINUTES

**The Lexington Planning Commission  
Thursday, October 24, 2024 – 5:00 p.m.  
Rockbridge County Administrative Offices – First Floor Meeting Room  
150 South Main Street, Lexington, VA 24450**

### Planning Commission:

Presiding: Shannon Spencer, Chair  
Present: Krista Anderson  
Tori Bates  
John Driscoll  
Jon Eastwood, Vice-Chair  
Mary Stuart Harlow (left the meeting at 6:45 p.m.)  
Leslie Straughan, Council Liaison

### City Staff:

Arne Glaeser, Planning Director  
Kate Beard, Administrative Assistant

### CALL TO ORDER

S. Spencer called the meeting to order at 5:00 p.m.

### AGENDA

The agenda was unanimously approved as presented. (J. Eastwood / T. Bates)

### MINUTES

The minutes from the October 10, 2024 meeting were unanimously approved as presented. (J. Driscoll / M. S. Harlow)

### CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

### NEW BUSINESS

**A. RZ 2024-01: An application by the City of Lexington to rezone a 1.855 acres portion of Evergreen Cemetery owned by the City from the R-1 (General Residential) zoning district to the P-OS (Parks and Open Space) zoning district.**

**CUP 2024-06: An application by the City of Lexington for approval of a Conditional Use Permit to allow Cemetery use on all land associated with Evergreen Cemetery (TM #25-1-9).**

- 1) Staff Report – In October 2023 the City had the good fortune to purchase the house and land at 140 Evergreen Place, the parcel adjacent to Evergreen Cemetery. The City then completed a boundary line adjustment to add 1.855 acres of the purchased property to the parcel associated with the cemetery. It was not rezoned at that time because cemetery use was allowed in the R-1 zoning district while in the P-OS zoning district it was not. However, on August 15, 2024, City Council approved an amendment to the Zoning Ordinance whereby the Cemetery use is permitted only in the P-OS zoning district and only with a conditional use permit. These applications are intended to rezone the subject

1.855 acres to the P-OS zoning district and to approve a conditional use permit to allow the entire Evergreen Cemetery parcel to continue to operate as a cemetery.

- 2) Public Comment – Edna Milliner of 407 Spotswood Drive said she had been confused by the adjacent property notice she received in the mail. She asked what the plan was for the property across Spotswood Drive from her house. Director Glaeser explained that the applications for Oak Grove Cemetery would be the next item on the agenda and requested that she wait until they were opened to provide her comments.
- 3) Commission Discussion & Decision – **J. Eastwood moved to approve Rezoning application RZ 2024-01 for the rezoning of TM #25-1-9 to rezone the 1.855 acres portion of the property, purchased by the City in January 2023, from R-1 to P-OS. J. Driscoll seconded and the motion passed unanimously. (7-0) J. Driscoll moved to approve Conditional Use Application CUP 2024-06 to allow the entire parcel associated with Evergreen Cemetery (TM #25-1-9) to operate as a cemetery. M. S. Harlow seconded and the motion passed unanimously. (7-0)**

**B. RZ 2024-02: An application by the City of Lexington to rezone a 0.445 acres portion of Oak Grove Cemetery owned by the City from the R-1 (General Residential) zoning district to the P-OS (Parks and Open Space) zoning district.**

**CUP 2024-07: An application by the City of Lexington for approval of a Conditional Use Permit to allow Cemetery use on all land associated with Oak Grove Cemetery (TM #23-1-160 and #29-1-30).**

- 1) Staff Report – In 2022, the City purchased portions of the rear yards of 14 & 16 Houston Streets and, by means of boundary line adjustment, added the 0.445 acre of land to the larger of the two parcels associated with Oak Grove Cemetery (TM #23-1-160). As with the previous applications, the subject request is to rezone the 0.445 acre from R-1 to P-OS, and to approve a conditional use permit to allow both cemetery parcels (TM #23-1-160 & TM #29-1-30) to continue to operate as a cemetery. Addressing the earlier public comment from Ms. Milliner, L. Straughan asked if the property could be used for anything other than cemetery use once it is rezoned. A. Glaeser answered that there are other permitted uses in the P-OS zoning district, but the CUP was for cemetery use only.
- 2) Public Comment – Edna Milliner of 407 Spotswood Drive said she was gratified to learn that the property under consideration was the land directly behind her house, and that it would be used for cemetery use. She then asked for clarification about the future use of the vacant parcel directly across the street from her home. A. Glaeser responded by assuring her that, as an owner of an adjacent property, she would receive notification of any public hearing for potential changes on that property and encouraged her to call or come by the Planning Department at any time to have her questions answered.
- 3) Commission Discussion & Decision – Responding to a question from M. S. Harlow, A. Glaeser confirmed the subject 0.445 acres is currently part of the larger cemetery parcel (TM #23-1-160). **K. Anderson moved to approve Rezoning application RZ 2024-02 for the rezoning of TM #23-1-160 to rezone the 0.445 acre portion of the property immediately adjacent to the rear property lines of 16 and 14 Houston Street from R-1 to P-OS, and to approve Conditional Use Permit application CUP 2024-07 to allow**

**all land associated with Oak Grove Cemetery (TM #23-1-160 & TM #29-1-30) to operate as a cemetery. L. Straughan seconded and the motion passed unanimously. (7-0)**

**C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.**

1) Staff Report & Commission Discussion –

A. Glaeser suggested the Commission continue with sections concerning “dimensional elements” before returning to the section addressing density. The Commission agreed and discussion began with the Off-Street Parking section of the text. The Commission reviewed off-street parking standards from several localities. L. Straughan suggested applying Lexington’s existing multi-family off-street parking requirements, which are based on number of bedrooms, to cottage developments. J. Eastwood was supportive of the idea. He also noted that the cottage floor areas developed during the last meeting worked nicely with Port Townsend’s parking ratios. S. Spencer expressed concern that tying parking to bedrooms could lead to issues with buildability. She argued that building code requirements for minimum bedroom size ought to be considered. A. Glaeser said he would provide the Commission with those code requirements at the next meeting. Ultimately there was agreement to model this section of the draft ordinance on the standards from Port Townsend, WA, but to use Lexington’s multi-family parking ratios. There was also agreement to add the language from Shoreline, WA addressing garages as a placeholder, with the understanding that it could be removed later if deemed unnecessary.

Addressing the Fire-Lane Access and Turnaround Provisions section, A. Glaeser voiced concern that the specific dimensional requirements found in the Winchester code were enormous to the point of being self-defeating. He assured the Commission that the draft ordinance would be reviewed by the Fire Marshal before its adoption to ensure adequate life-safety, and he reminded them that all site plans for all cottage housing developments would also require review by the Fire Marshal. L. Straughan’s suggestion to include the objective statement and code compliance requirement from Winchester and to delete the remainder of the section was met with support from the rest of the Commission.

A. Glaeser noted that the first three examples in the Covered Main Entry Porches section all required porches of at least 60 square feet, with a floor no less than 5 feet in length or width. He made the observation that if the Commission wished to include similar porch standards, the minimum porch dimension should not be less than 5 feet. There was agreement to use the Winchester language and diagram but to increase the minimum floor dimension to 6 feet.

Director Glaeser recommended against including the Lot Coverage Area section in the draft ordinance. He pointed out that Lexington does not currently have lot coverage standards, and suggested the required setbacks, private open space and common open space would adequately protect overall open space. There was agreement to delete this section, but to add the encouragement for use of low impact stormwater techniques

for walkways and parking areas to the Stormwater Low Impact Development Techniques portion of the ordinance.

The Commission returned to the topic of density and L. Straughan suggested simplifying the previously developed formula by simply doubling the underlying zoning district's minimum lot size for a development of 4 cottages. She argued that this would echo both the typical cottage housing objective of doubling density and it would also provide lot sizes that, according to Ross Chapin, allow for good development designs. She said that while she felt uncomfortable allowing a minimum lot size smaller than double what is allowed for a single family dwelling, she was not opposed to increasing the cottage density on that lot somewhat, maybe on a sliding scale similar to the lot area scaling in the R-M and R-LC zoning districts. Several Commissioners were supportive of the idea but there was concern about how to develop such a formula. After some consideration, there was agreement to, as a placeholder, complete the maximum cottage density column using a formula similar to Port Townsend's which expresses density as 1 unit per  $\frac{1}{4}$  the minimum lot size for 4 cottages. This formula was used for the R-1 and R-2 zoning districts, and the Commission settled on maximum densities of 1 unit per 2,500 square feet in the R-LC zoning district and 1 unit per 2,000 square feet in the R-M zoning district. L. Straughan compared these numbers with the figures for the Houston Street concept plans and said she thought it was a good starting point.

A. Glaeser asked if the floorplans included in the newest version of the supplement had encouraged any of the Commissioners to reconsider the maximum ground floor gross area. The Commission agreed to reduce maximum footprints to 900 square feet for a one-story unit and 750 square feet for a unit with an upper level, again with the understanding that these numbers were placeholders that could be adjusted later in the drafting process.

Director Glaeser gave a summary of the ordinance sections that the Commission had yet to review. After some discussion, there was consensus for working toward a full first draft of the ordinance by the end of the next meeting. A. Glaeser said the cancelled November meeting would hopefully allow him time to line up an architect to review and provide feedback on the draft.

- 2) Public Comment – Edna Milliner of 407 Spotswood Drive enthusiastically stated she was impressed by the Planning Commission's work and discussion.

## **OTHER BUSINESS**

A. Zoning and Planning Report – None

B. Comp Plan Review – A. Glaeser said he would need direction from Council as to how much of a review was desired and with what sort of budget. He anticipated housing would be a focus, given the imminent release of the regional housing study. He added that he has been asked to lead a City Council work session concerning the issue of institutional creep and suggested that could also be a topic of review depending on the direction he receives.

**CITY COUNCIL REPORT –**

Council Member L. Straughan reported that at the October 17<sup>th</sup> meeting, Council had heard from a Downtown Parking Committee made up of business owners. She said the committee’s concern had not been that there is not enough parking, but that parking enforcement needs to be improved. Council also held public hearings for the conditional use permits for John Adamson’s buildings on Main Street. The CUP for the old Courthouse at 2 S. Main Street passed unanimously and the CUP for the Rockbridge Building passed 4-3.

**ADJOURN**

The meeting adjourned at 6:49 p.m. (K. Anderson / T. Bates)

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S. Spencer, Chair, Planning Commission

## Draft amendments for Cottage Housing

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### **Proposed Amendments to the Zoning Chapter (*Chapter 420*)**

The Lexington Planning Commission is considering a zoning text amendment to potentially allow cottage housing in accordance with strategy H.O. 5.3 that recommends we explore zoning modifications to facilitate the creation of a variety of safe, affordable, and innovative housing options, including other housing types that achieve higher densities and a diversity of housing options. This review of other ordinances that permit cottage housing, along with the consideration to modify the Lexington Zoning Ordinance, is in support of strategy H.O. 5.3 of the Lexington Comprehensive Plan.

April 25, 2025 P.C. meeting: staff presented an overview of the cottage housing development concept.

May 9, 2024 P.C. meeting: the cottage housing regulations for Winchester, Virginia were reviewed.

May 23, 2024 P.C. meeting: staff provided an overview of the Railroad Cottages development in Falls Church, VA, along with a review of the accompanying cottage housing zoning code adopted by Falls Church in 2017.

June 13, 2024 P.C. meeting: staff provided an overview of the Third Street Cottages development in Langley, WA along with a review of the accompanying cottage housing zoning code adopted by Langley in 1995 and modified thereafter.

June 27, 2024 P.C. meeting: staff provided an overview of the cottage housing proposal submitted by Max Ivankov for his properties at the corner of Houston and Walker Streets.

July 11, 2024 P.C. meeting: using the structure of the Winchester, VA cottage housing code, the Planning Commission began to consider text options from other jurisdictions for each element of the Winchester code with the goal of drafting a cottage housing ordinance to be advertised for a public hearing.

July 25, 2024 P.C. meeting: discussion included cottage density, cottage height and existing nonconforming structures.

August 8, 2024 P.C. meeting: staff presented supplemental materials intended to help with the cottage density discussion. Staff will continue to add sample language from other cottage housing codes to the Winchester code structure. The focus for the next discussion will be cottage size.

August 22, 2024 P.C. meeting: staff added sample language from other cottage housing codes for Cottage Floor Area, Yards, Building Separation, Common Open Space, and Private Open Space for the continued Cottage Housing discussion.

September 12, 2024 P.C. meeting: since time was not available on the 8.22.2024 P.C. agenda following two lengthy public hearings, the cottage housing materials provided on 9.12.2024 were the same as those provided on 8.22.2024 and include sample language from other cottage housing codes for Cottage Floor Area, Yards, Building Separation, Common Open Space, and Private Open Space for the continued Cottage Housing discussion.

September 26, 2024 P.C. meeting: since time was not available on the 9.12.2024 P.C. agenda, the cottage housing materials provided on 9.26.2024 were the same as those provided on 8.22.2024 and 9.12.2026 and include sample language from other cottage housing codes for Cottage Floor Area, Yards, Building Separation, Common Open Space, and Private Open Space for the continued Cottage Housing discussion.

October 10, 2024 P.C. meeting: discussion included Cottage Floor Area, Yards, Building Separation, Common Open Space, and Private Open Space.

October 24, 2024 P.C. meeting: discussion included Off-Street Parking, Fire-Lane and Turnaround Provisions, Covered Main Entry Porches, Lot Coverage Area and Stormwater Low Impact Development Techniques.

November 14, 2024 P.C. meeting: staff recommends beginning with Variations in Building Design, followed by Street Facing Facades, Tree Conservation, Stormwater Low Impact Design Techniques, and the remaining items still to be considered.



LEXINGTON ZONING ORDINANCE  
 ARTICLE XI. Use and Design Standards  
 §420-11.1. Residential Uses.  
 2. Cottage Housing

Table of Contents

**A. PURPOSE AND INTENT**..... 4

B. APPLICABILITY, APPLICATION PROCESS, AND DESIGN REVIEW..... 4

**C. DENSITY, NUMBER OF COTTAGE HOUSING UNITS AND MINIMUM LOT AREA** ..... 5

**D. EXISTING NONCONFORMING STRUCTURES AND ACCESSORY TWO-FAMILY DWELLING UNITS.** .... 5

**E. BUILDING HEIGHT**..... 6

F. VARIATIONS IN BUILDING DESIGN. .... 6

**G. COVERED MAIN ENTRY PORCHES**..... 9

H. STREET-FACING FACADES. .... 9

**I. COTTAGE FLOOR AREA**..... 12

**J. YARDS – BUILDING SETBACKS FROM EXTERIOR LOT LINES**..... 12

**K. COTTAGE HOUSING DEVELOPMENT BUILDING SEPARATION**..... 12

**L. COMMON OPEN SPACE**..... 13

**M. PRIVATE OPEN SPACE**..... 14

N. TREE CONSERVATION..... 15

O. STORMWATER LOW IMPACT DEVELOPMENT TECHNIQUES..... 16

**P. OFF-STREET PARKING**..... 17

**Q. FIRE-LANE ACCESS AND TURNAROUND PROVISIONS**..... 20

R. EXTERIOR LIGHTING AND HEATING/COOLING EQUIPMENT NOISE..... 20

S. REQUIRED SEPARATION OF COTTAGE HOUSING DEVELOPMENTS..... 22

T. OWNERSHIP AND RESIDENTIAL USE OF COTTAGES..... 23

U. ALTERNATIVE SITE DESIGN..... 24

V. MISCELLANEOUS..... 24

## A. PURPOSE AND INTENT.

### Lexington, VA

The purpose of this subchapter is to establish standards for cottage housing developments. The cottage housing development design standards contained in this article are intended to create a small community of cottages oriented around open space that is pedestrian-oriented and minimizes the visibility of off-street parking. These design standards are intended to ensure that cottage housing developments include pedestrian amenities and take advantage of existing natural features on the site including topography and vegetation. The cottage housing development design standards are intended to maintain traditional cottage amenities and proportions and ensure that cottage housing developments contribute to the overall community character. Alternative designs that meet the objectives of the design standards may be reviewed through the conditional use permit process to accomplish the objectives of this article. Cottage housing may allow higher residential density than is normally allowed in the underlying zoning district. This increased density is possible through the use of smaller than average dwelling unit sizes, clustered parking, and site design standards. The purposes of this subchapter are as follows:

1. To increase the supply and variety of housing choices available in the city to better meet the needs of residents, especially those in smaller households.
2. To encourage development of attractive infill residential communities that are compatible with other forms of low-density residential uses.
3. To enhance the aesthetic appeal of new cottage housing development by encouraging a variety of home sizes and heights, in an architecturally cohesive development.
4. To encourage site design which maximizes the preservation of existing large trees in order to provide habitat for wildlife, protect biodiversity, and enhance the environmental quality of the development.
5. To provide a site design that fosters community interaction, a sense of safety, and connection to the environment by orienting cottages around accessible, usable, common open space while reducing the dominance of vehicles on the site.
6. To provide a cottage design that encourages community interaction through usable front porches while maintaining a resident's privacy within the home.

## B. APPLICABILITY, APPLICATION PROCESS, AND DESIGN REVIEW.

### Winchester, VA

Applicability of this article, application procedure and the process for design review are pursuant to Article 18, General Provisions, and Article 19, Site Plan Requirements.

### Abingdon, VA

Application process and design review. The application and review process are pursuant to Article III, Permits and Applications.

**Lexington, VA**

**C. DENSITY, NUMBER OF COTTAGE HOUSING UNITS AND MINIMUM LOT AREA.**

**Lexington, VA**

1. In cottage housing developments the permitted densities shall be as follows:

Zoning District	Maximum Cottage Density	Minimum Number of Cottages per Cottage Housing Development	Maximum number of Cottages per Cottage Housing Development	Minimum Lot Size (accommodates <del>5</del> <u>4</u> cottages)
R-1 cottages	1 cottage per 4,000 sf	4	12	<u>16,000 sf</u>
R-2 cottages	1 cottage per 7,500 sf	4	12	<u>30,000 sf</u>
R-LC (?) cottages	1 cottage per 2,500 sf	4	12	<u>16,000 sf</u>
R-M cottages	1 cottage per 2,000 sf	4	18	<u>16,000 sf</u>

**D. EXISTING NONCONFORMING STRUCTURES AND ACCESSORY TWO-FAMILY DWELLING UNITS.**

**Lexington, VA (based on Winchester, VA)**

1. On a lot to be used for a cottage housing development, an existing detached single-family dwelling, which may be nonconforming with respect to the standards of this article, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
  - a. Nonconforming dwelling units may be modified to be more consistent with this article. For example, roof pitches may be increased consistent with Section 13.1-5, but the building ground floor or total floor area may not be increased

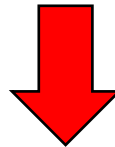
greater than permitted by Section 13.1-11.

2. All residential units in a cottage housing development count towards the maximum permitted density. An existing accessory dwelling unit may be counted as a cottage unit if the property is developed subject to the provisions of this article. New accessory dwelling units are not permitted in cottage housing developments. *(note – restate this last sentence to a more appropriate section of this draft code)*

## E. BUILDING HEIGHT.

### Lexington, VA

No building in the proposed development will exceed 2 stories nor be more than 25 feet in height.



Continue with 11.14.2024  
P.C. discussion here

## F. VARIATIONS IN BUILDING DESIGN.

### Winchester, VA

1. Objective. Cottage housing development structures shall provide variety and visual interest by using a combination of building elements, features and treatments in cottages as well as garages. Structures must include building articulation, change in materials or textures, windows, or other architectural features. A minimum of at least one side articulation or roof break shall occur for street-facing facades or common open spaces or walkways to the common open spaces. No blank walls are allowed.
  - a. Exterior trim elements consistent with traditional cottage design and small home craftsmanship reminiscent of craftsman-style houses of 1910's to 1930's shall be incorporated into the building design and overall character.
  - b. Roofs in cottage housing developments shall have eaves to recognize traditional cottage design traits to efficiently shed rain, and provide rain protection for exterior walls. Eaves of at least 12 inches shall be provided on all cottage structures on all four sides of each building.
  - c. Changes in materials in a vertical wall shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.
  - d. Transition in materials on a wall surface, such as shingle or lap siding, shall be required to have a material separation, such as a trim band board.

- e. Exterior wall material may consist of wood, cement fiber board, stucco, standard sized brick and stone. Simulated stone, wood, stone or brick may be used to detail homes.
- f. Trim may be wood, cement fiberboard, stucco, or stone materials. Trim is required around all doors and windows and must be used on all elevations. Window and door trim with a minimum width of three and one-half inches shall be provided on all cottage housing development structures.
- g. Departures from these standards shall be reviewed through the alternative design review process. Alternative designs shall demonstrate a coherent cottage housing design based upon traditional design principles including weather protection.

### Falls Church, VA

- (9) The proposed development will provide a variety of building designs through building elements, features and treatments. The following building design requirements must be met, at a minimum:
  - a. Each dwelling unit shall have a porch with a length that is at least 50 percent of the length of the façade along which it runs and a minimum depth out from that wall of five feet. Porches may be roofed and screened, but shall not be enclosed by walls or glass windows.
  - b. Street facing facades and those facing common or community areas shall avoid blank walls and incorporate one or more of the following:
    - 1. Changes in exterior material and paint color;
    - 2. Windows which may include bay windows; and/or
    - 3. Building modulation with a depth measuring at least one foot.
- (10) Units and other buildings shall be oriented toward each other or a common area as far as reasonably practicable so as to create a sense of community.

### Port Townsend, WA

#### **17.34.060 Exterior trim and roof eaves.**

A. Objective. Cottage housing development structures shall be provided with substantial exterior trim elements consistent with traditional northwest cottage design and small home craftsmanship. Roofs in cottage housing developments shall have eaves to recognize traditional northwest cottage design traits to efficiently shed rain, and provide rain protection for exterior walls. Departures from these standards (exterior trim and eave requirements) shall be reviewed through the alternative design review process. Alternative exterior trim and eave designs shall demonstrate a coherent cottage housing design based upon traditional design principles including weather protection.

1. Window and door trim with a minimum width of three and one-half inches shall be provided on all cottage housing developments structures.
2. Eaves of at least 12 inches shall be provided on all cottage structures on at least two sides of each building. Where buildings are not square (one set of exterior parallel walls are longer than the other), the eaves shall be provided on the parallel walls that are the longest. (Ord. 2864 § 3, 2004).

### Shoreline, WA

#### 20.50.730 Building design – Standards.

- C. Cottage Variety.
  1. Architectural techniques to create a variety of cottage designs are required. A development shall select a minimum of three techniques to diversify cottages, including but not limited to: windows, articulation, variation, trim, and varied rooflines. Other architectural features may be considered by the city if the design meets the purpose of this subchapter in SMC [20.50.700](#).
  2. Cottages with identical architectural designs shall not be placed directly adjacent to one another and shall be separated by at least one other nonidentical cottage. Variation in materials or colors between adjacent cottages is required to create distinct cottages within a development. (Ord. 984 § 1 (Exh. A), 2023).

### Abingdon, VA

#### Section 7-2-13 - Cottage housing development.

- (f)** Variations in building design. Cottage housing development structures shall provide variety and visual interest by using a combination of building elements, features and treatments in cottages as well as garages.
- (1)** Structures must include building articulation, change in materials or textures, windows, or other architectural features. A minimum of at least one side articulation or roof break shall occur for street-facing facades or common open spaces or walkways to the common open spaces. No blank walls are allowed.
  - (2)** Designs shall demonstrate a coherent cottage housing design based upon traditional design principles including weather protection.
  - (3)** Exterior wall material may consist of wood, cement fiber board, stucco, brick and stone. Simulated stone, wood, stone or brick may be used to detail homes. Trim may be wood, cement fiberboard, stucco, brick, or stone materials.

- (4) Departures from these standards shall be reviewed through an alternative design review process, defined as a process that conforms to the intent of the provisions of the code, but not necessarily the letter of the code, and provides an equivalent level of quality, strength, effectiveness, fire resistance, durability, and safety.

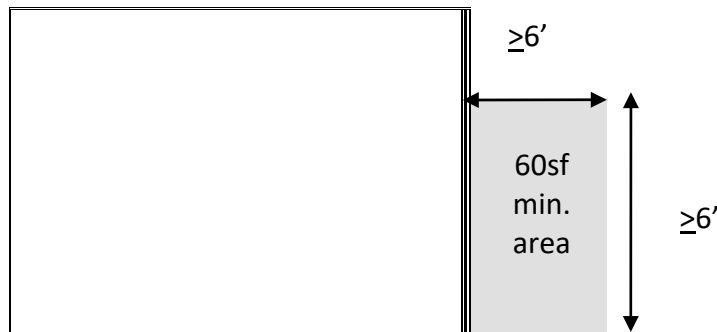
## Lexington, VA

### G. COVERED MAIN ENTRY PORCHES.

#### Lexington, VA

1. Objective. All residences in cottage housing developments shall be provided with a covered main entry porch to create a private outdoor space protected from the weather and provide a transition from the interior private residential space to the semi-private outdoor space. Covered porches shall be usable both in design and dimension.
  - a. Cottage homes shall have a covered main entry porch with a floor area measuring at least 60 square feet in size.
  - b. The floor of the covered main entry porch shall have minimum dimensions of not less than six feet in any direction (length or width).

**Diagram 13.1-7.**



### H. STREET-FACING FACADES.

#### Winchester, VA

1. Objective. The street-facing facades of cottages in a cottage housing development will contribute to the neighborhood by including attractive design details such as windows, changes in materials, and views of front doors or porches. The main entries of some cottages will be visible from the adjacent streets to provide a visual pedestrian

connection with the surrounding neighborhood.

- a. All cottages shall have street-facing facades that avoid blank walls or appear to “turn their backs” to the street. All cottages shall include one or more of the following on street-facing facades:
  - i. Changes in exterior siding material and paint color;
  - ii. Windows which may include bay windows; and/or
  - iii. Building modulation with a depth measuring at least one foot.
- b. At least one cottage shall have its front main entry door and/or front porches visible from each street frontage.

### Falls Church, VA

- (9) The proposed development will provide a variety of building designs through building elements, features and treatments. The following building design requirements must be met, at a minimum:
  - a. Each dwelling unit shall have a porch with a length that is at least 50 percent of the length of the façade along which it runs and a minimum depth out from that wall of five feet. Porches may be roofed and screened, but shall not be enclosed by walls or glass windows.
  - b. Street facing facades and those facing common or community areas shall avoid blank walls and incorporate one or more of the following:
    1. Changes in exterior material and paint color;
    2. Windows which may include bay windows; and/or
    3. Building modulation with a depth measuring at least one foot.
- (10) Units and other buildings shall be oriented toward each other or a common area as far as reasonably practicable so as to create a sense of community.

### Abingdon, VA

- (o) Street facing facades. The street-facing facades of cottages in a cottage housing development will contribute to the neighborhood by including attractive design details such as windows, changes in materials, and views of front doors or porches. The main entries of some cottages will be visible from the adjacent streets to provide a visual pedestrian connection with the surrounding neighborhood.
- (1) All cottages shall have street facing facades that avoid blank walls or appear to "turn their backs" to the street. All cottages shall include one or more of the following on street facing facades:



- a. Changes in exterior siding material and paint color;
  - b. Windows which may include bay windows; and/or
  - c. Building modulation with a depth measuring at least one foot.
- (2) At least one cottage shall have its front main entry door and/or front porches visible from each street frontage.

### Port Townsend, WA

#### 17.34.080 Street facing facades.

- A. Objective. The street facing facades of cottages in a cottage housing development will contribute to the neighborhood by including attractive design details such as windows, changes in materials, and views of front doors or porches. The main entries of some cottages will be visible from the adjacent streets to provide a visual pedestrian connection with the surrounding neighborhood.
1. All cottages shall have street facing facades that avoid blank walls or appear to “turn their backs” to the street. All cottages shall include one or more of the following on-street facing facades:
    - a. Changes in exterior siding material and paint color;
    - b. Windows which may include bay windows; and/or
    - c. Building modulation with a depth measuring at least one foot.
  2. At least one cottage shall have its front main entry door and/or front porches visible from each street frontage. (Ord. 2864 § 3, 2004).

### Shoreline, WA

#### 20.50.730 Building design – Standards.

- A. Building Orientation.
1. Cottage front facades shall face a common open space or a right-of-way.
  2. Site layout shall ensure privacy between cottages. Cottage orientations, window locations, landscaping, and staggering cottages are examples of strategies that support privacy.
  3. Cottages may be attached or detached. A maximum of two cottages may be attached to one another. When five or more cottages are in a development, detached cottages must comprise at least 49 percent of the total number of cottages per cottage housing development.

## Lexington, VA

### I. COTTAGE FLOOR AREA.

#### Lexington, VA

1. Objective. ~~Structures in cottage housing developments shall be designed to be single story or single story plus a loft.~~ Residences in cottage housing developments are primarily intended for one- and two-person households and their occasional guests. ~~Maintaining~~ Limiting the maximum square footage of residences in cottage housing developments is necessary to prevent overbuilding of the site and to not exceed available off-street parking.
2. The maximum ground floor gross area for an individual principal structure in a cottage housing development shall be as follows:
  - a. For one-story units, the ground floor area may not exceed 900 ~~1,000~~ square feet.
  - b. For one and a half or two-story units, the ground floor area may not exceed 750 ~~800~~ square feet with an upper level of no more than 50 percent of the gross floor area of the main level.
3. The square footage of required porches shall not be included in the floor area calculation.

### J. YARDS – BUILDING SETBACKS FROM EXTERIOR LOT LINES.

#### Lexington, VA

##### (14) Minimum yard requirements.

- b. For dwellings units and community buildings (i.e., community guest houses, club houses): 20 feet from a public right-of-way, ten feet from a side property line, 20 feet from a rear property line; provided however, that where the cottage housing development site is adjacent to a residential zoning district, side yard setbacks for dwelling units or community buildings shall be increased from ten to 15 feet to provide sufficient space for the landscape buffer.

### K. COTTAGE HOUSING DEVELOPMENT BUILDING SEPARATION.

#### Lexington, VA

- (j) Building separation. Structures within cottage housing developments shall observe minimum setbacks from other cottage housing development structures to avoid overcrowding the site and to maintain a sense of privacy within the cottages themselves.

- (1) All buildings within a cottage housing development shall maintain a minimum separation of 10 feet from cottages within a cottage housing development measured from the nearest point of the exterior walls.
- (2) Accessory buildings shall comply with building code requirements for separation from noncottage structures.

## L. COMMON OPEN SPACE.

### Lexington, VA

1. Objective. Open space that is commonly owned by all members of a cottage housing development is an important feature of any site design. It is intended that the open space be adequately sized and centrally located with individual cottage entrances oriented towards the open space.
  - a. Common Open Space. A minimum of 400 square feet per cottage unit of common open space is required. Parking areas, yard setbacks, spaces between buildings of 10 feet or less in width, private open space, and driveways do not qualify as common open space.
  - b. Proximity to Common Open Space.
    - i. At least 50 percent of the cottage units shall abut a common open space. All of the cottage units shall be within 60 feet walking distance measured from the nearest entrance of the cottage along the shortest safe walking route to the nearest point of the common open space. The common open space shall have cottages abutting at least two sides.
    - ii. For the purposes of cottage housing, "common open space" shall be the central space that may be used by all occupants of the cottage housing development.
  - c. Other amenities.
    - i. If the proposed development includes a guest house, club house or similar structure ("community building"), such community building shall be available for the common use of all residents within the development. Community buildings may include a meeting room, guest room (which shall not include the kitchen facilities) for stays of 14 days or less, or kitchen facilities to facilitate social functions of the association owners. A community building that is available to all residents shall not be counted as a dwelling unit and no guest staying there shall be a city resident by virtue of staying there.
    - ii. The proposed development shall have sidewalks along all public streets adjacent to the development where sidewalks presently exist on the same side

of the block or where safety considerations such as significant vehicular traffic or the need for safe pedestrian pathways to nearby public uses require them, such as schools, churches, parks, public transportation stops, and shopping; and a system of interior walkways that connects each cottage to the others and the parking area, and to the sidewalks abutting adjacent public streets, where applicable.

## M. PRIVATE OPEN SPACE.

### Lexington, VA

1. Objective. Each residential unit in a cottage housing development shall be provided an area of private open space. The private open space shall separate the main entrance to the cottage from the common open space to create a sense of privacy and a small but pleasant private yard area. If the private open space abuts the common open space it shall be separated from the common open space with a small hedge, picket fence, or other similar visual separation to create a sense of separate ownership.
  - a. Each cottage unit shall be provided with a minimum of 200 square feet of usable private open space directly contiguous to and accessed from each cottage.
  - b. No dimension of the private open space shall be less than 8 feet.
  - c. Required porch areas may be counted as private open space.
  - d. Required perimeter landscaping shall not be counted as private open space.

## N. TREE CONSERVATION.

### Winchester, VA

1. Objective. Cottage housing developments shall be designed to incorporate existing trees to the extent possible. New trees shall be located to create amenities in the common open space, private open space, provide shade where appropriate, to create separation between buildings when desired, and to screen and soften the perimeter of parking areas and street facing sides of cottage housing developments.
  - a. Preservation of existing trees, and/or new trees, shall be provided consistent with the standards for landscaping and tree preservation as identified within Sections 19-5-6 and 19-5-7 of this Ordinance. Native trees and other vegetation shall be preserved to the extent possible and the overall site design shall take advantage of the location of existing trees as well as natural openings or clearings on forested sites.

### Falls Church, VA

- (12) The cottage housing development shall comply with zoning ordinance sections 48-1147 and 48-1149 or provide similar assurance, approved by city council, that the site and all landscape will be maintained. The development shall also comply with section 48-1180 for tree canopy coverage.

### Shoreline, WA

#### 20.50.700 Purpose.

The purpose of this subchapter is to establish standards for cottage housing developments in R-4, R-6, R-8 and R-12 zones. All cottage housing developments shall meet the design standards contained in this subchapter. Standards that are not addressed in this subchapter will be supplemented by the standards in SMC [20.40.300](#) and the remainder of this chapter. In the event of a conflict, the standards of this subchapter shall prevail. The purposes of this subchapter are as follows:

D. To encourage site design which maximizes the preservation of existing large trees in order to provide habitat for wildlife, protect biodiversity, and enhance the environmental quality of the development.

### Port Townsend, WA

#### 17.34.160 Tree conservation.

A. Objective. Cottage housing developments shall be designed to incorporate existing trees to the extent possible. New trees shall be located to create amenities in the common open space, private open space, provide shade where appropriate, to create separation between

buildings when desired, and to screen and soften the perimeter of parking areas and street facing sides of cottage housing developments.

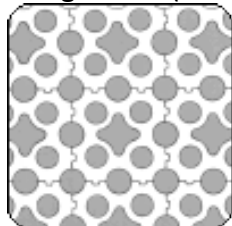
1. Preservation of existing trees, and/or new trees, shall be provided consistent with Chapter [19.06](#) PTMC, Article III, Standards for Tree Conservation. Native trees and other vegetation shall be preserved to the extent possible and the overall site design shall take advantage of the location of existing trees as well as natural openings or clearings on forested sites. (Ord. 2864 § 3, 2004).

## Lexington, VA

### O. STORMWATER LOW IMPACT DEVELOPMENT TECHNIQUES.

#### Winchester, VA

1. Objective. Cottage housing developments shall be designed to take advantage of open space and landscaped features to utilize stormwater low impact development techniques including natural filtration and on-site infiltration of stormwater.
  - a. Low impact development techniques for stormwater management shall be used wherever possible. Such techniques may include the use of pervious pavers in parking areas and for walkways, directing roof drains and parking lot runoff to landscape beds, green or living roofs, and the use of rain barrels.
  - b. Cottages should be located so as to maximize natural stormwater functions. Cottages shall be clustered and parking areas shall be located to preserve as much contiguous, permanently undeveloped open space and native vegetation as possible.
  - c. The use of paver stones, pervious pavement, grasscrete®, or other types of low impact stormwater development techniques are encouraged for walkways and parking areas. (moved from Lot Coverage Area section of Winchester ordinance)



**Example of grasscrete pavers in plan view**

## Falls Church, VA

### Division 2. – R-1A, Low Density Residential District

**Sec. 48-241. Special exceptions.**

- (8) Low impact design. All roof gutters and parking area runoff shall discharge into rain barrels, vegetated swales, underground storage containers, rain gardens, or other preferable infiltration-based or retention-based systems, designed and sized appropriately to capture, at a minimum, the first inch of rainfall and to prevent runoff to a public street or an abutting property. Additional, low impact development techniques, including but not limited to, pervious paving in parking area and/or walkways, and green or living roofs should be used. In addition, developers are encouraged to incorporate net zero energy impact elements as much as possible.

**Port Townsend, WA**

**17.34.170 Stormwater low impact development techniques.**

- A. Objective. Cottage housing developments shall be designed to take advantage of open space and landscaped features to utilize stormwater low impact development techniques including natural filtration and on-site infiltration of stormwater.
1. Low impact development techniques for stormwater management shall be used wherever possible. Such techniques may include the use of pervious pavers in parking areas and for walkways, directing roof drains and parking lot runoff to landscape beds, green or living roofs, and the use of rain barrels.
  2. In the R-I zone, cottages shall be located so as to maximize natural stormwater functions. In this zone, cottages shall be clustered and parking areas shall be located to preserve as much contiguous, permanently undeveloped open space and native vegetation as possible. (Ord. 2864 § 3, 2004).

**Lexington, VA**

**P. OFF-STREET PARKING.**

**Lexington, VA**

**17.34.180 Off-street parking.**

- A. Objective. Off-street parking space requirements for cottage housing developments shall be less than normally required for detached single-family residences. These reduced standards are based upon the cottages being smaller than average detached single-family homes and on average containing fewer occupants. Off-street parking shall be located and designed to be less visible from frontage streets than the cottages themselves. Off-street parking shall be designed to maintain a pedestrian character for the overall cottage housing development. Clustering parking to the side or rear of a cottage project will most often best accomplish these goals. However, on a site-specific

basis, design solutions other than clustering may be found to meet this objective through the alternative design process. Parking areas shall be attractively landscaped to screen parking from adjacent properties and street rights-of-way and shall meet applicable parking lot landscape standards.

1. Parking Ratios.

<b>Number of Bedrooms per Cottage or Nonconforming Dwelling Unit</b>	<b>Ratio of Off-Street Parking Spaces Required per Cottage or Nonconforming Dwelling Unit</b>
Studio or one bedroom unit	1.25 parking spaces
Two bedroom unit	1.5 parking spaces
<b>Three or more bedroom unit or existing nonconforming single-family residence</b>	2 parking spaces

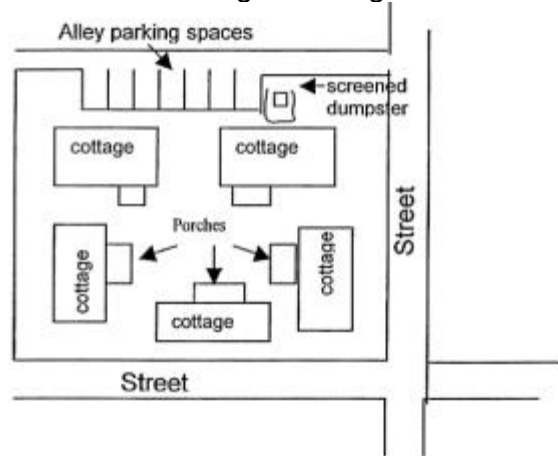
2. Off-Street Parking Location. Parking shall be located on the cottage housing development property. Off-street parking lots shall be located to the side or rear of the cottage housing development (see illustrations below). Parking lots shall not be located between the cottage housing development and the primary street frontage.

a. Off-Street Parking Screening. Off-street parking may be located in or under a noncottage parking structure (such as a single or multi-auto carport or garage), but such structures shall not be attached to individual cottages. Uncovered parking is also permitted; provided, that off-street parking shall be screened from direct street view from one or more street facades by garage doors, or by a fence and landscaping.

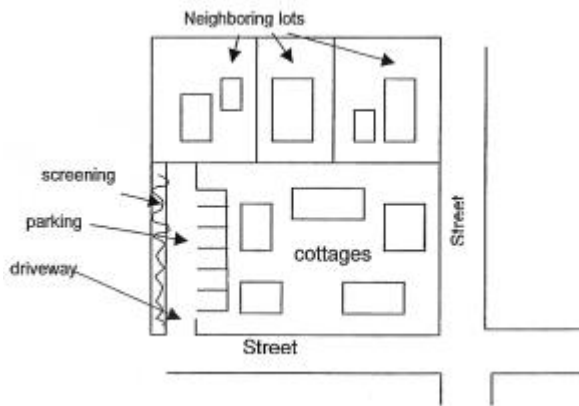
b. Preferred locations for parking, in descending order of preference, are as follows:



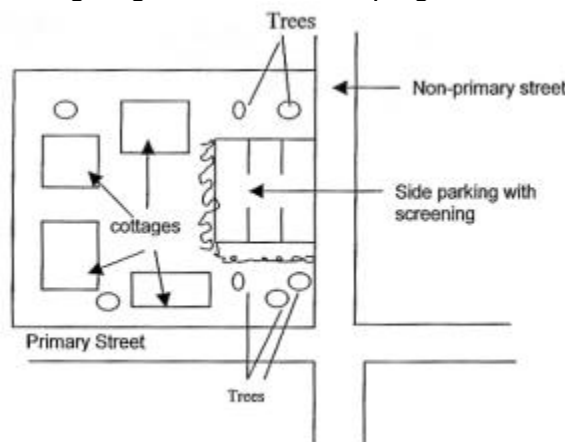
- i. To the rear of cottage housing units accessed by an alley.



- ii. To the side of the cottage housing units access by a private driveway.



- iii. Parking on the side (nonprimary street) screened from the side street by either garage doors, landscaping, and/or fencing.



- c. Parking Lot Landscaping. Parking lot landscaping shall comply with the requirements of PTMC [17.72.190](#). (Ord. 2864 § 3, 2004).

3. Garages. Parking provided in garages shall meet the following standards:
  - a. Garages shall meet location and parking access standards set forth in subsection B of this section.
  - b. Garage elevations visible from a public street shall be designed to minimize visual impact through the use of fencing, lattices, landscaping, or other screening methods.
  - c. Garages shall use materials and architectural design elements that are consistent with the architecture of the cottages.
  - d. Garages shall not be attached to cottages and shall be a minimum of eight feet from a cottage.
  - e. Up to four garages may be attached to one another.

#### Q. FIRE-LANE ACCESS AND TURNAROUND PROVISIONS.

##### Lexington, VA

1. Objective. Cottage housing developments shall be designed so as to allow for the safe and unobstructed access to individual dwellings by emergency responders (i.e., fire, rescue, police), for the purposes of protecting life, property and overall public safety.
  - a. Fire apparatus access roads shall be in accordance with the Virginia Statewide Fire Prevention Code, as amended.

#### R. EXTERIOR LIGHTING AND HEATING/COOLING EQUIPMENT NOISE.

##### Winchester, VA

1. Objective. Cottage housing developments should be designed to minimize light and noise impacts both within the development and to adjacent properties.
  - a. Where provided, exterior lighting shall be mounted as low as possible, pointed downward, and the light source shall be shielded from direct observation from above, adjacent properties, and public rights-of-way. Lighting “spillover” to adjacent properties shall be avoided.
  - b. Heating and cooling equipment for cottage housing developments shall be designed and appropriately screened to cause little or no visual and/or noise impacts within the development and to adjacent properties.

##### Abingdon, VA

Section 7-2-13 - Cottage housing development.

(n) Exterior lighting and heating/cooling equipment. Cottage housing developments should be designed to minimize light and noise impacts both within the development and to adjacent properties.

(1) Where provided, exterior lighting shall be mounted as low as possible, pointed downward, and the light source shall be shielded from direct observation from above, adjacent properties, and public rights-of-way. Lighting spillover to adjacent properties shall be avoided.

(2) Heating and cooling equipment for cottage housing developments shall be designed and appropriately screened to cause little or no visual and/or noise impacts within the development and to adjacent properties.

### Port Townsend, WA

#### **17.34.190 Exterior lighting and heating/cooling equipment noise.**

A. Objective. Cottage housing developments should be designed to minimize light and noise impacts both within the development and to adjacent properties.

1. Where provided, exterior lighting shall be mounted as low as possible, pointed downward, and the light source shall be shielded from direct observation from above, adjacent properties, and public rights-of-way. Lighting “spillover” to adjacent properties shall be avoided.

2. Heating (and cooling, if applicable) equipment for cottage housing developments shall be designed to cause little or no noise impacts within the development and to adjacent properties. To help prevent noise problems, heat pumps shall not be used for cottage housing developments. (Ord. 2864 § 3, 2004).

### Shoreline, WA

#### **20.50.740 Outdoor lighting standards.**

A. Light Trespass Standard. All light sources, such as a lamp or bulb, shall be shielded within a fixture, and fixtures shall be located, aimed or shielded to prevent direct light trespassing from the development to adjacent properties or directly up towards the sky.

B. On-site pedestrian pathways shall be illuminated with at least two foot-candles of light.

C. Cottage entries shall be illuminated with at least four foot-candles of light.

D. Prohibited Lighting. The following types of lighting are prohibited:

1. Outdoor floodlighting by floodlight projection above the horizontal plane;
2. Search lights, laser source lights, or any similar high intensity light; and
3. Any flashing, blinking, rotating or strobe light illumination device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot.

*Exemptions:*

- a. *Lighting in swimming pools and other water features governed by Section 321 (Lighting) of the International Swimming Pool and Spa Code, or Chapter [246-260](#) WAC, as applicable.*
- b. *Signs and sign lighting regulated by Chapter [20.50](#) SMC, Subchapter 8.*
- c. *Holiday and event lighting (except for outdoor searchlights and strobes).*
- d. *Lighting triggered by an automatic emergency or security alarm system. (Ord. 984 § 1 (Exh. A), 2023).*

## Lexington, VA

### S. REQUIRED SEPARATION OF COTTAGE HOUSING DEVELOPMENTS.

#### Winchester, VA

1. Objective. Cottage housing developments in single-family zoning districts shall be separated from each other by a minimum distance to promote housing-type diversity, to reduce potential cumulative impacts of cottage housing development, and to help protect neighborhood character.
  - a. Each cottage housing development shall be separated from any other cottage housing development by a distance of at least 1,000 feet or one block, whichever is greater.

#### Port Townsend, WA

### **17.34.200 Required separation of cottage housing developments in the R-I and R-II zoning districts.**

- A. Objective. Cottage housing developments in single-family zoning districts shall be separated from each other by a minimum distance to promote housing-type diversity, to reduce potential cumulative impacts of cottage housing development, and to help protect neighborhood character.

1. Each cottage housing development in the R-I or R-II zoning districts shall be separated from any other cottage housing development in the R-I or R-II zoning district by a distance of at least 1,000 feet or one block, whichever is greater. (Ord. 2864 § 3, 2004).

## Lexington, VA

### T. OWNERSHIP AND RESIDENTIAL USE OF COTTAGES.

#### Winchester, VA

1. All cottage housing developments shall be developed as residential condominiums, pursuant to the provisions found in Chapter 4.2, Title 55, of the Code of Virginia (1950), et seq., known commonly as the "Condominium Act." Appropriate documentation of formal legal ownership of the development shall be recorded with the Commonwealth of Virginia, the Winchester Circuit Court Clerk, and the Tax Assessor's Office with the City of Winchester.
  - a. Cottages are for residential use only and may not be operated as transient accommodations.

#### Port Townsend, WA

##### **17.34.210 Ownership and residential use of cottages.**

- A. All cottage housing developments shall be developed utilizing the procedures of Chapter [18.20](#) PTMC, Binding Site Plans, except that an association, cooperative or other similar ownership technique may be substituted for the requirement of residential condominiums. Appropriate documentation of formal legal ownership of the development shall be recorded with the Jefferson County auditor's office.
- B. Cottages are for residential use only and may not be operated as transient accommodations. (Ord. 2864 § 3, 2004).

#### Abingdon, VA

- (p) Ownership and residual use of cottages. All cottage housing developments shall be developed as residential condominiums, pursuant to the provisions found in Code of Virginia, Title 55, Ch. 4.2 et seq., known commonly as the "Condominium Act."<sup>[1]</sup> Appropriate documentation of formal legal ownership of the development shall be recorded with the Commonwealth of Virginia, the Washington County Circuit Court Clerk, and the Tax Assessor's Office.

## Lexington, VA

## U. ALTERNATIVE SITE DESIGN.

### Winchester, VA

It is possible that an alternative design may fulfill the intent of this article, while not complying with the provisions herein. Requests for alternative designs shall be processed as a Conditional Use Permit, pursuant to Section 18-2 of this Ordinance and Article 19, Site Plan Requirements. (Editor's note: Article 13.1 established 8/9/11, Case TA-11-125, Ord. No. 2011-36)

### Port Townsend, WA

#### **17.34.220 Alternative site design.**

It is possible that an alternative design may fulfill the intent of this chapter while not complying with the provisions herein. Requests for alternative designs shall be processed pursuant to Chapter [17.46](#) PTMC, Commercial, Multifamily, Cottage Housing Developments, and Mixed Use Architectural and Site Design Review Processes. (Ord. 2864 § 3, 2004).

### Lexington, VA

## V. MISCELLANEOUS

Some of the other Cottage Housing sample codes include topics not addressed in the Winchester code, and for the sake of completeness, staff provides those additional topics here for consideration.

### Shoreline, WA

#### **20.50.750 Fences and walls – Standards.**

- A. Front yard fences and walls located within the required minimum front yard setback shall be a maximum of three feet, six inches high and shall be no more than 60 percent opaque.
- B. Side and Rear Yards. A six-foot-tall solid fence or wall is required along the side and rear property lines.
- C. Private Open Space Fences. Fences delineating private open space are optional and shall be a maximum of three feet, six inches high.
- D. Materials. Fences and walls shall be constructed of wood, wrought iron, brick, stone, or other high quality material. All chain link, electric, razor wire, and barbed wire fences, and other similar types of security fences are prohibited.

- E. Height. The height of a fence located on a retaining wall shall be measured from the finished grade at the top of the wall to the top of the fence. The overall height of the fence located on the wall shall be a maximum of six feet. (Ord. 984 § 1 (Exh. A), 2023).

### Falls Church, VA

- (17) Interior fences shall be no taller than 36 inches.

### Falls Church, VA

#### Sec. 48-90. – Special Exception

- (a) The purpose of this section is to provide procedures and criteria for city council approval of special exceptions as permitted within the zoning districts.

...

- (e) Special exceptions for cottage housing development will be evaluated using the following criteria that are considered essential to the character and well-being of the city:

- (1) The cottage housing development provides an age-restricted community, as provided for under the Federal Housing for Older Persons Act of 1995, as amended from time to time;
- (2) The cottage housing development provides a coordinated site design that encourages social interaction, minimizes the amount of impervious surfaces, and promotes low impact development;
- (3) The cottage housing development includes community amenities for its residents such as common open space, community buildings and connectivity to surrounding areas that provides for neighborhood interaction, security, and a sense of community;
- (4) The cottage housing development contributes to the neighborhood by including design details that provides a visual connection between the development and the surrounding neighborhood;
- (5) The cottage housing development meets the standards for Leadership in Energy and Environmental Design (LEED) silver certification or an equivalent residential green building certification program in the design of the project. If LEED certification is used, it should incorporate SITES (sustainable landscape) criteria to the extent practical; and
- (6) The entire site area of a cottage housing development is located within 500 linear feet of a designated revitalization area.

(Note: The Falls Church Zoning Ordinance includes criteria to be utilized for all conditional use permits but it also includes the above listed criteria specific to cottage housing developments. Is there a benefit for the Lexington cottage housing regulations to also include specific criteria in addition to the already existing criteria for all conditional uses?)

## Shoreline, WA

### F. Utility and Mechanical Equipment.

1. Mechanical and utility equipment shall be located and designed to minimize visibility by the public. Preferred locations are abutting alleys, access drives, within, atop, or under buildings, underground, or other locations away from the public right-of-way. Equipment shall not intrude into required common open space or pedestrian pathways.