

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 06-4**

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<b>Introduced By:</b>	<b>Mayor Gene Ambrogio (by request)</b>
<b>Date Introduced:</b>	<b>February 14, 2006</b>
<b>Planning Commission Public Hearing:</b>	<b>March 7, 2006</b>
<b>Town Council Public Hearing:</b>	<b>March 14, 2006</b>
<b>Amendments Adopted:</b>	
<b>Date Adopted:</b>	<b>April 11, 2006</b>
<b>Date Effective:</b>	<b>April 27, 2006</b>

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1 **An Ordinance** concerning

2  
3 **Building Height**

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5 **FOR** the purpose of specifying the maximum building height in measurements of vertical feet and  
6 removing the reference to number of stories; reducing the maximum building height of single  
7 family attached dwellings in Senior Living Communities; and all matters generally relating to  
8 said measurements and maximum building heights.

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10 \* \* \* \* \*

11  
12 **BY** repealing and reenacting with amendments  
13 Chapter 191 - Zoning  
14 Article III. District Regulations  
15 Sections 191-17.D.(1)(a)[7], 191-17.D.(2)(g), 191-18D.(1)(g), 191-18D.(2)(g),  
16 191-18.1D.(1)(g), 191-18.1D.(2)(g), 191-19D.(2)(g), and 191-22D(2)(d)  
17 Code of the Town of La Plata  
18 (1998 Edition and Supplements)

19  
20 **BY** repealing and reenacting with amendments  
21 Chapter 191 - Zoning  
22 Article V. Special Provisions  
23 Sections 191-46.2G.(1)(f) and 191-46.2G.(2)(f)  
24 Code of the Town of La Plata  
25 (1998 Edition and Supplements)  
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27           **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA**  
 28 that Sections 191-17.D.(1)(a)[7], 191-17.D.(2)(g), 191-18D.(1)(g), 191-18D.(2)(g), 191-  
 29 18.1D.(1)(g), 191-18.1D.(2)(g), 191-19D.(2)(g), and 191-22D(2)(d) of the Code of the Town of  
 30 La Plata (1998 Edition and Supplements) be and they are hereby repealed and reenacted, with  
 31 amendments, to read as follows:

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 33   **Chapter 191 - ZONING**  
 34   **Article III. District Regulations**  
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36 **191-17 R-21 Residential District**

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 38 In the R-21 Residential District, the following regulations shall apply:

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 40 D. Dimensional requirements shall be as follows:

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 42           (1) Single-family detached dwellings:

43                   (a) Minimum and maximum requirements:

44                                   [1] Minimum lot area: twenty-one thousand (21,000) square feet or twenty-  
 45 one thousand (21,000) square feet per dwelling unit.

46                                   [2] Minimum lot width: one hundred (100) feet.

47                                   [3] Minimum front yard: twenty-five (25) feet.

48                                   [4] Minimum side yards: fifteen (15) feet each.

49                                   [5] Minimum rear yard: twenty-five (25) feet.

50                                   [6] Maximum lot coverage: twenty percent (20%) of lot area.

51                                   [7] Maximum height: thirty-five (35) feet (([two and one-half (2-1/2) stories])).

52                   (b) For optional cluster provisions, see § 191-42.

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 54           (2) Other permissible principal uses and structures, except as specified in Article V:

55                   (a) Minimum lot area: twenty-one thousand (21,000) square feet.

56                   (b) Minimum lot width: one hundred (100) feet.

57                   (c) Minimum front yard: thirty (30) feet.

58                   (d) Minimum side yards: twenty-five (25) feet each.

59                   (e) Minimum rear yard: twenty-five (25) feet.

60                   (f) Maximum lot coverage: twenty-five percent (25%) of lot area.

61                   (g) Maximum height; thirty-five (35) feet (([two and one-half (2-1/2) stories])).

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 63 **191-18 R-10 Residential District**

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 65 In the R-10 Residential District, the following regulations shall apply:

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 67 D. Dimensional requirements shall be as follows:

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- 69 (1) Single-family detached dwellings:
- 70 (a) Minimum lot area: ten thousand (10,000) square feet or ten thousand (10,000)
- 71 square feet per dwelling unit.
- 72 (b) Minimum lot width: eighty (80) feet.
- 73 (c) Minimum front yard: twenty-five (25) feet.
- 74 (d) Minimum side yards: ten (10) feet each.
- 75 (e) Minimum rear yard: twenty-five (25) feet.
- 76 (f) Maximum lot coverage: thirty percent (30%) of lot area.
- 77 (g) Maximum height: thirty-five (35) feet (([two and one-half (2-1/2) stories])).
- 78
- 79 (2) Other permissible principal uses and structures, except as specified in Article V:
- 80 (a) Minimum lot area: fifteen thousand (15,000) square feet.
- 81 (b) Minimum lot width: one hundred (100) feet.
- 82 (c) Minimum front yard: twenty-five (25) feet.
- 83 (d) Minimum side yards: twenty-five (25) feet each.
- 84 (e) Minimum rear yard: twenty-five (25) feet.
- 85 (f) Maximum lot coverage: twenty-five percent (25%) of lot area.
- 86 (g) Maximum height: thirty-five (35) feet (([two and one-half (2-1/2) stories])).
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**191-18.1 R-8 Residential District**

In the R-8 Residential District, the following regulations shall apply:

D. Dimensional requirements shall be as follows:

- 94 (1) Single-family detached dwellings:
- 95 (a) Minimum lot area: eight thousand (8,000) square feet or eight thousand (8,000)
- 96 square feet per dwelling unit.
- 97 (b) Minimum lot width: eighty (80) feet.
- 98 (c) Minimum front yard: twenty-five (25) feet.
- 99 (d) Minimum side yards: eight (8) feet each.
- 100 (e) Minimum rear yard: twenty (20) feet.
- 101 (f) Maximum lot coverage: thirty percent (30%) of lot area.
- 102 (g) Maximum height: thirty-five (35) feet (([two and one-half (2-1/2) stories])).
- 103
- 104 (2) Other permissible principal uses and structures, except as specified in Article V:
- 105 (a) Minimum lot area: fifteen thousand (15,000) square feet.
- 106 (b) Minimum lot width: one hundred (100) feet.
- 107 (c) Minimum front yard: twenty-five (25) feet.
- 108 (d) Minimum side yards: twenty-five (25) feet each.
- 109 (e) Minimum rear yard: twenty-five (25) feet.
- 110 (f) Maximum lot coverage: twenty-five percent (25%) of lot area.

111 (g) Maximum height: thirty-five (35) feet (([two and one-half (2-1/2) stories])).

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113 **191-19 R-5 Residential District**

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115 In the R-5 Residential District, the following regulations shall apply:

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117 D. Dimensional requirements shall be as follows:

118 (2) Two-family dwellings:

119 (a) Minimum lot area: ten thousand (10,000) square feet or five thousand (5,000)

120 square feet per dwelling unit.

121 (b) Minimum lot width: eighty (80) feet.

122 (c) Minimum front yard: twenty (20) feet.

123 (d) Minimum side yards: fifteen (15) feet each.

124 (e) Minimum rear yard: twenty (20) feet.

125 (f) Maximum lot coverage: twenty-five percent (25%) of lot area.

126 (g) Maximum height: thirty-five (35) feet (([two and one-half (2-1/2) stories])).

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128 **191-22 F-P Floodplain District**

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130 In the F-P Floodplain District, the following regulations shall apply:

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132 D. Dimensional requirements shall be as follows:

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134 (2) Other permissible principal uses and structures:

135 (a) There are no minimum lot area or lot width requirements.

136 (b) Any lot with a principal structure shall provide a front and rear yard at least twenty

137 (20) feet each in depth and side yards at least ten (10) feet in width.

138 (c) Maximum lot coverage shall be fifteen percent (15%) of the lot area.

139 (d) Maximum height shall be thirty-five (35) feet (([two and one-half (2-1/2) stories])).

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141 **SECTION 2: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA**  
142 that Sections 191-46.2G.(1)(f) and 191-46.2G.(2)(f) of the Code of the Town of La Plata (1998  
143 Edition and Supplements) be and they are hereby repealed and reenacted, with amendments, to read  
144 as follows:

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146 **Chapter 191 - ZONING**  
147 **Article V. Special Provisions**

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149 **191-46.2 Senior living communities**

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151 G. Dimensional requirements. The following dimensional requirements apply to uses within a senior  
152 living community:

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(1) For single-family detached dwellings, the dimensional requirements shall be as follows:

(a) Minimum lot area: four thousand (4,000) square feet.

(b) Minimum lot width: fifty (50) feet.

(c) Minimum front yard: twenty (20) feet.

(d) Minimum side yards: eight (8) feet each.

(e) Minimum rear yards: fifteen (15) feet, or as may be reduced at the sole discretion of the Planning Commission prior to preliminary plat approval. The Planning Commission may reduce the rear yard to no less than five (5) feet based on a finding that the yard is adjacent to common open space of appropriate size and character (minimum thirty (30) feet width) to provide adequate usable space for the residents.

(f) Maximum height: thirty-five (35) feet((, but not more than two and one-half (2.5 stories)).

(2) For two-family dwellings, the dimensional requirements shall be as follows:

(a) Minimum lot area: six thousand (6,000) square feet, but not less than three thousand (3,000) square feet per dwelling unit.

(b) Minimum lot width: sixty (60) feet, but not less than thirty (30) feet per dwelling unit.

(c) Minimum front yard: twenty (20) feet.

(d) Minimum side yards: eight (8) feet each.

(e) Minimum rear yards: fifteen (15) feet, or as may be reduced at the sole discretion of the Planning Commission prior to preliminary plat approval. The Planning Commission may reduce the rear yard to no less than five (5) feet based on a finding that the yard is adjacent to common open space of appropriate size and character (minimum thirty (30) feet width) to provide adequate usable space for the residents.

(f) Maximum height: thirty-five (35) feet((, but not more than two and one-half (2.5 stories)).

(3) For single-family attached dwellings, the dimensional requirements shall be as follows:

(a) Minimum lot area: one thousand four hundred (1,400) square feet.

(b) Minimum lot width: twenty (20) feet.

(c) Minimum front yard: twenty (20) feet.

(d) Minimum side yards: eight (8) feet each.

(e) Minimum rear yards: fifteen (15) feet, or as may be reduced at the sole discretion of the Planning Commission prior to preliminary plat approval. The Planning Commission may reduce the rear yard to no less than five (5) feet based on a finding that the yard is adjacent to common open space of appropriate size and character (minimum thirty (30) feet width) to provide adequate usable space for the residents.

(f) Maximum height: ((forty)) THIRTY-five (((45))) (35) feet((, but not more than three (3) stories)).

195 (g) Minimum green area: fifty percent (50%) of lot area.

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197 **SECTION 3: AND BE IT FURTHER ENACTED** that this Ordinance shall become  
198 effective at the expiration of fifteen (15) calendar days after its approval by the Council.

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200 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**SEAL:**

**COUNCIL OF THE TOWN OF LA PLATA**

\_\_\_\_\_  
Gene Ambrogio, Mayor

\_\_\_\_\_  
R. Wayne Winkler, Councilman

\_\_\_\_\_  
C. Keith Back, Councilman

**ATTEST:**

\_\_\_\_\_  
Paretta D. Mudd, Councilwoman

\_\_\_\_\_  
Judith T. Frazier, Town Clerk

\_\_\_\_\_  
Vic E. Newman, Councilman

Date: \_\_\_\_\_

<p><b>EXPLANATION:</b>  CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  ((Double Parenthesis)) indicate matter deleted from existing law.  <u>Underlining</u> indicates amendments to bill.  <del>Strike Out</del> indicates matter stricken from bill by amendment or deleted from the law by amendment.</p>
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