

Mansionization in Rockville

I. Current Regulations

The current regulations on single family homes are set forth in the residential zones in Section 25.10.05 of the Rockville Zoning Ordinance. The Residential Zone Development Standards table is the key tool for regulating the dimensions, size and placement of homes in the City's standard zones (i.e. not Planned Development or Historic District zones).

As shown on the table, several aspects of the home and the site have regulations to limit mass and lot coverage. In addition to the traditional height and setback (yard) requirements, there is a limit on the amount of impervious surface in the front yard, and a maximum lot coverage for all buildings on the site. (See the table on the next page)

Residential Zone Development Standards – Sec. 25.10.05

Zone	Minimum Lot Dimensions			Building Envelope Requirements					Lot Coverage		Additional Regulations	
				Minimum Setbacks					Max. Height	Max. Lot Coverage (All main and accessory buildings) (See Sec. 25.10.05.b)		Maximum Impervious Surface in Front Yard ¹
	Front		Side		Rear							
	Area	Width at Front Setback Line	Width at Front Lot Line	Standard	Where established setback exceeds standard (See Sec. 25.10.05.e.2)	Where street abuts	Where land abuts					
R-400	40,000 sq ft	150'	25'	50'	Est. setback up to 100'	30'	20'	50'	40'	15%	10%	
R-200	20,000 sq ft.	100'	25'	35'	Est. setback up to 100'	25'	13'	35'	40' ²	25%	20%	
R-150	15,000 sq ft	90'	25'	35'	Est. setback up to 60'	30'	13'	30'	40'	25%	25%	
R-90	9,000 sq ft	80'	25'	30'	Est. setback up to 60'	20'	11'	25'	35'	25%	30%	See Sec. 25.10.09 for limitations on building height in R-60, R-75 & R-90 zones
R-75	7,500 sq ft	70'	40'	25'	Est. setback up to 50'	20'	9'	20'	35'	35%	35%	
R-60	6,000 sq ft	60'	35'	25'	Est. setback up to 50'	20'	8'	20'	35'	35%	40%	
R-60 qualifying undersized lots	5,000 sq ft	50'	35'	25'	Est. setback up to 50'	20'	7'	20'	35'	35%	40%	See Sec. 25.08.03
R-40	4,000 sq. ft.	40'	25'	25'	Est. setback up to 50'	25'	10'	20'	35'	40%	45%	Single unit detached dwellings: R-60 standards in lieu of R-40 standards
Lincoln Park Conservation District	6,000 sq ft	60'	35'	25'	Est. setback up to 50'	20'	8'	20'	25'	1,500 square feet	40%	See Sec. 25.14.03

¹Impervious surfaces include driveways, parking areas and sidewalks. In cases where the Director of the Department of Public Works approves a pervious paving material, the area of the front yard devoted to vehicle movement and parking is still limited to the percentage limits shown in the table above.

²In the case of an institution of higher learning located on a site greater than 75 acres, the maximum building height is 75 feet where the use adjoins property in a Single Dwelling Unit Residential Zone or a Park Zone, and building height cannot penetrate a layback slope formed by an angle of 30 degrees measured from the property boundary of the adjoining residential or Park Zone.

These graphics and excerpts from the code are used to further explain how these dimensions are measured. The diagram below, left explains how the height standards are measured. The diagram below, right shows the setback (yard) standards for certain zones.

- *Height of Residential Buildings* - The height of residential dwellings in the R-60, R-75, and R-90 Zones is limited to 35 feet, measured at the mid-point of the front of the building from the surface of the pre-existing grade to the mid-point of a gable, hip, or mansard roof or to the roof surface of a flat roof. In the case of a gable, hip or mansard roof, the height to the peak of the roof cannot exceed 40 feet.
- In cases where the existing grade of the lot slopes below the street grade, building height will be measured from the finished street grade, provided that construction of the dwelling requires re-grading of the lot for purposes of positive drainage of wastewater and stormwater to the street.
- Front yard impervious area – this seeks to limit pavement, and decks, patios, etc.
- Maximum lot coverage – to limit the combined total of garages, sheds, and the house on the lot.

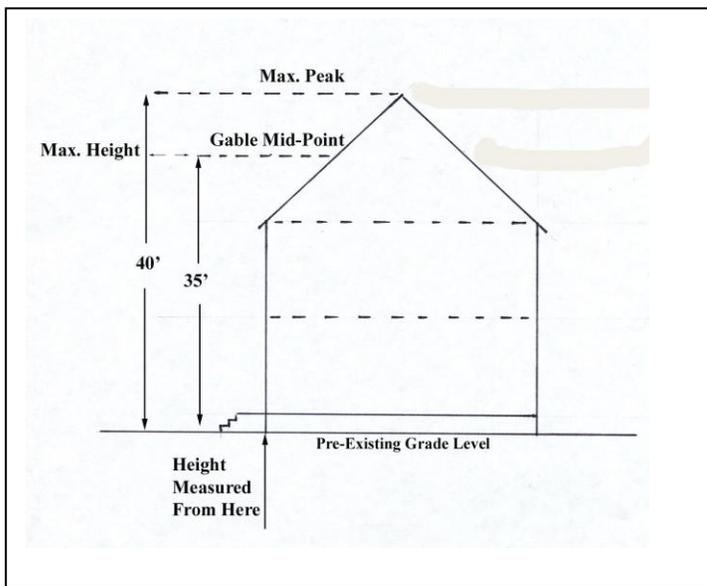
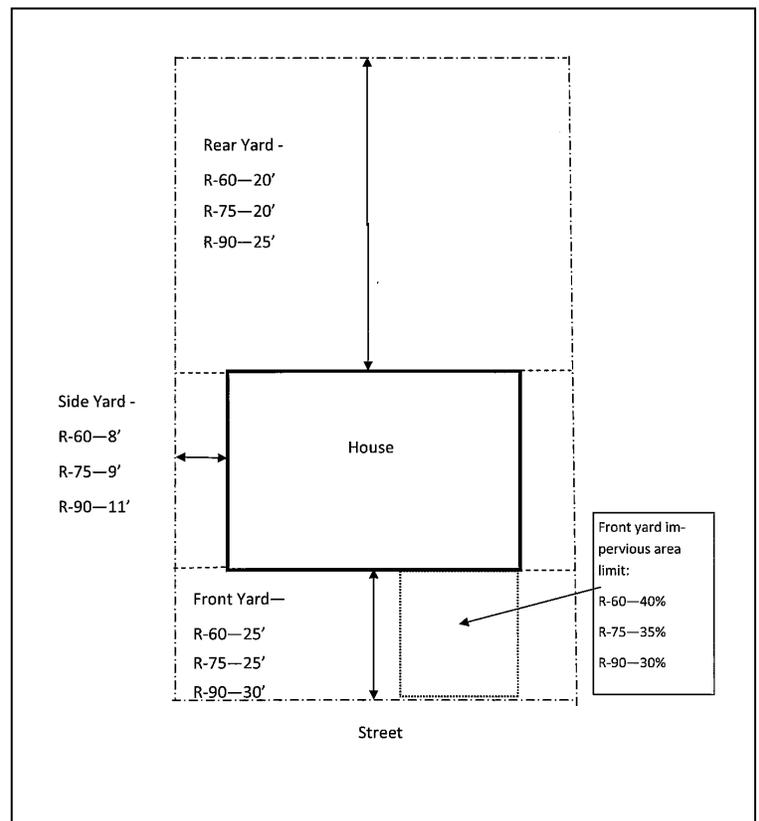


Diagram of house height from current ordinance



Lot standards diagram – R-60, R-75, R-90

II. Possible City-Wide Design Solutions

Many methods have been used nationwide to control new development in existing neighborhoods and accomplish the goal of compatibility without stifling the opportunity for expansion, infill and redevelopment. After conducting a comprehensive literature search of tools used by other communities, it is apparent that no single answer has yet been found to adequately address all the concerns of mansionization. These homes are criticized for their size in relation to neighboring homes - or for the design of the house – or both. The “right” solution must consider many factors including: identifying the objectionable feature(s), ensuring the solution is not too complex for homeowners, considers staffing resources and avoids unintended consequences.

The following are some best practices that have been used by other communities and may be applicable to address mansionization in Rockville. It is suggested that the Mayor and Council analyze the root problem(s) and the objective – so that the solution(s) can be tailored to the desired outcome. It is very possible that more than one of the following tools (or none) will be appropriate – depending upon the objective.

The four types of tools are briefly described below:

- A. Architectural requirements
- B. Massing regulations
- C. Additional review

A. Architectural Requirements

While architectural requirements protect neighborhood character, they can also help reduce mass and create visual aesthetics of an individual dwelling. The key to such requirements is to strike the right balance. The language cannot be too restrictive, allowing for the imagination of architects, but not unconstitutionally vague either. The following design requirements could be used to address the specific massing and design problems that have arisen in some Rockville neighborhoods. These could be adopted on their own or in combination with one of the other tools. The adoption process to add some or all of these architectural requirements to the zoning ordinance would be via a text amendment – and could be implemented more quickly than some of the other alternatives.

1. *Basement vs. cellar.* Exposed basements affect building height and compound the appearance of mass by having a raised entry. Some of the new homes in Rockville have full basements at or near grade which create a higher roof peak, raised entry and stairs, and higher walls than the same model without a raised basement. These are especially out of character in Rockville’s neighborhoods.
2. *Façade.* Mass can be accentuated when a home lacks definition in its façade, making it look square and bulky. Unbroken multi-story elements, such as towers, entryways, and walls can also accentuate mass.
3. *360° Design.* Many houses are constructed with architectural details, materials and features on the front façade but then do not carry them on the sides or rear of the house. This leaves massive walls of siding, brick or concrete with no break or styling. Similar architectural detail should be required on all four sides of the house.
4. *Roof Eaves.* Eaves or roof overhangs create a shadow line that helps articulate the building. An example would be a requirement for 8-inch eaves.

B. Mass Regulations

Mass regulations control the scale of the home to its surroundings. When a large home is constructed in a neighborhood of smaller homes and small lots, the impact of mass is maximized. These regulations help to limit the impact of large structures.

1. *Building Envelope Regulations.* This is the current form of regulation in Rockville's zoning ordinance. It is a traditional means of controlling home size is by specifying setbacks and lot coverage. Decreasing the allowed lot coverage and increasing building setbacks achieve a smaller building envelope. In addition, the current code regulates front yard impervious surface and accessory buildings.

Smaller bulk is also achieved by decreasing the height or number of stories allowable. Regulations on height can be placed on a number of things. Besides total building height, height restrictions can be placed on attic floor levels, basements, and detached garages. The definition or basis for how height is measured can also be drafted to achieve certain objectives. It is important to consider roof style and roof pitch of the surrounding neighborhood so that compatible designs are achievable. The 2009 ordinance maintained the 35 foot height but changed the way height is measured and also created a 40 foot maximum height at the roof peak. Within this envelope, a new home on a 6,000 square foot lot with upper half-story and basement can legally be built in excess of 7,000 square feet.

2. *Floor Area Ratio (FAR).* FAR regulations are one of the most common techniques for controlling oversized homes. Floor area ratio is a ratio of the gross square footage of the building or buildings on the lot divided by the square footage of the lot. FAR's allow communities to control the overall square footage of a home, including second-plus stories, as well as garages and covered porches. Many communities implement a sliding scale for each zoning district, instead of one set FAR for the entire city.

FAR limits, however, will not solve the problem in neighborhoods like the West End where lot sizes and architectural styles vary by block or even by lot. These are most effective in areas that have larger lots or more uniformity in the massing of existing homes. Areas of Rockville most vulnerable to mansionization are generally zoned R-60 with lots ranging from 5,000 to 7,500 square feet with lot widths of 50 feet to 70 feet. With narrow lot widths, a tall building could easily be built within FAR standards and still have an impact on adjacent neighbors.

3. *Building Volume Ratio (BVR).* This measurement is a true indicator that requires measuring the entire volume of the visible portions of the building. Basements, attics, higher ceilings are all accounted for when using a BVR. Since the BVR is not tied to any single element (lot coverage or floor area), it is more flexible for the designer to balance design and volume. That being said, this would be a complex and completely different measure for residential construction in Rockville. Significant data collection would be necessary to where and how many nonconformities might be created.

III. Possible Neighborhood-Specific Solutions

Rockville is a built-out city with no greenfield areas readily available for new residential development. Therefore, all future residential construction will occur via infill or redevelopment in existing neighborhoods. Neighborhoods which have, themselves, been created in different decades, different home sizes, lot sizes and architectural styles. As a result, there is no single solution that can be applied to all neighborhoods without unintended consequences and too many non-conformities. Solutions must be tailored to individual zones or neighborhoods in order to be effective for the long-term – one size does not fit all.

The fundamental challenge to regulating or limiting mansionization is striking a balance between neighborhood integrity and a homeowner's property rights. One important aspect of this balance is minimizing nonconformities and unintended consequences. Significant data collection and analysis will be required to avoid or minimize the number of existing homes that could be made non-conforming by the imposition of new zoning regulations. Where time permits, such efforts can be part of a neighborhood planning effort where more in-depth analysis can be accomplished in order to achieve the most effective tool(s) for that neighborhood's vision.

Certain neighborhoods or portions of neighborhoods may want to utilize historic or conservation district to protect recognized characteristics. Some may want to revisit their neighborhood plans. The selection of a solution should also take into account a realistic timeframe to adopt each type of tool. A typical neighborhood or master plan can take two years to complete the public process whereas a zoning text amendment may be adopted and effective in 4-5 months.

In East Rockville, for example, a zoning ordinance amendment to require architectural detail may be sufficient to address neighborhood concerns in the short term. If additional protections are still desired, a neighborhood plan revision or a conservation district may be a long-term solution. Twinbrook, on the other hand, has more consistency in home sizes and heights – but lots can accommodate more than the smaller homes that were originally built. Their recent plan outlines a variety of strategies to implement the neighborhood's vision.

Many of the pressures at this time are in the West End where home sizes, heights and styles vary significantly within the neighborhood and within blocks. Institutional expansions and historic designations have also been controversial in this area. The West End Woodley Gardens neighborhood plan dates back to 1989 and the initial historic district was enacted in 1974.

This plan should be reviewed and revised to accommodate the neighborhood vision and which forms of implementation best suit those objectives. On certain blocks a conservation district may be desired, or an expansion of the historic district may be warranted on others.

Each of the following tools has a different purpose and is applicable to different physical conditions, as described below.

1. *Historic Districts.* One solution is to implement new or expanded historic districts, where eligible and appropriate. Historic districts aim to protect a community's historic significance whether it contributes to the national, state or local pattern of history. Design guidelines which restrict mansionization are implemented and enforced to ensure protection of these resources. Infill construction and alterations to existing houses would be reviewed by the Historic District Commission, which determines if they are appropriate to the district.
2. *Conservation Districts.* These are another technique that can be used to document and maintain certain unique or important features of a specific neighborhood. This works well in an architecturally cohesive community with the same basic character, lot size, height of buildings, and style. It does require research and documentation of existing conditions to justify the new development standards.

Rockville currently has one conservation district, Lincoln Park. The conservation district standards are set forth in the zoning code, and set limits on lot coverage, building height, and size of building additions. The code also sets forth procedures for allowing creation of additional conservation districts and should be revised to make the adoption process more flexible. These can be initiated

either via a neighborhood plan, or by local initiative of the residents of the proposed district. The staff recommends procedural changes to allow new districts and to shorten the process.

3. *Neighborhood Plans.* Many of the areas where mansionization has been an issue have neighborhood plans that should be revised and updated. In this context, the city can consider the options for creating conservation districts or additional historic districts within the planning context with full public input. Most of the attention on oversized homes has focused on the R-60 zones (shown on the map in Attachment B). In order to develop possible neighborhood-centric solutions and a work program, further research of that zone, the relevant neighborhood plans and the relevant policies in the Comprehensive Master Plan, is suggested.