

TOWN OF CHEVY CHASE
COUNCIL MEETING
TOWN HALL
February 13, 2019

COUNCIL WORK SESSION (5:30-7:00 p.m.)

The Town Council will hold a work session to discuss possible locations for a dog exercise area in or near Town. The Council also will review and discuss the latest plans for a sustainable garden and a pathway and staircase in Zimmerman Park.

- I. GENERAL BUSINESS (7:00-7:15 p.m.)
 - A. Call to Order
 - B. Pledge of Allegiance
 - C. Approval of Minutes of January 2019 Council Meeting
 - D. Acceptance of January 2019 Financial Report
 - E. [Town Manager's Report](#)
 - F. Public Comments

- II. PUBLIC HEARINGS (7:15-7:45 p.m.)
 - A. [Public Hearing on an Ordinance to Regulate Small Cell Facilities](#)

- III. COUNCIL DISCUSSIONS (7:45-9:00 p.m.)
 - A. [Montgomery County Accessory Dwelling Unit ZTA \(Land Use Committee\)](#)
 - B. Project Updates
 - 1. East West Highway Safety
 - 2. Purple Line Mitigation
 - 3. Bethesda Downtown Plan Implementation
 - C. Public Services Committee Projects
 - 1. Permit Parking Program (Guest Passes)
 - 2. Town-Wide Traffic Study
 - 3. Traffic/Bicycle Safety Signage Improvements
 - D. [Climate and Environment Advisory Group 2019 Work Plan](#)

- IV. ADJOURNMENT (9:00 p.m.)

MEMORANDUM

I-E

TO: Town Council
FR: Todd Hoffman, Town Manager
RE: Town Manager's Report
DATE: February 13, 2019

This report highlights some of the initiatives undertaken by Town staff over the past month. In the interest of brevity, I have not included ongoing staff functions. Please let me know if you have any questions or need additional information.

- Assisted Purple Line Mitigation Committee with obtaining additional information from MTA and PLTP/PLTC; communicating with Town's consulting engineer re. noise modeling; and communicating with MTA's consulting engineer re. stormwater management plans.
- Communicated with SHA and MCPD re. pedestrian safety improvements on East West Highway.
- Assisted Land Use Committee with publicizing proposed Zimmerman Park improvements.
- Assisted Sustainable Garden Advisory Group with planning for Lee Dennison garden.
- Assisted Long Range Planning Committee with tracking Bethesda redevelopment projects.
- Assisted Public Services Committee with developing RFP for Town-wide traffic study and responding to resident inquiries/requests re. public safety, traffic and street lighting.
- Reviewed and discussed proposed Town legislation re. small cell facility deployments.
- Reviewed and discussed proposed County legislation re. accessory dwelling units.
- Reviewed and discussed proposed State legislation re. municipal planning/zoning authority.
- Began developing proposed FY20 budget.
- Began preparations for 2019 election.
- Continued planning for A/V improvements in the Town Hall.
- Hired Administrative Assistant.
- Worked with Community Relations Committee on special events.

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Town of Chevy Chase
Ordinance to Regulate Small Wireless Telecommunications Facilities in the Rights-of-Way

Resolution No.:
Introduced: January 9, 2019
Adopted:
Effective Date:

AN ORDINANCE TO REPLACE CHAPTER 26 OF THE CODE OF
ORDINANCES TO ADOPT REQUIREMENTS CONCERNING
THE INSTALLATION AND OPERATION OF SMALL WIRELESS
TELECOMMUNICATIONS FACILITIES IN THE PUBLIC
RIGHTS-OF-WAY.

WHEREAS, Maryland Code, Local Government Article, Section 5-202, as amended, grants to the legislative body of every incorporated municipality in Maryland general power to pass such ordinances not contrary to the Constitution of Maryland, or the public general law, as deemed necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality;

WHEREAS, United States Code, Title 47, Section 332, provides that a local government may exercise control regarding the placement, construction, and modification of personal wireless service facilities, provided the local government does not unreasonably discriminate among providers of functionally equivalent services; and does not prohibit the provision of personal wireless services;

WHEREAS, United States Code, Title 47, Section 332, provides that a local government shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request; and any decision by a local government to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record;

WHEREAS, United States Code, Title 47, Section 1455, provides that a local government may deny a facility request for a modification of an existing wireless tower or base station if it substantially changes the physical dimensions of such tower or base station, including requests for the collocation, removal, or replacement of transmission equipment;

WHEREAS, the Town of Chevy Chase holds and maintains the streets and highways within its municipal boundaries in trust for the benefit, use, and convenience of the general public;

WHEREAS, Section 301 of the Town of Chevy Chase Charter authorizes the Town Council to pass ordinances as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the Town; and for such other police and health matters as it may deem necessary;

WHEREAS, after proper notice to the public, the Town Council introduced the following Ordinance in an open meeting conducted on the 9th day of January, 2019;

WHEREAS, after proper notice to the public, the Town Council considered the following Ordinance in an open meeting conducted on the 13th day of February, 2019;

WHEREAS, upon consideration of the testimony and evidence presented at the public hearing, the Town Council finds that the ordinance as hereinafter set forth is necessary for the good government of the Town; for the protection and preservation of the Town's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED, this ____ day of _____, 2019, by the Town Council, acting under and by virtue of the authority given it by the Maryland Code and the Town Charter, the Town Council does hereby adopt the foregoing Ordinance and amend the Town Code by replacing Chapter 26 in its entirety as follows:

* * *

Chapter 26.

TELECOMMUNICATIONS

ARTICLE I. SMALL WIRELESS TELECOMMUNICATIONS FACILITIES

Sec. 26.46. Intent and Purpose.

It is the intent of the town council to promote the town's public health, safety, and general welfare by providing regulatory requirements for the installation and maintenance of small wireless telecommunications facilities in the public rights-of-way. The purpose of this Article is to regulate the same to enhance vehicular and pedestrian safety and avoid interference with motorist and pedestrian sightlines; to minimize damage to trees; to reduce visual clutter and prevent unsightly or out-of-character deployments; to preserve the value of property and the character of the neighborhood; and to otherwise protect the health, safety, and general welfare of the town and its residents, and the public at large.

Sec. 26-47. Definitions.

In this Article, the following terms have the following meanings.

“Base Station” means a structure or equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term does not include a Pole, Tower, or Support Structure or any equipment associated with a Pole, Tower, or Support Structure.

“Collocate” means to install or mount a Small Wireless Facility in the public right-of-way on an existing Support Structure, an existing Tower, or on an existing Pole to which a Small Wireless Facility is attached at the time of the application. “Collocation” has a corresponding meaning.

“Communications Facility” means, collectively, the equipment at a fixed location or locations within the public right-of-way that enables Wireless Services, including: (i) radio transceivers, antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of technological configuration; and (ii) all other equipment associated with any of the foregoing. The term does not include the Pole, Tower, or Support Structure to which the equipment is attached.

“Pole” means a legally constructed pole, such as a utility, lighting, traffic, or similar pole made of wood, concrete, metal or other material, located or to be located within a public right-of-way. The term does not include a Tower or Support Structure.

“Small Wireless Facility” means a Wireless Facility that meets all of the following conditions:

- (1) The structure on which antenna facilities are mounted (i) is fifty (50) feet or less in height, including existing antennas, or (ii) is no more than ten (10) percent taller than other adjacent structures, or (iii) is not extended to a height of more than fifty (50) feet or by more than ten (10) percent above its preexisting height, whichever is greater; and**
- (2) Each antenna associated with the deployment, excluding the associated equipment, is no more than three (3) cubic feet in volume; and**
- (3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight (28) cubic feet in volume; and**
- (4) The facility does not require antenna structure registration under Federal law; and**
- (5) The facility does not result in human exposure to radiofrequency radiation in excess of applicable safety standards under Federal law.**

“Support Structure” means a structure in a public right-of-way other than a Pole or a Tower to which a Wireless Facility is attached at the time of the Application.

“Tower” means any structure in a public right-of-way, within or outside the boundaries of the Town, built for the sole or primary purpose of supporting a Wireless Facility. A Tower does not include a Pole or a Support Structure.

“Wireless Facility” means the equipment at a fixed location or locations in the public right-of-way that enables Wireless Services. A Small Wireless Facility is a type of a Wireless Facility. The term does not include the Pole, Tower, or Support Structure on, under, or within which the equipment is located or collocated, or the coaxial, fiber-optic, or other cabling between Communications Facilities or Poles, or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

“Wireless Service Provider” means a person who provides Wireless Services.

“Wireless Services” means any wireless services using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided to the public.

Sec. 26-48. Permit and Access Agreement Required.

- (a) **No person shall construct, install, maintain, or perform any work in the public right-of-way related to a Communications Facility or any Tower, without first receiving a Permit and paying any applicable fee, as required under this Article. No permit shall be issued until the applicant has entered into a Right-of-Way Access Agreement in a form approved by the Town, according to this Article. A permit shall not be required for ordinary maintenance and repair, as determined by the Town.**
- (b) **The Right-of-Way Access Agreement shall set forth, at a minimum, the following: (a) the maximum term of the agreement and the bases for termination; (b) the scope of the authority; (c) the operator’s maintenance obligations; (d) the operator’s indemnification and insurance requirements; (e) emergency contacts and required response to emergencies related to facilities; and (f) the Town’s right to access and inspect the operator’s books and records.**

Sec. 26-49. Permit Application Requirements.

- (a) **An application for a permit under this Article must contain or be submitted with the following:**
 - (1) **The applicant’s name, address, telephone number, and e-mail address, including emergency contact information for the Applicant;**
 - (2) **The names, addresses, telephone numbers, and e-mail addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application;**

- (3) A description of the proposed work and the purposes and intent of the proposed facility sufficient to demonstrate compliance with the provisions of this Article;
 - (4) If applicable, a copy of the authorization for use of the property from the Pole, Tower, or Support Structure owner on or in which the Communications Facility will be placed or attached;
 - (5) Detailed construction drawings regarding the proposed facility;
 - (6) A structural report performed by a duly licensed engineer evidencing that the Pole, Tower or Support Structure can adequately support the Collocation (or that the Pole, Tower, or Support Structure will be modified to meet structural requirements) in accordance with applicable codes;
 - (7) A certification by a radiofrequency engineer that the Communications Facility will comply with the radiofrequency radiation emission standards adopted by the Federal Communications Commission; and
 - (8) The applicable application fee, bond, Right-of-Way Access Agreement, and right-of-way access fee, as may be adopted and amended by resolution of the Town Council.
- (b) The Town may require the posting of a bond to guarantee the prompt and proper restoration of the public right-of-way. The bond may be in such amount as the Town Manager deems necessary, in the Town Manager's discretion.
 - (c) In exchange for the privilege of non-exclusive use of the public right-of-way, the applicant shall pay the Town such access fee as may be established and amended by the Town by resolution from time to time.
 - (d) Any permit issued under this Article shall be valid for a period of twelve (12) months after issuance, and may be extended by the Town Manager for up to an additional twelve (12) months upon written request of the applicant, prior to permit expiration, if the failure to complete construction is as a result of circumstances beyond the reasonable control of the applicant.
 - (e) No work may be performed except in strict accordance with applicable law and the Town permit and all approved plans and specifications.
 - (f) No permit shall be issued except to a Wireless Service Provider with immediate plans for use of the subject Communications Facility. A permit issued under this Article may not be assigned or transferred.

Sec. 26-50. Standards for Deployment in the Public Right-of-Way.

- (a) No Interference with Right-of-Way. No person shall locate or maintain a Communications Facility, Pole, Tower, or Support Structure, so as to interfere with the use of the public right-of-way by the Town, the general public, or other persons authorized to use or be present in or upon the public right-of-way, or otherwise hinder the ability of the Town to improve, modify, relocate, abandon or vacate a

public right-of-way or any portion thereof. Unless otherwise approved by the Town, any Communications Facility must be located no closer than: (i) two (2) feet from any curb, sidewalk, or other improvement within the right-of-way; and (ii) five (5) feet from any driveway apron, and be otherwise located to avoid interference with pedestrian and motorist sightlines and use.

(b) *Compliance with Design Standards; Unsightly or Out-of-Character Deployments.* Unless otherwise approved by the Town in order to prevent an effective prohibition of service, in violation of applicable law, no person shall locate or maintain a Communications Facility, Pole, or any Tower except in accordance with the following design standards:

1. All Communications Facilities shall be located and designed so as to minimize visual impact on surrounding properties and from public rights-of-way, and so as to not interfere with motorist and pedestrian sightlines, especially at intersections.
2. All radio transceivers, antennas, power supply (including backup battery), and comparable equipment installed on a Pole, Tower, or Support Structure shall be installed at a height of at least fifteen (15) feet above ground level.
3. No Tower may be located closer than one thousand (1,000) feet of another Tower.
4. No more than five (5) antennas may be located on any single Pole, Tower, or Support Structure.
5. All coaxial, fiber-optic, or other cabling and wires shall be contained inside the Tower, Pole, or other Support Structure or shall be flush-mounted and covered with a metal, plastic or similar material matching the color of the Pole, Tower, or Support Structure on which it is installed.
6. All Communications Facilities shall comply with such additional design standards as may be set forth in administrative regulations issued by the Town.

(c) *Protection of Trees.* Unless otherwise approved by the Town in order to prevent an effective prohibition of service, in violation of applicable law, no person shall locate or maintain a Communications Facility, Pole, Tower, or Support Structure, so as to interfere with the health of a tree.

(d) *Location Underground.* [Reserved].

(e) *Modification of Wireless Facilities.* The Town shall approve any request for a modification of an eligible existing Tower or base station that does not substantially change the physical dimensions of such Tower or base station, in accordance with Federal law.

- (f) Restoration of Public Right-of-Way. The applicant shall restore, repair, and/or replace any portion of the public right-of-way that is damaged or disturbed by the applicant's work, to the satisfaction of the Town. Such restoration work shall be completed no later than thirty (30) days following completion of the project, or termination of the Right-of-Way Access Agreement, and shall be warranted by the applicant for a period of one (1) year to be free from defects in materials and workmanship.
- (g) Removal, Relocation, and Abandonment. Within thirty (30) days following written notice from the Town, or such other time as the Town may require, the Town may terminate a Right-of-Way Access Agreement or require other action in connection therewith, and the owner shall, at its own cost and expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any of its Communications Facilities, Poles, Towers, or Support Structures within the public right-of-way, and restore the right-of-way as required by the Town, whenever either: (i) the terms of the Right-of-Way Access Agreement have been violated; (ii) the Communications Facility has not been used for a period of ninety (90) days, or has otherwise been abandoned or not maintained, or (iii) the Town has determined in its sole discretion that such action is necessary for the construction, installation, repair, or maintenance of any public improvement or otherwise necessary for the public health, safety, or welfare. If the owner fails to take action as required by this section, the Town or its contractor may do so and the owner shall be responsible for all costs and expenses incurred by the Town related to such work.

AND BE IT FURTHER ORDAINED AND ORDERED, by the Town Council, acting under and by virtue of the authority granted to it by the Maryland Code and the Town Charter, that:

1. If any part or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the part or provision held to be invalid shall not affect the validity of the Ordinance as a whole or any remaining part thereof; and

2. This Ordinance shall take effect on the _____ day of _____, 2019.

ATTEST:

TOWN OF CHEVY CHASE

Kirk Renaud, Secretary

Barney Rush, Mayor
Town of Chevy Chase

Bold and Underline indicates new material
~~Strikethrough~~ indicates material deleted
* * * indicates material unchanged

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Zoning Text Amendment No.: 19-01
Concerning: Accessory Residential
Uses – Accessory
Apartments
Draft No. & Date: 1 – 1/10/19
Introduced: January 15, 2019
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Councilmember Riemer

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- remove the requirement for conditional use approval for all accessory apartments;
- revise the limited use provisions for attached and detached accessory apartments;
and
- generally amend the provisions for accessory apartments

By amending the following sections of the Montgomery County Zoning Ordinance,
Chapter 59 of the Montgomery County Code:

Division 3.1.	“Use Table”
Section 3.1.6.	“Use Table”
Division 3.3.	“Residential Uses”
Section 3.3.3.	“Accessory Residential Uses”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-3.1 is amended as follows:**

2 **Division 3.1. Use Table**

3 * * *

4 **Section 3.1.6. Use Table**

5 The following Use Table identifies uses allowed in each zone. Uses may be
6 modified in Overlay zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential				Residential							
							Residential Detached							
			AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	
* * *														
ACCESSORY RESIDENTIAL USES	3.3.3													* * *
Attached Accessory Apartment	3.3.3.B	L	L	L	L	L	L	L	L	L	L	L		
Detached Accessory Apartment	3.3.3.C	L	L	L	L	L	L	L	<u>L</u>	<u>L</u>	<u>L</u>			
* * *														

7 **Key:** P = Permitted Use L = Limited Use C = Conditional Use Blank Cell = Use Not Allowed

8 * * *

9 **Sec. 2. DIVISION 59-3.3 is amended as follows:**

10 **Division 3.3. Residential Uses**

11 * * *

12 **Section 3.3.3. Accessory Residential Uses**

13 **A. Accessory Apartment, In General**

14 **1. Defined, In General**

15 Accessory Apartment means a second dwelling unit that is
16 subordinate to the principal dwelling. An Accessory Apartment
17 includes an Attached Accessory Apartment and a Detached Accessory
18 Apartment.

19 **2. Use Standards for all Accessory Apartments**

20 Where an Accessory Apartment is allowed as a limited use, it must
21 satisfy the following standards:

- 22 a. Only one Accessory Apartment is permitted for each lot.
- 23 b. The Accessory Apartment was approved as a [conditional use]
24 special exception before May 20, 2013 and satisfies the
25 conditions of the conditional use approval[;] or the Accessory
26 Apartment satisfies Subsection c.
- 27 c. [The] If the Accessory Apartment does not satisfy subsection b,
28 the Accessory Apartment [is] must be licensed by the
29 Department of Housing and Community Affairs under Chapter
30 29 (Section 29-19); and
- 31 i. the apartment [has] must have the same street address as
32 the principal dwelling;
- 33 ii. either:
- 34 (a) [one on-site parking space is provided in addition
35 to any required on-site parking space for the
36 principal dwelling; however, if a new driveway
37 must be constructed for the Accessory Apartment,
38 then 2] two on-site parking spaces must be
39 provided; or
- 40 (b) the Hearing Examiner finds under the waiver in
41 Section 29-26(b) that there is adequate on-street
42 parking;
- 43 iii. the maximum [gross] habitable floor area for an
44 Accessory Apartment, including any floor area used for
45 an Accessory Apartment in a cellar or basement, must be
46 less than 50% of the total floor area in the principal

- 47 dwelling, including any floor area used for an Accessory
48 Apartment in the cellar of the principal dwelling[, or
49 1,200 square feet, whichever is less];
- 50 [iv. the maximum floor area used for an Accessory
51 Apartment in a proposed addition to the principal
52 dwelling must not be more than 800 square feet if the
53 proposed addition increases the footprint of the principal
54 dwelling; and]
- 55 [v]iv. the maximum number of occupants is limited by Chapter
56 26 (Section 26-5); however, the total number of
57 occupants residing in the Accessory Apartment who are
58 18 years or older is limited to 2[.]; and
- 59 v. the principal dwelling or accessory apartment must be the
60 primary residence of the applicant for an accessory
61 apartment rental license.
- 62 d. An Accessory Apartment must not be located on a lot where
63 any [other allowed] short-term rental Residential use exists or is
64 licensed [; however, an Accessory Apartment may be located
65 on a lot in an Agricultural or Rural Residential zone that
66 includes a Farm Labor Housing Unit or a Guest House].
- 67 e. In the Agricultural and Rural Residential zones, an Accessory
68 Apartment is excluded from any density calculations. If the
69 property associated with an Accessory Apartment is
70 subsequently subdivided, the Accessory Apartment is included
71 in the density calculations.
- 72 f. Screening under Division 6.5 is not required.

73 g. In the AR zone, any accessory apartment may be prohibited
74 under Section 3.1.5, Transferable Development Rights.

75 **B. Attached Accessory Apartment**

76 **1. Defined**

77 Attached Accessory Apartment means a second dwelling unit that is
78 part of a detached house building type and includes facilities for
79 cooking, eating, sanitation, and sleeping. An Attached Accessory
80 Apartment is subordinate to the principal dwelling.

81 **2. Use Standards**

82 Where an Attached Accessory Apartment is allowed as a limited use,
83 it must have a separate entrance and satisfy the use standards for all
84 Accessory Apartments under Section 3.3.3.A.2. [and the following
85 standards:]

- 86 [a. A separate entrance is located:
- 87 i. on the side or rear of the dwelling;
 - 88 ii. at the front of the principal dwelling, if the entrance
89 existed before May 20, 2013; or
 - 90 iii. at the front of the principal dwelling, if it is a single
91 entrance door for use of the principal dwelling and the
92 Attached Accessory Apartment.]
- 93 [b. The detached house in which the Accessory Apartment is to be
94 created or to which it is to be added must be at least 5 years old
95 on the date of application for a license.]
- 96 [c. In the RE-2, RE-2C, RE-1, and R-200 zones, the Attached
97 Accessory Apartment is located at least 500 feet from any other
98 Attached or Detached Accessory Apartment, measured in a line
99 from side lot line to side lot line along the same block face.]

- [d. In the RNC, R-90, and R-60 zones, the Attached Accessory Apartment is located at least 300 feet from any other Attached or Detached Accessory Apartment, measured in a line from side lot line to side lot line along the same block face.]
- [e. Under Section 29-26(b), the Hearing Examiner may grant a waiver from the parking and distance separation standards.]

C. Detached Accessory Apartment

1. Defined

Detached Accessory Apartment means a second dwelling unit that is located in a separate accessory structure on the same lot as a detached house building type and includes facilities for cooking, eating, sanitation, and sleeping. A Detached Accessory Apartment is subordinate to the principal dwelling.

2. Use Standards

a. Where a Detached Accessory Apartment is allowed as a limited use, it must satisfy the use standards for all Accessory Apartments under Section 3.3.3.A.2. [and the following standards:]

[a. In the RE-2, RE-2C, and RE-1 zones, the Detached Accessory Apartment must be located a minimum distance of 500 feet from any other Attached or Detached Accessory Apartment, measured in a line from side lot line to side lot line along the same block face.]

[b. A Detached Accessory Apartment built after May 30, 2012 must have the same minimum side setback as the principal dwelling and a minimum rear setback of 12 feet, unless more

- 126 restrictive accessory building or structure setback standards are
127 required under Article 59-4.]
- 128 [c. The minimum lot area is one acre.]
- 129 b. Any structure constructed before May 31, 2012 may be used for
130 a detached Accessory Apartment without regard to setbacks.
- 131 c. A Detached Accessory Apartment built after May 30, 2012
132 must have the same minimum side setback as the principal
133 dwelling and a minimum rear setback of 12 feet, unless more
134 restrictive accessory building or structure setback standards are
135 required under Article 59-4.

136 * * *

137 **Sec. 3. Effective date.** This ordinance becomes effective 90 days after the
138 date of Council adoption.

139

140 This is a correct copy of Council action.

141

142

143 Megan Davey Limarzi, Esq.
144 Clerk of the Council

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Preliminary 2019 C&E Program Plan (based on CEB Survey results)

Carbon Pricing vs. Carbon Offset Seminar

- Sept 2019 Educational policy seminar & discussion
- *Potential Team Members:* Steve Seidel, Sally Kelly, Thornton Matheson, Kirk Renaud

Single Use Plastics Discussion & Policy Development

- May 2019 Educational Session
- *Potential Team Members:* Thornton Matheson, Betsy Johnson, Julia Craighill, Paul Magnusson, Matilde Farren

Nature Hike (Rock Creek Park)

- Feb 27, 2019 Seminar & book discussion
- March 20, 2019 Rock Creek Forest Bathing Hike
- *Potential Team Members:* Judy McGuire, Simma Kupchan, Thornton Matheson

Landscaping Noise Reduction & Equipment Group Purchase

- Mar 2019 spring purchase option for lawn mowers; Sept. for leaf blowers potentially in conjunction with the wee.green platform
- Possibly Incorporate Leaf Shredding to Mulch Program; Town Landscaping & Trash Removal Contractors are “Fossil Free”; **and** Effective Landscaping Noise Reduction Project (<65 dBA of noise)
- *Potential Team Members:* Simma Kupchan, Paul Magnusson, Marcie Meditch, Matilde Farren, Stuart Sessions, Rolf Sinclair

Two other projects will be handed off to the Public Services Committee with a request that they consider possible actions. Other projects that did not make the cut this year may be reconsidered for 2020.

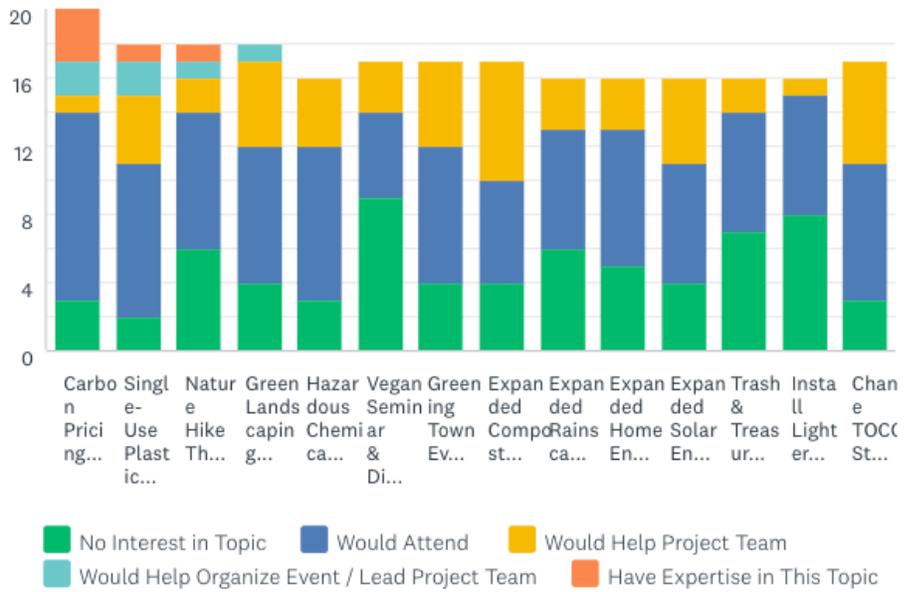
Change TOCC Streetlights to LED

- *Potential Team Members:* Simma Kupchan, Thornton Matheson, Marcie Meditch, John Kolakowski

Install Lighter Colored Pavement to Reduce Heat Islands

Please Indicate Your Level of Interest in The Following Initiatives. (Please Refer to Email For Longer Explanation of Initiative)

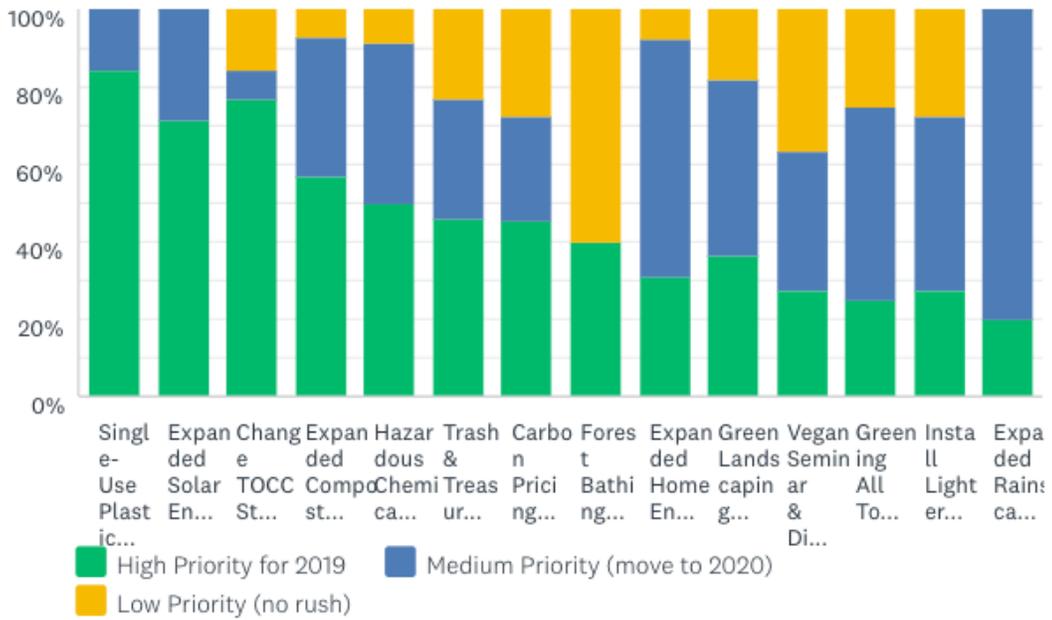
Answered: 16 Skipped: 0



	NO INTEREST IN TOPIC	WOULD ATTEND	WOULD HELP PROJECT TEAM	WOULD HELP ORGANIZE EVENT / LEAD PROJECT TEAM	HAVE EXPERTISE IN THIS TOPIC	TOTAL RESPONDENTS
Carbon Pricing vs. Carbon Offset Seminar	18.75% 3	68.75% 11	6.25% 1	12.50% 2	18.75% 3	16
Single-Use Plastics Discussion & Policy Development	12.50% 2	56.25% 9	25.00% 4	12.50% 2	6.25% 1	16
Nature Hike Through Rock Creek Park	37.50% 6	50.00% 8	12.50% 2	6.25% 1	6.25% 1	16
Green Landscaping Equipment Group Purchase	25.00% 4	50.00% 8	31.25% 5	6.25% 1	0.00% 0	16
Hazardous Chemicals & Materials (Off Our Lawns & Out of Landfills)	18.75% 3	56.25% 9	25.00% 4	0.00% 0	0.00% 0	16
Vegan Seminar & Dinner	56.25% 9	31.25% 5	18.75% 3	0.00% 0	0.00% 0	16
Greening Town Events	25.00% 4	50.00% 8	31.25% 5	0.00% 0	0.00% 0	16
Expanded Compost Program	25.00% 4	37.50% 6	43.75% 7	0.00% 0	0.00% 0	16
Expanded Rainscapes Rebate Program	37.50% 6	43.75% 7	18.75% 3	0.00% 0	0.00% 0	16
Expanded Home Energy Audit Program	31.25% 5	50.00% 8	18.75% 3	0.00% 0	0.00% 0	16
Expanded Solar Energy Programs	25.00% 4	43.75% 7	31.25% 5	0.00% 0	0.00% 0	16
Trash & Treasures Educational Campaign	43.75% 7	43.75% 7	12.50% 2	0.00% 0	0.00% 0	16
Install Lighter Colored Pavement to Reduce Heat Islands	50.00% 8	43.75% 7	6.25% 1	0.00% 0	0.00% 0	16
Change TOCC Streetlights to LED	18.75% 3	50.00% 8	37.50% 6	0.00% 0	0.00% 0	16

What Initiatives Should the Town Pursue in 2019? Please mark no more than 5 High Priority items.

Answered: 16 Skipped: 0



	HIGH PRIORITY FOR 2019	MEDIUM PRIORITY (MOVE TO 2020)	LOW PRIORITY (NO RUSH)	TOTAL
▼ Single-Use Plastics Discussion & Policy Development	84.62% 11	15.38% 2	0.00% 0	13
▼ Expanded Solar Energy Programs	71.43% 10	28.57% 4	0.00% 0	14
▼ Change TOCC Streetlights to LED	76.92% 10	7.69% 1	15.38% 2	13
▼ Expanded Compost Program	57.14% 8	35.71% 5	7.14% 1	14
▼ Hazardous Chemicals & Materials (Off Our Lawns & Out of Landfills)	50.00% 6	41.67% 5	8.33% 1	12
▼ Trash & Treasures Education Campaign	46.15% 6	30.77% 4	23.08% 3	13
▼ Carbon Pricing vs. Carbon Offset Seminar	45.45% 5	27.27% 3	27.27% 3	11
▼ Forest Bathing Seminar & Nature Hike Through Rock Creek	40.00% 4	0.00% 0	60.00% 6	10
▼ Expanded Home Energy Audit Program	30.77% 4	61.54% 8	7.69% 1	13
▼ Green Landscaping Equipment Group Purchase	36.36% 4	45.45% 5	18.18% 2	11
▼ Vegan Seminar & Dinner	27.27% 3	36.36% 4	36.36% 4	11
▼ Greening All Town Events	25.00% 3	50.00% 6	25.00% 3	12
▼ Install Lighter Colored Pavement to Reduce Heat Islands	27.27% 3	45.45% 5	27.27% 3	11
▼ Expanded Rainscapes Rebate Program	20.00% 2	80.00% 8	0.00% 0	10

Other Ideas for Future Consideration

- Resolve Parking Issues
- Junior Town Citizens (Service, Entertainment, Activities)
- Institutionalized Selling System for Unwanted Items (in Partnership with CC@Home)
- Green Product Educational Seminars

Sustainable Landscaping Specific Suggestions

- Education about Sustainable Gardens
- Leaf Shredding to Mulch Program
- Town Landscaping & Trash Removal Contractors are “Fossil Free”
- Effective Landscaping Noise Reduction Project (<65 dBA of noise)