

**TEXT IN RED BOLD TO BE ADDED [TEXT IN STRIKETHROUGH TO BE DELETED]**

Section 6-5. DEFINITIONS

(a) As used in this Article:

(2.2) Attic. An attic is the space between the top of the ceiling joists of the top story and the bottom of the roof rafters. (4/14/2010)

(3.3) Basement. A basement is that portion of a building that is partly or completely below the grade plane. See Sec. 6-45.1 "~~Story Above Grade~~" to determine when basement is counted as a story. (11/25/2008)

(9) Building Height shall mean ~~is~~ the vertical distance measured from the grade plane to the highest point of the roof. See Diagram No. 1 (4/30/2002)

~~(22) Floor Area, Gross for buildings in non-residential zones shall include all the floor space contained within the exterior walls of the building with no deduction for any interior walls. Floor area, gross, shall not include areas below grade when devoted to the following uses: (A) Mechanical spaces, (B) Parking, (C) Storage (when related to the principal use of the building) but shall include all other below grade areas. An area below grade shall mean that portion of a building partially underground having 1/2 or more than 1/2 of its clear height below the grade plane. (6/11/86) (4/30/2002)~~

**(22) Floor Area, Gross shall mean the sum of all floor area on a property as calculated in accordance with Section 6-134.** for buildings in any residential zone shall include all interior areas between the interior surfaces of the perimeter walls of the building. No deductions shall be made for anything between the interior surfaces of the perimeter walls including, but not limited to, interior walls, staircases, chimneys, mechanical spaces, structural elements and closets. In the event there is an open atrium space, the open area in the upper level or levels is not counted when calculating Gross Floor Area (GFA). (4/30/2002)

(A) With respect to the inclusion of Attic space within Gross Floor Area the following shall apply:

The area of the attic floor that is below a plane that is seven (7') feet above the finished attic floor shall be included within Gross Floor Area, except as noted in (a) and (b) below, whether or not the attic area is accessible by pull-down stair, permanent stairs or can be accessed from an adjoining room. See Diagram No. 2

(a) Notwithstanding the foregoing, for buildings existing as of the effective date of this amendment, where the attic space has been solely accessible via "pull-down" stairs or ceiling scuttle and the attic floor has not been included in the determination of Gross Floor Area for purposes of calculating Floor Area Ratio, such floor area shall continue not to be included in the determination of Gross Floor Area for purposes of calculating Floor Area Ratio. If, any time after the effective date of this amendment, access to such attic space is made available via fixed stairs or through an adjacent room, the floor area of such attic space shall be included in the determination of Gross Floor Area as provided in Sec. 6-5(22.1)(A) above.

(b) For areas below dormers, whether individual or shed type dormers, which have a ceiling height of five (5) feet or more, such areas shall be included in the determination of Gross Floor

~~Area for purposes of calculating Floor Area Ratio and Story as defined in Sec. 6-5 (45). See Diagram No. 2. (4/30/2002)~~

~~(B) With respect to the inclusion of Basement within Gross Floor Area, the following shall apply:~~

~~1. Where the finished surface of the floor above the basement is less than three (3) feet above the grade plane and at all points the floor of the basement is more than four (4) feet below the grade plane the basement shall not be included within Gross Floor Area. See Diagram No. 3.~~

~~2. Where the finished surface of the floor above the basement is more than three (3) feet and less than five (5) feet above the grade plane, then 50% of the remaining space, after the exclusions stated below shall be included when calculating Gross Floor Area:~~

~~(a) Crawl spaces, space for parking, space for laundry equipment and space for building mechanical equipment shall not be included within Gross Floor Area. See Diagram No. 3.~~

~~(b) The following standards shall be applied in calculating the area to be excluded from Gross Floor Area:~~

~~-300 sq. ft. per vehicle; no tandem spaces permitted~~

~~-100 sq. ft. of space for laundry equipment~~

~~-100 sq. ft. of space for mechanical equipment~~

~~3. Where the finished surface of the floor above the basement is more than five (5) feet above the grade plane, then 100% of the space, excluding crawl space, shall be included when calculating Gross Floor Area. See Diagram No. 3. (4/19/2006)~~

~~(C) The effect of Subsection (A) and (B) above shall not preserve legally non-conforming square footage in excess of the maximum floor area ratio. Basement and attic areas, which, as a result of these amendments, are no longer included in floor area ratio may be replicated only to the extent that they do not exceed the floor area ratio limitations.~~

~~(4/30/2002)~~

(23) Floor Area Ratio shall mean the ratio of the aggregate ~~Gross Floor Area~~ **Floor Area, Gross** of all buildings on a lot (including accessory structures having walls and a roof, such as pool houses, sheds, and garages) to the total area of the lot excluding underwater coastal lands as described in Sec. 6-138 and excluding that land over which a right-of-way for a private road exists. (11/25/2008)

(24) Floor Area, Usable shall mean 75% of the ~~gross floor area~~ **Floor Area, Gross** as defined in (22) above. (6/11/86)

(26) Grade Plane. A reference plane representing the weighted average of the finished ground level adjoining the building at all exterior walls as set forth below: If retaining walls are constructed to create the finished grade used to determine the grade plane, the height and spacing of the retaining walls must be in compliance with ~~Sec. 6-134(b).~~ **Sec. 6-134(d), 6-134(e), and/or 6-134(f) (see Diagram #1 and 1a)**. If the finished grade slopes downward from the exterior walls, the reference plane shall be established as follows: (5/4/2005)

-If any portion of the building, not including projections permitted by Sec. 6-128, is ~~ten (10)~~ **six (6)** feet or less from the lot line, the reference plane with respect to that portion of the building shall be established by the lowest points within the area between the building and the lot line; and

-If any portion of the building, not including projections permitted by Sec. 6-128, is more than ~~ten (10)~~ **six (6)** feet from the lot line, the reference plane with respect to that portion of the building shall be established by the lowest points within the area, which is ~~ten~~ **six (6)** feet from the building.

-If fill is added to create the finished grade, establishment of the reference plane shall be determined by measurement of the actual finished grade after fill is added.

-If a retaining wall is placed on a property line and the property line is ~~ten (10)~~ **six (6)** feet or less from the building, the lowest finished grade on either side of the wall shall be used to calculate the reference plane. (4/30/2002)

-If the structure is in the Flood Hazard Overlay Zone, see also Section 6-139.1(c)(22.1) (6/17/2014)

(45) Story shall mean that portion of a building above the basement, ~~except as further defined in Sec. 6-5 (45.1)~~, included between the upper surface of a floor and the upper surface of the floor or roof next above it. In the CGBR zone, that portion of the building considered below grade shall also be defined as a "story" if it is habitable floor area used for other than storage, parking or mechanical space. A "half-story" is any space under the gable, hip or gambrel roof, the gross floor area of which, including dormers as described in Section 6-5 (22.1) (A) 1 (b), does not exceed forty (40) percent of the floor area next below when measured at a plane seven feet zero inches (7'0") above the floor directly below the roof. It shall be counted as a full story if the said forty (40) percent is exceeded. See Diagram No. 4. (4/30/2002)

**(45.1) Half-Story. A "half-story" is any space under the gable, hip or gambrel roof, the gross floor area of which, including dormers, does not exceed 40% of the floor area immediately below in the R-6 through RA-1 zones, and 50% of the floor area immediately below in the RA-2 and RA-4 zones and in the commercial zones when measured at a plane seven feet above the floor directly below the roof. For areas below dormers, whether individual or shed type dormers, which have a ceiling height of five (5) feet or more, such areas shall be included in the determination of Gross Floor, Area for purposes of calculating a Story as defined in Sec. 6-5(45). See Diagram No. 4. (4/30/2002)**

~~(45.1)~~ **(45.2)** Story Above Grade shall be any story having its finished floor surface entirely above the grade plane except that a basement shall be considered as a Story Above Grade when the finished surface of the floor above the basement is:

1. More than five (5) feet above the grade plane; or
2. ~~More than five (5) feet above the finished grade at the wall of the building for more than thirty (30) percent of the total linear measurement of the perimeter wall of the building; or~~
3. **2.** More than ~~fourteen (14)~~ **twelve (12)** feet above the finished grade at the perimeter of the building at any point. See Diagram No. 5. (4/30/2002; 9/28/2010)

## **Sec. 6-134. MEASUREMENTS.**

- (a) For buildings in any residential zone, the Floor Area, Gross shall include all interior areas between the interior surfaces of the perimeter walls of the building. No deductions shall be**

made for anything between the interior surfaces of the perimeter walls including, but not limited to, interior walls, staircases chimneys, mechanical spaces, structural elements and closets. In the event there is an open atrium space or elevator shaft, the open area in the upper level or levels is not counted when calculating Gross Floor Area (GFA). The open area shall count on at least one level. (4/30/2002). The inclusion or exclusion of a Basement in the measure of "Floor Area, Gross," is as follows:

- 1) Where the finished surface of the floor above the basement is less than three (3) feet above the grade plane and at all points the floor of the basement is more than four (4) feet below the grade plane the basement shall not be included within Gross Floor Area. See Diagram No. 3.; or
  - 2) Where the finished surface of the floor above the basement is more than three (3) feet and less than five (5) feet above the grade plane, then 50% of the remaining space, after the exclusions stated below shall be included when calculating Gross Floor Area:
    - A. Crawl spaces, space for parking, space for laundry equipment and space for building mechanical equipment shall not be included within Gross Floor Area. See Diagram No. 3.
    - B. The following standards shall be applied in calculating the area to be excluded from Gross Floor Area:
      - i. 300 sq. ft. per vehicle; no tandem spaces permitted
      - ii. 100 sq. ft. of space for laundry equipment
      - iii. 100 sq. ft. of space for mechanical equipment; or
  - 3) Where the finished surface of the floor above the basement is more than five (5) feet above the grade plane, then 100% of the space, excluding crawl space, shall be included when calculating Gross Floor Area. See Diagram No. 3. (4/19/2006)
  - 4) The effect of Subsection (1) and (2) above shall not preserve legally non-conforming square footage in excess of the maximum Floor Area Ratio.
- (b) For buildings in non-residential zones, the Floor Area, Gross shall include all the floor space contained within the exterior walls of the building with no deduction for any interior walls. Floor area, gross, shall not include areas below grade when devoted to the following uses: (A) Mechanical spaces, (B) Parking, (C) Storage (when related to the principal use of the building) but shall include all other below grade areas. An area below grade shall mean that portion of a building partially underground having  $\frac{1}{2}$  or more than  $\frac{1}{2}$  of its clear height below the grade plane. (6/11/86) (4/30/2002)
- (c) Attic space is excluded from "Floor Area, Gross," when:
- 1) The property is in a residential zone and is used for residential uses.
  - 2) The space meets the definition of half-story; and
  - 3) There is a common intersection of the exterior roof, the roof rafter, and the ceiling joists (see Diagram #4); and
- (d) Walls that are used to determine grade plane are subject to the following height and distance limits:
- 1) R-6, R-7 zone: 2'6" high with at least 6' width between the walls
  - 2) R-12, R-20 zone: 3' high with at least 10' width between walls
  - 3) RA-1 zone: 3'6" high with at least 15' width between walls
  - 4) RA-2, RA-4 zone: 4' high with at least 15' width between walls

**(e) Multiple retaining walls shall be spaced so that the minimum height and width is provided, as noted in 6-134(d), between the back of the first wall to the face of the second wall (see Diagram #1). Multiple walls may be eliminated if the lowest grade plane wall is built and the slope of fill from top of this wall to a point which is six (6) feet from foundation wall does not exceed:**

- 1) R-6, R-7 zone: slope not to exceed 33%\***
- 2) R-12, R-20 zone: slope not to exceed 26%\***
- 3) RA-1 zone: slope not to exceed 21%\***
- 4) RA-2, RA-4 zone: slope not to exceed 24%\***

**\*There shall be no more than 2% slope within the grade plane envelope (six (6) feet out from the building (see Diagram 1A)).**

**(f) Grade Plane walls in all non-residential zones, the height of the retaining wall above the next outward level shall not be greater than five (5) feet. Multiple retaining walls shall be spaced so that a minimum five (5) foot wide horizontal strip is provided between the back of the first wall to the face of the second wall. (4/19/2006)**

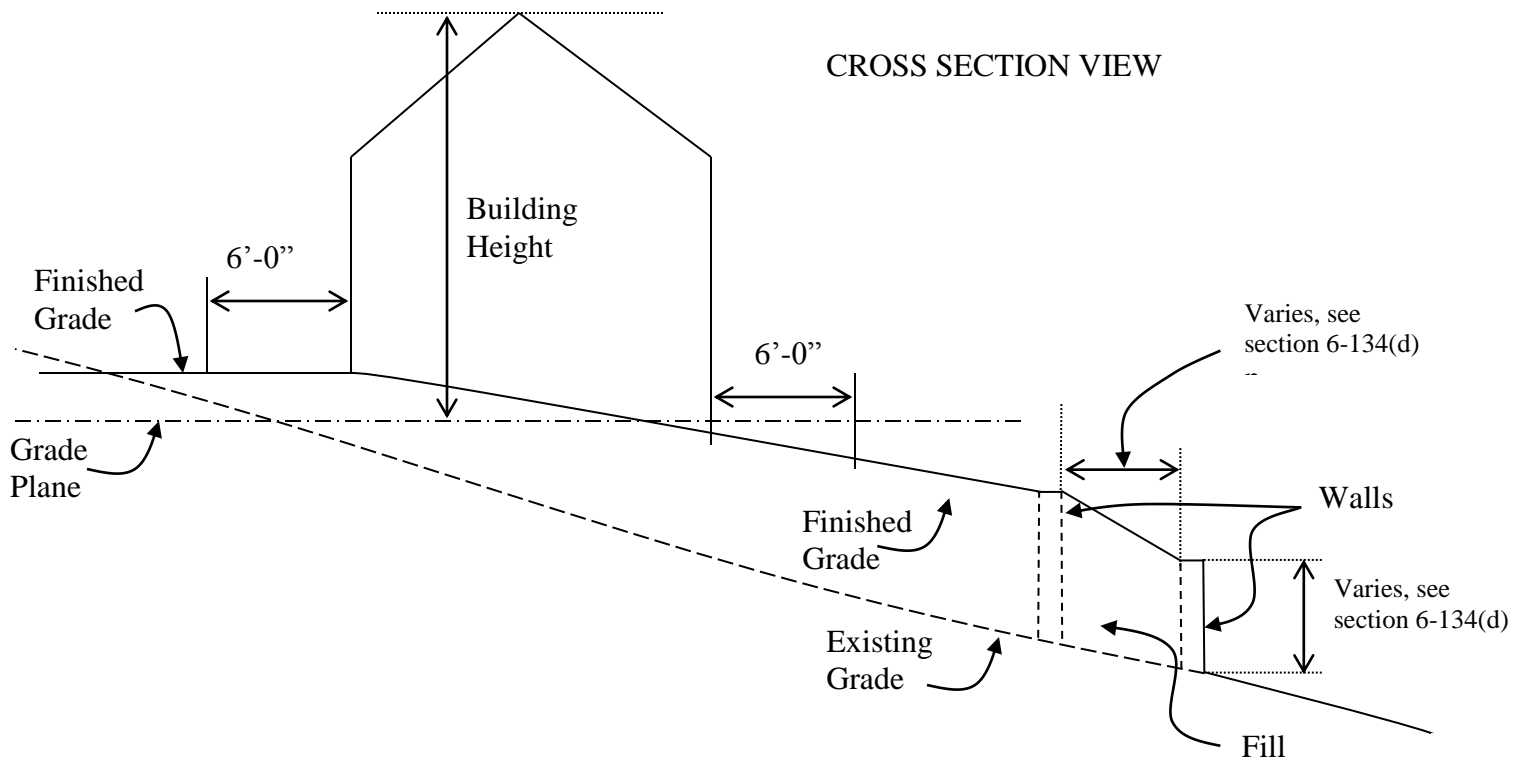
**(g) Window wells shall not be calculated as the lowest point for grade plane purposes if the inside dimension along the foundation wall does not exceed six (6) feet and the dimension outward from the foundation is not greater than required by building code egress purposes. Egress window wells are not permitted within five (5) feet of the property lines.**

**(h) (a) All measurements specified in this Article involving distances between similar uses or between a use and a zone boundary line shall be measured along the center line of the adjacent and intervening street or streets with terminal points located as follows:**

- (1) In the case of a gasoline filling or service station, the nearest edge of the premises at street frontage extended at right angles to the center line of the street.**
- (2) In the case of all other uses, the inside face of the building wall surrounding the use extended at right angles to the center line of the street.**
- (3) In the case of a zone boundary line, the point where the boundary line intersects with the center line of the street along which the measurement is taken.**

~~**(b) When determining Grade Plane if fill is retained by a retaining wall, the height of the retaining wall above the next outward level shall not be greater than five (5) feet. Multiple retaining walls shall be spaced so that a minimum five (5) foot wide horizontal strip is provided between the face of each wall and the face of the next wall. (4/19/2006)**~~

DIAGRAM 1  
GRADE PLANE



PLAN VIEW OF LIMITS OF  
AREA FOR CALCULATING  
GRADE PLANE

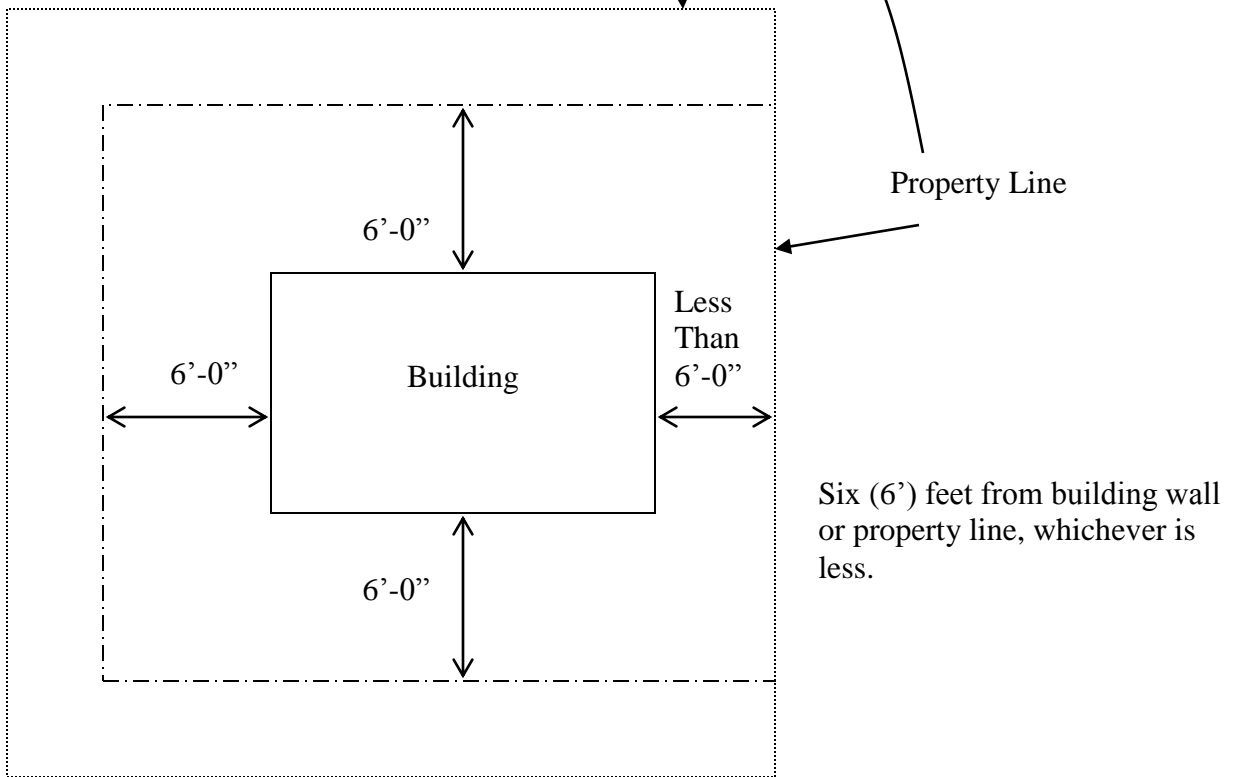


DIAGRAM 2

ATTIC AREA INCLUDED IN GROSS FLOOR AREA (GFA)

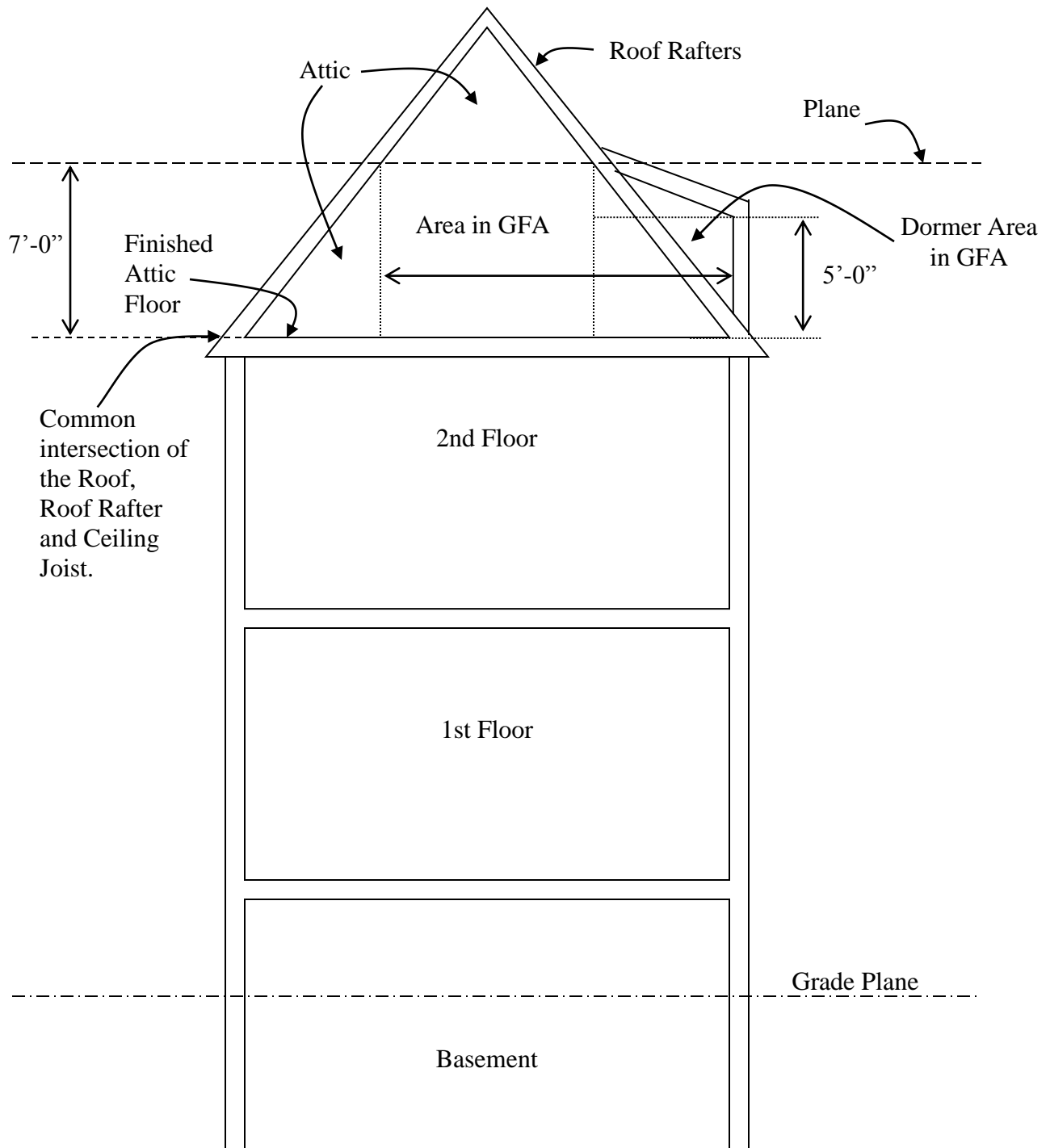
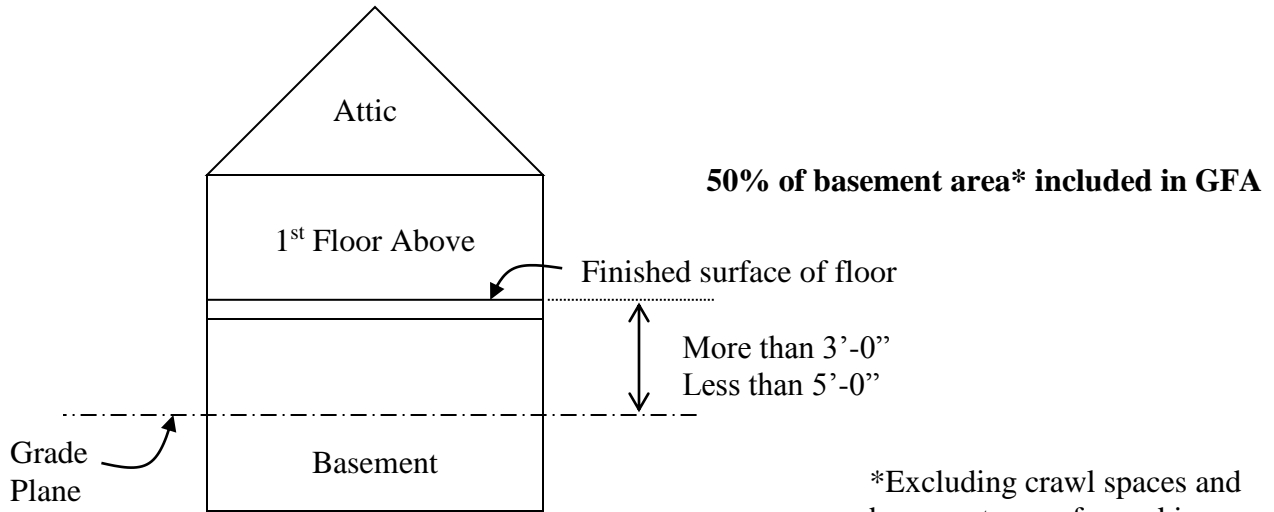
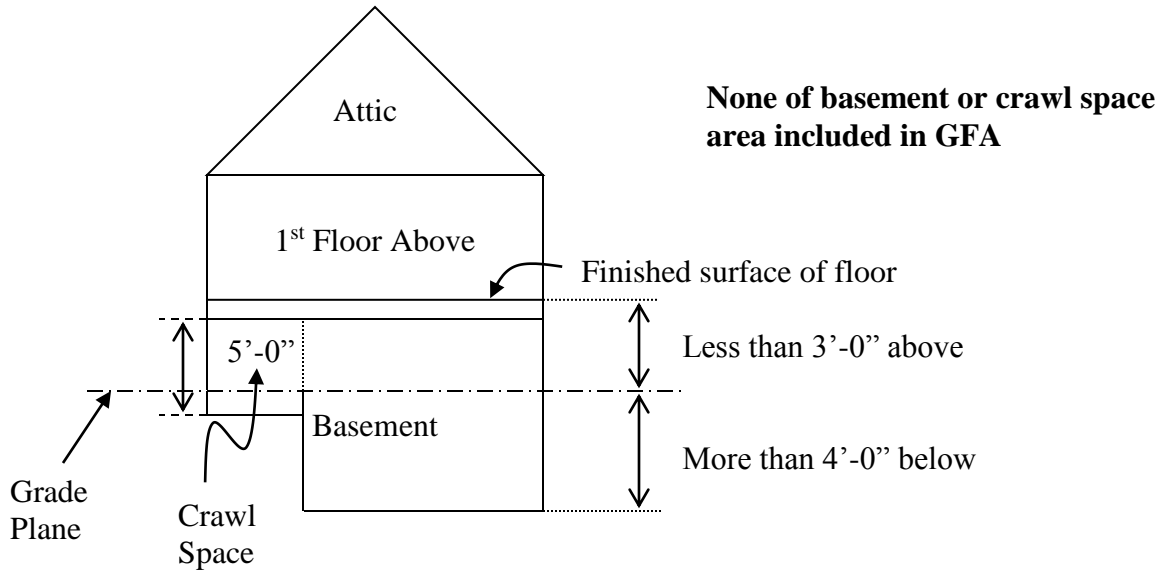


DIAGRAM 3

BASEMENT AREAS INCLUDED AND EXCLUDED FROM GROSS FLOOR AREA (GFA)



\*Excluding crawl spaces and basement areas for parking, laundry equipment and mechanical equipment.

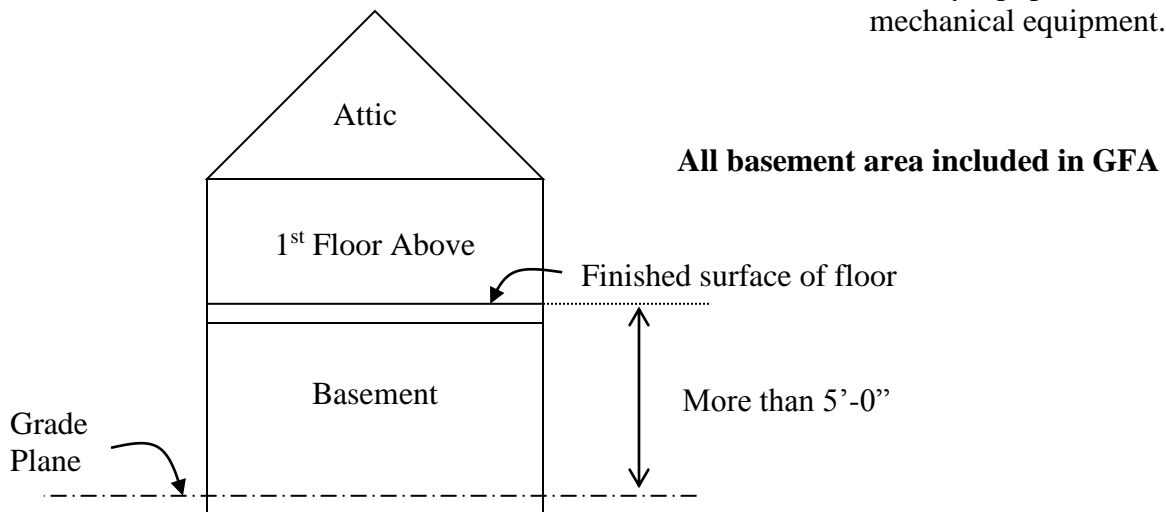




DIAGRAM 4

HALF AND FULL STORY CALCULATIONS  
FOR ATTIC AREA

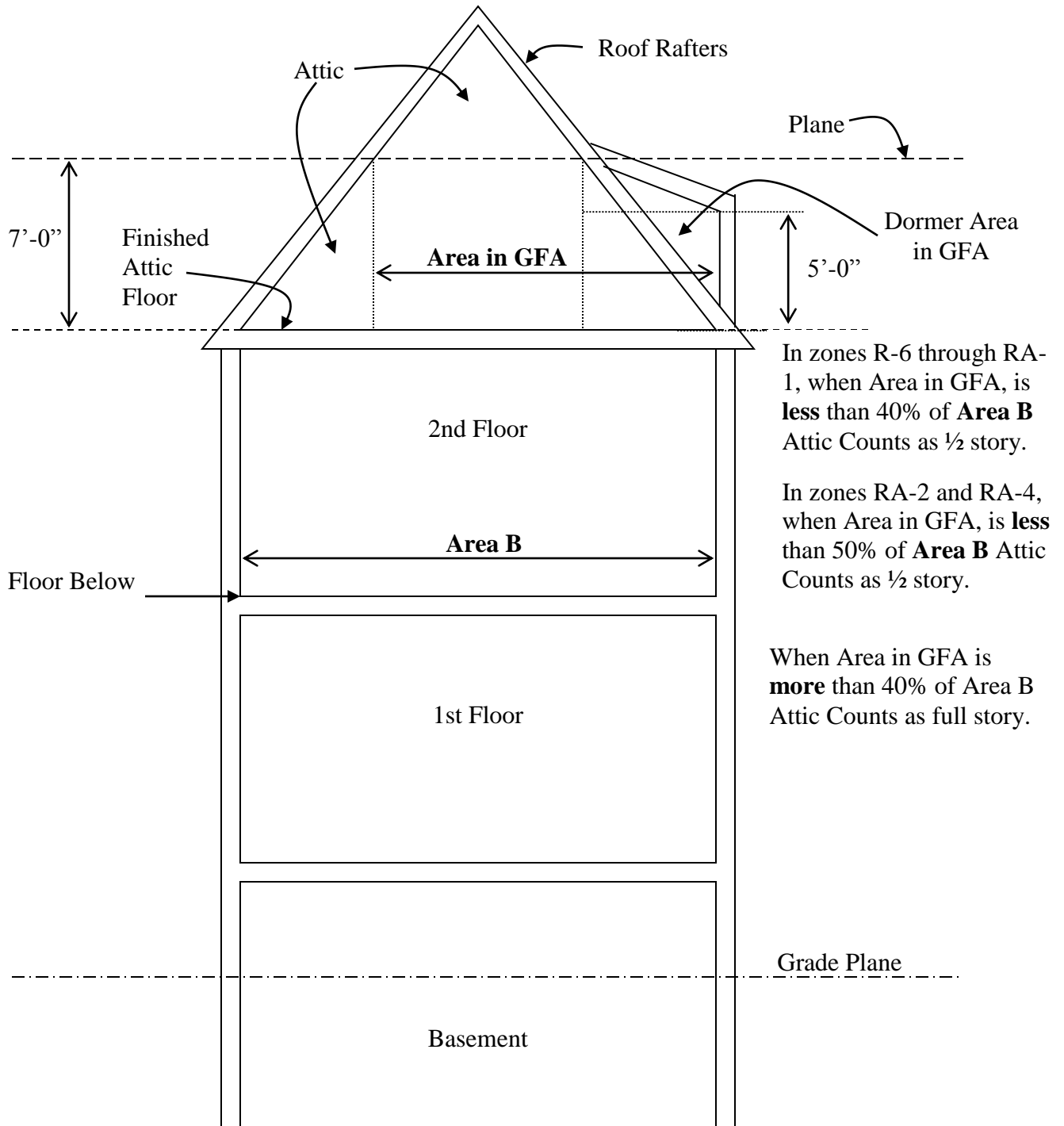


DIAGRAM 5

BASEMENT AREA COUNTED AS A STORY ABOVE GRADE UNDER THE FOLLOWING CONDITIONS

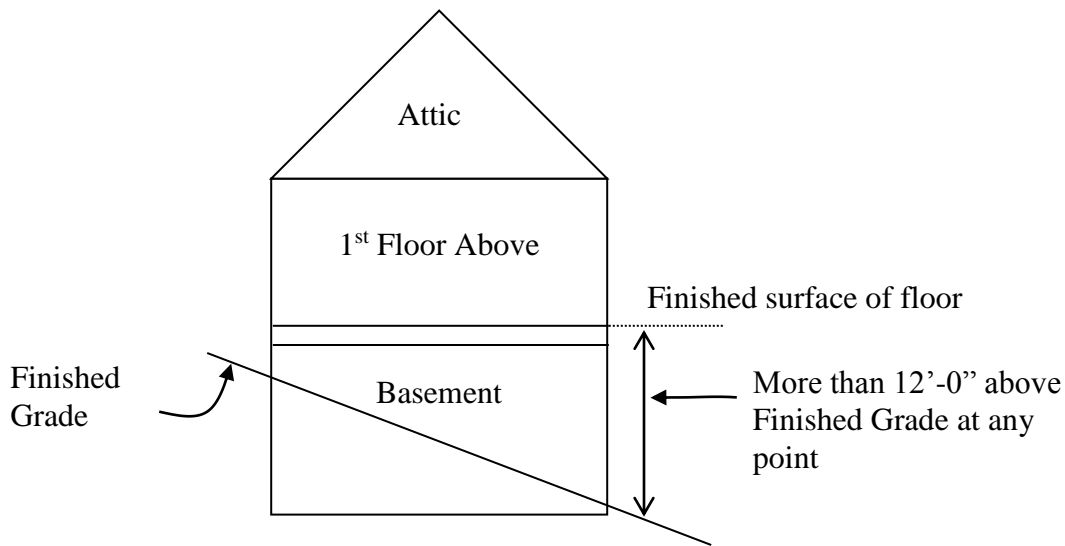
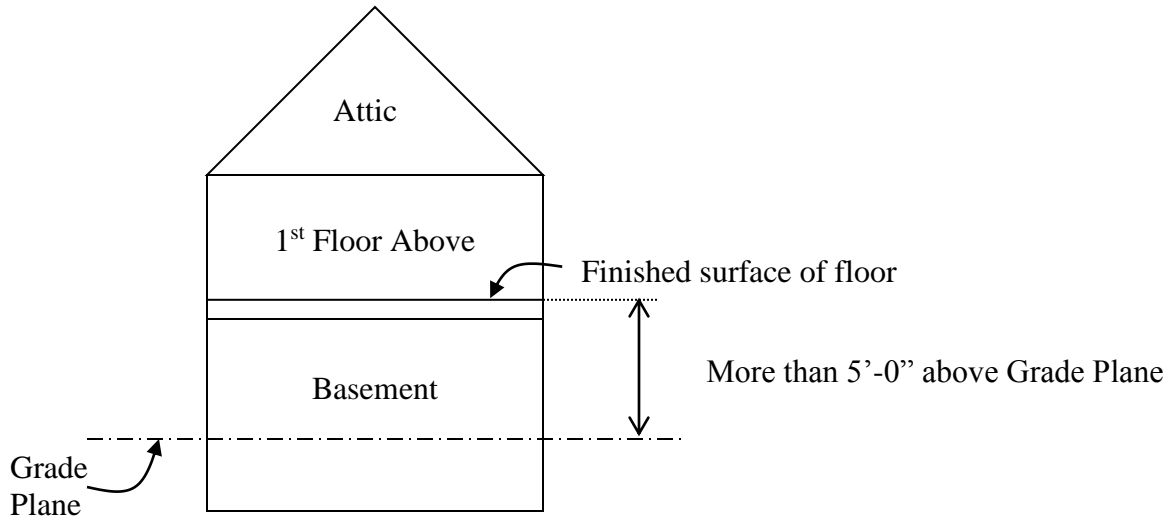
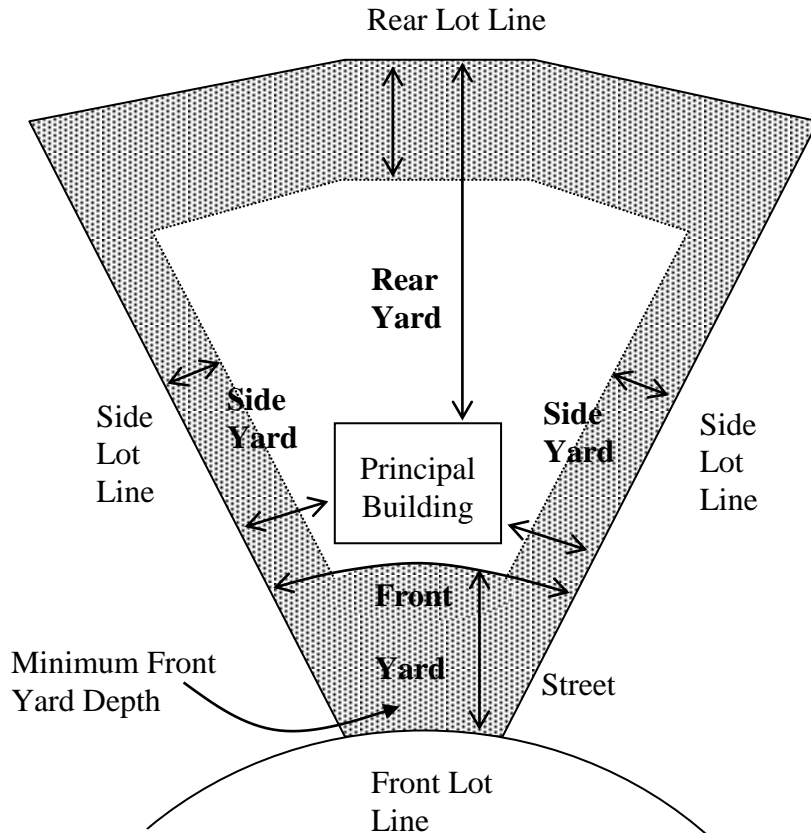


DIAGRAM 6

ILLUSTRATION OF LOT FRONTAGE  
MEASUREMENT ON CUL-DE-SAC



Where the front lot line is along the terminus of a cul-de-sac, the distance may be measured at the required front yard depth setback along an arc concentric with the street line.

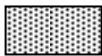
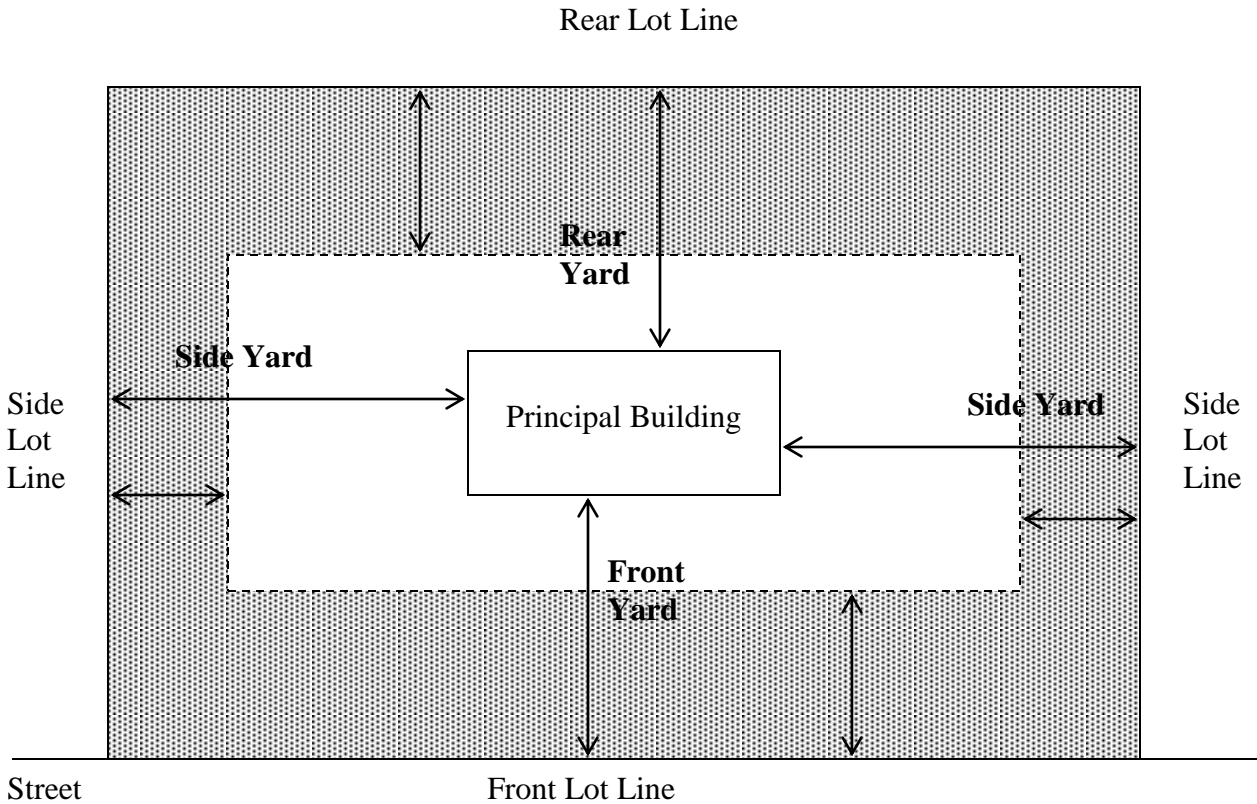
 Required (minimum) Yard  
See Sec. 6-205

DIAGRAM 7

ILLUSTRATION DISTINGUISHING  
YARDS FROM REQUIRED YARDS




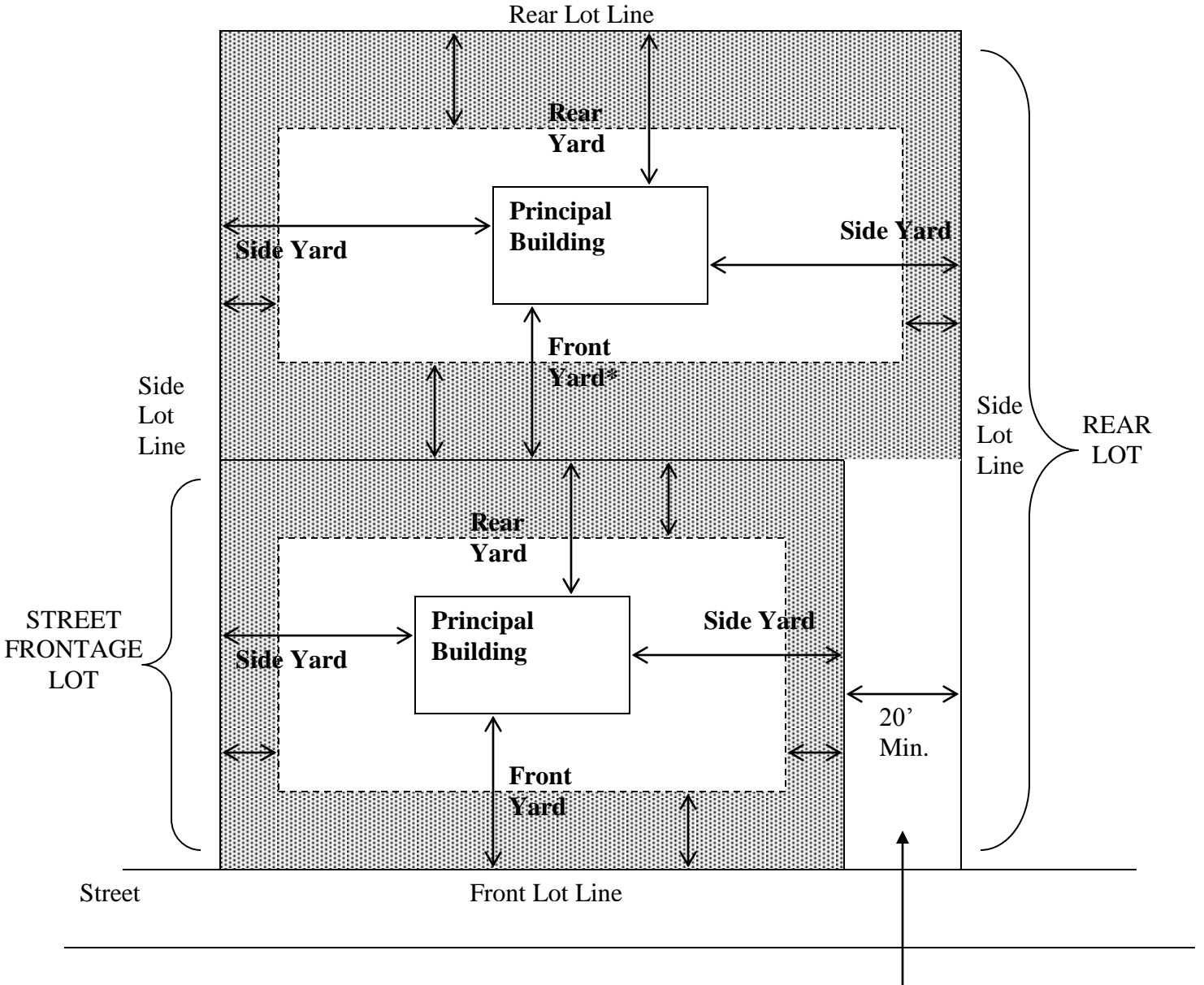
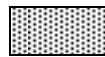
 Required (minimum) Yard  
See Sec. 6-205

DIAGRAM 7.1

ILLUSTRATION OF YARDS FOR TYPICAL LOTS AND REAR LOTS



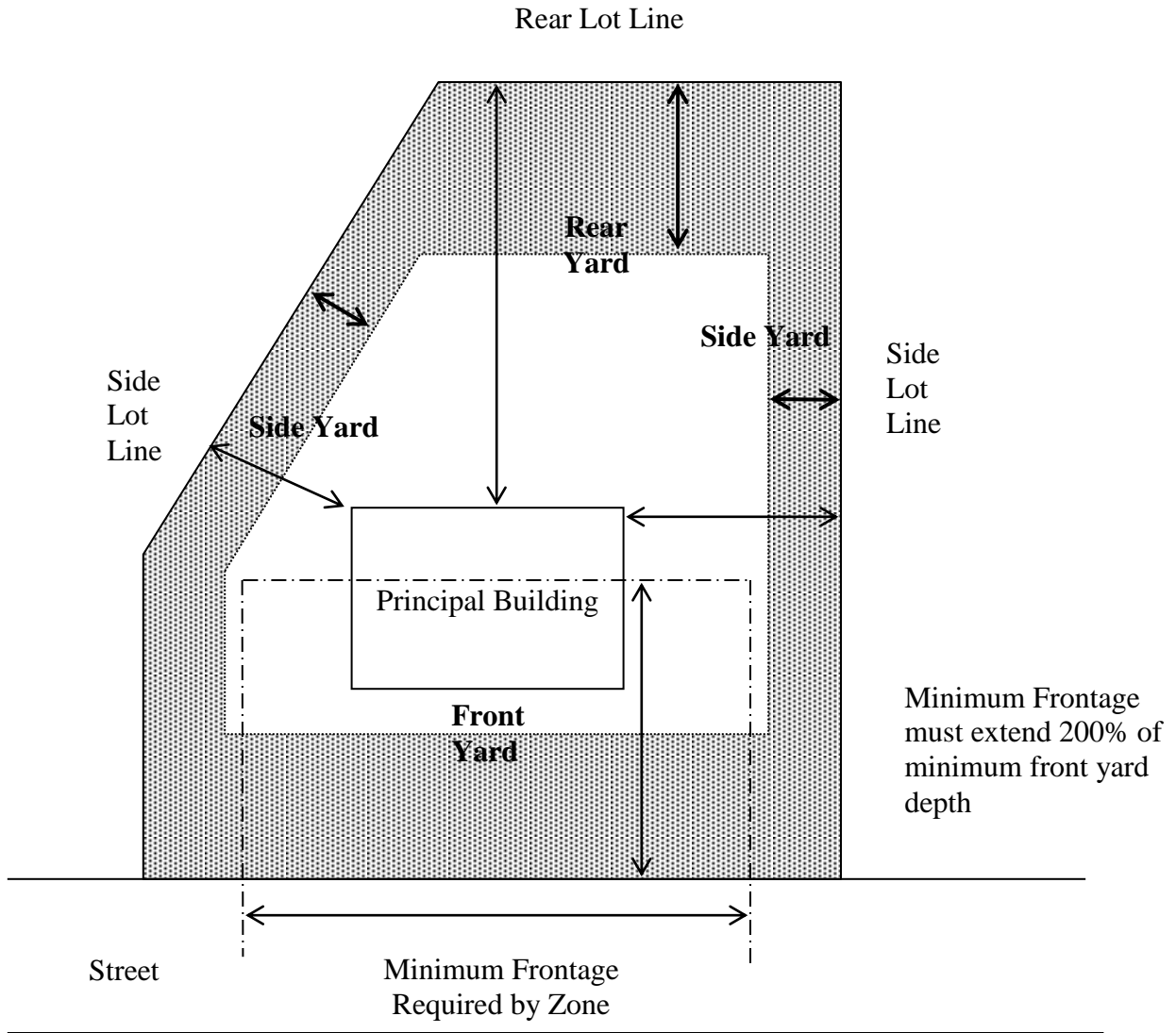
 Required (minimum) Yard  
See Sec. 6-205

The area of accessway is excluded from lot area calculation for lot size and FAR per Sec 6-131 (b) (6).

\*For Rear Lots property owner selects which lot line will be front lot line per Sec. 6-131.

DIAGRAM 8

ILLUSTRATION OF LOT FRONTAGE MEASUREMENT




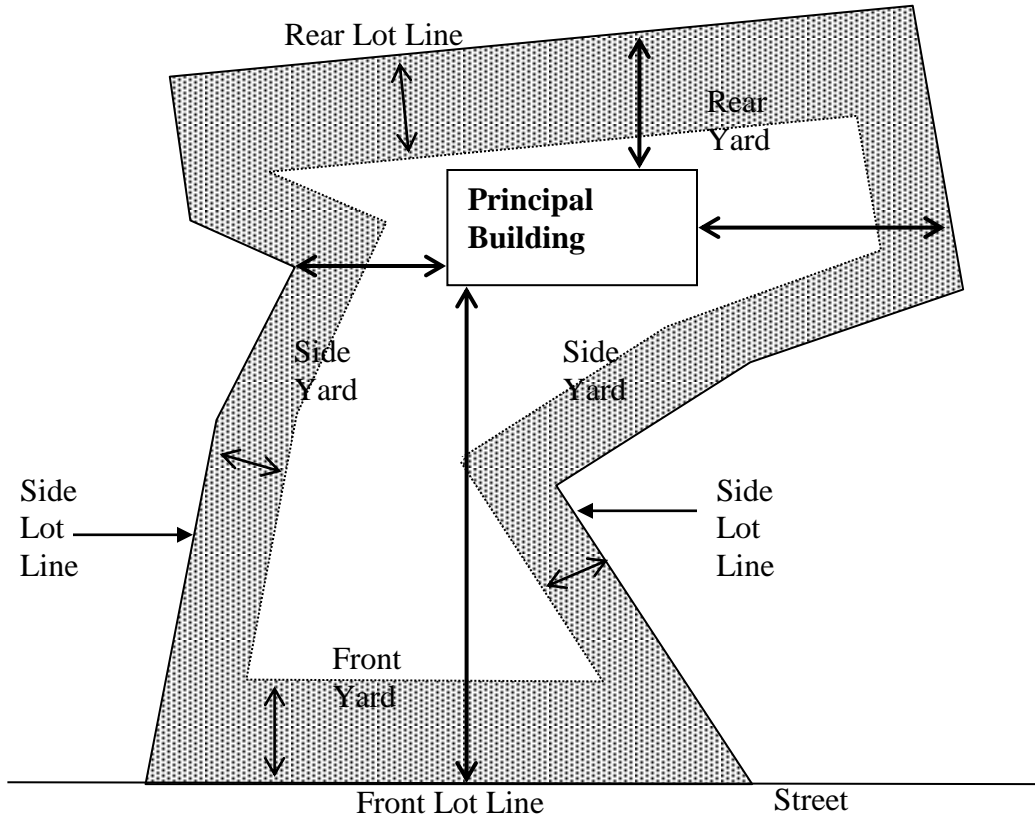
 Required (minimum) Yard  
See Sec. 6-205

DIAGRAM 9

ILLUSTRATION OF YARDS FOR IRREGULAR SHAPED LOT



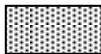
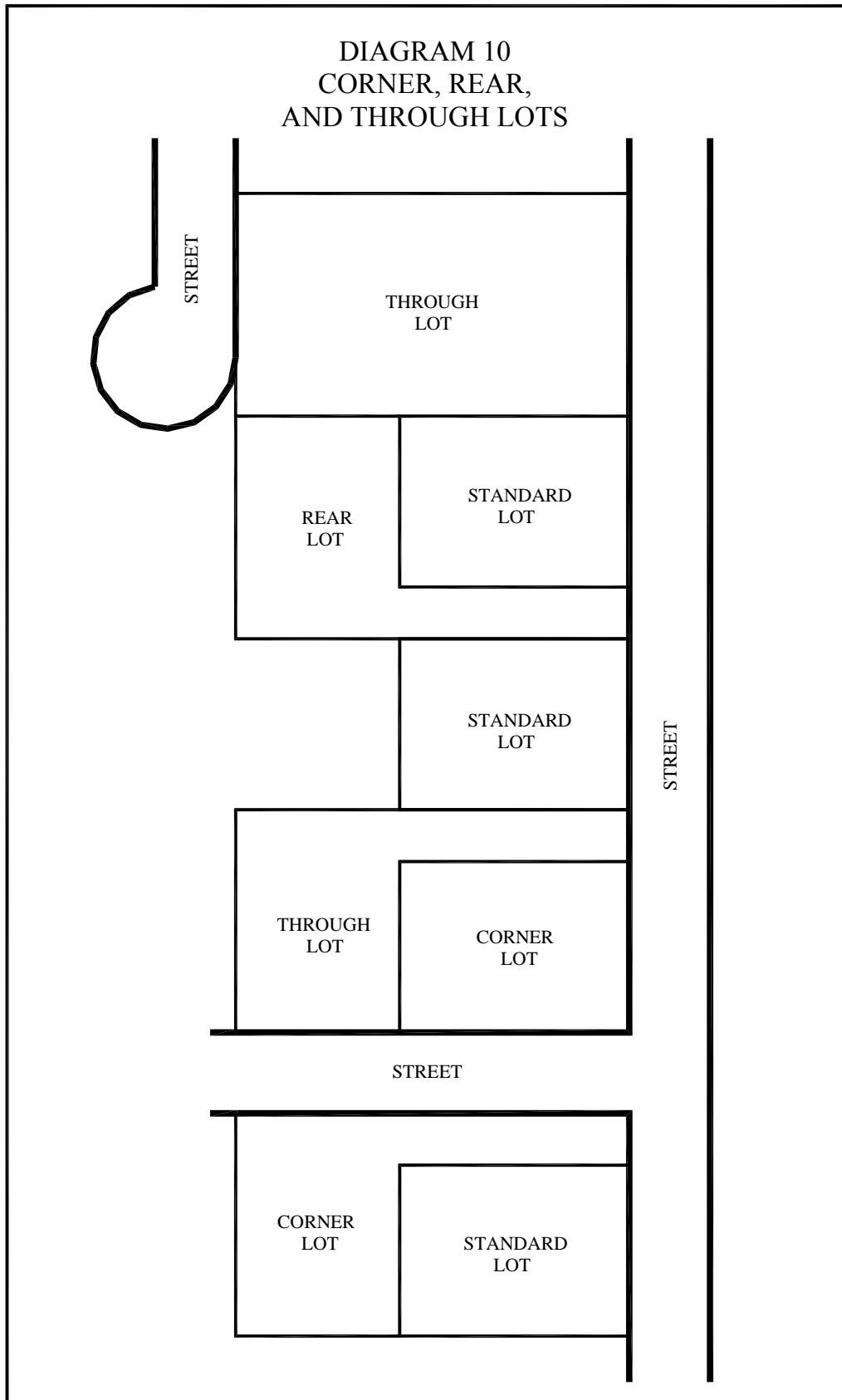
 Required (minimum) Yard  
See Sec. 6-205

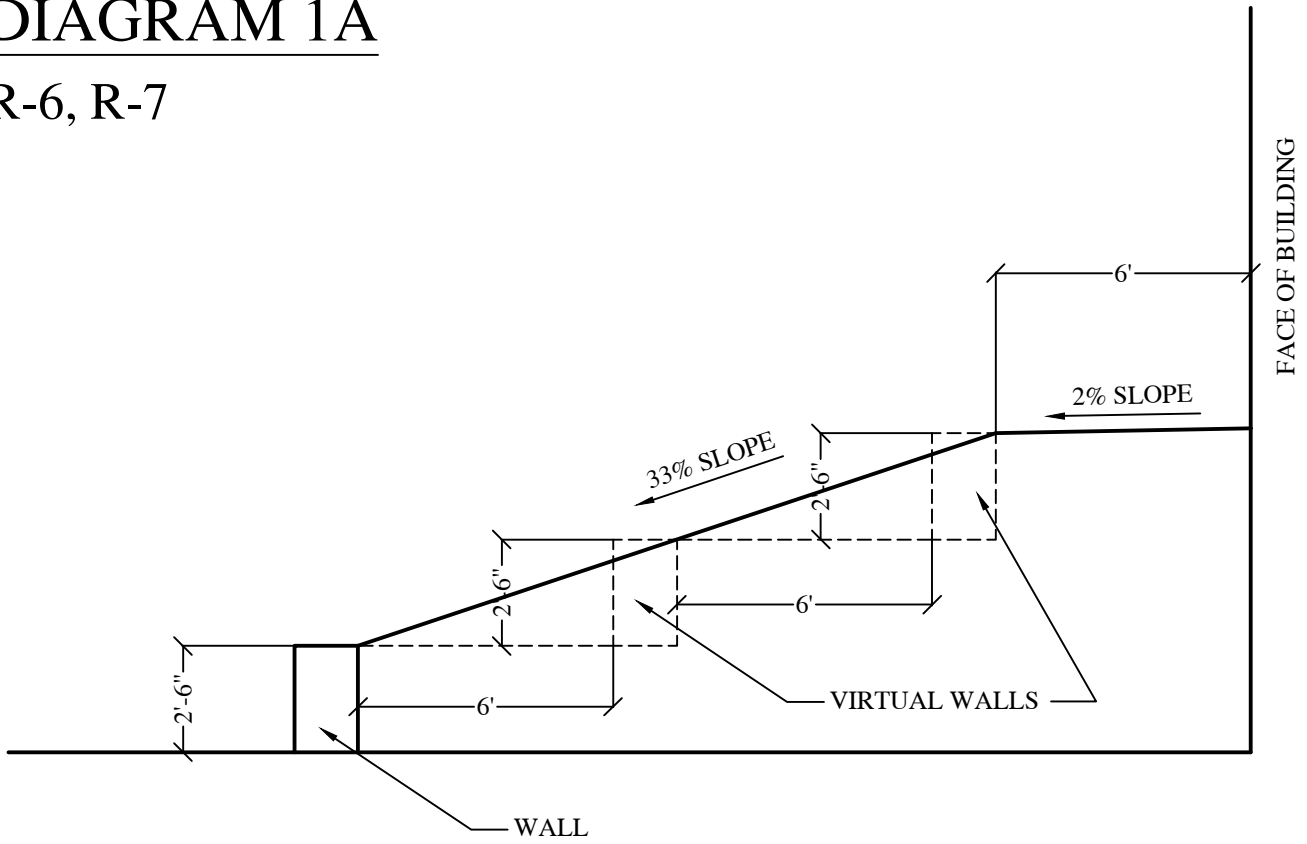
DIAGRAM 10  
CORNER, REAR,  
AND THROUGH LOTS





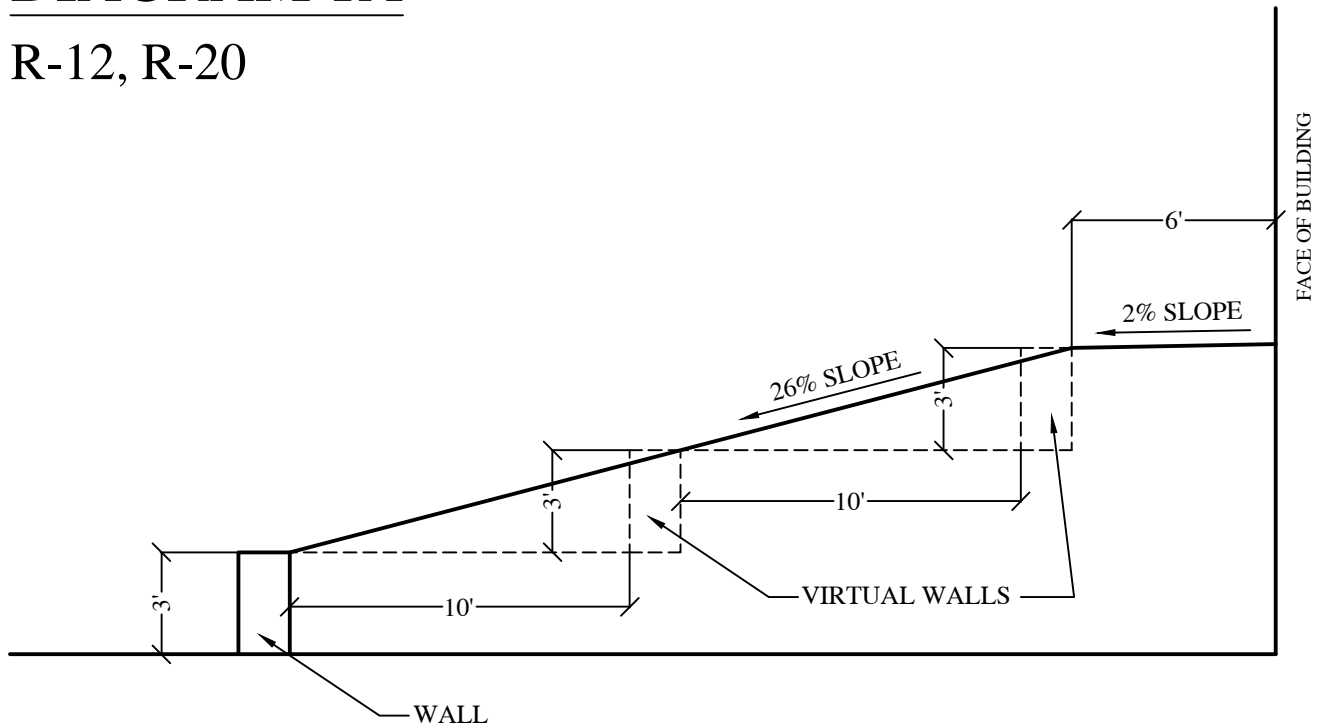
# DIAGRAM 1A

R-6, R-7



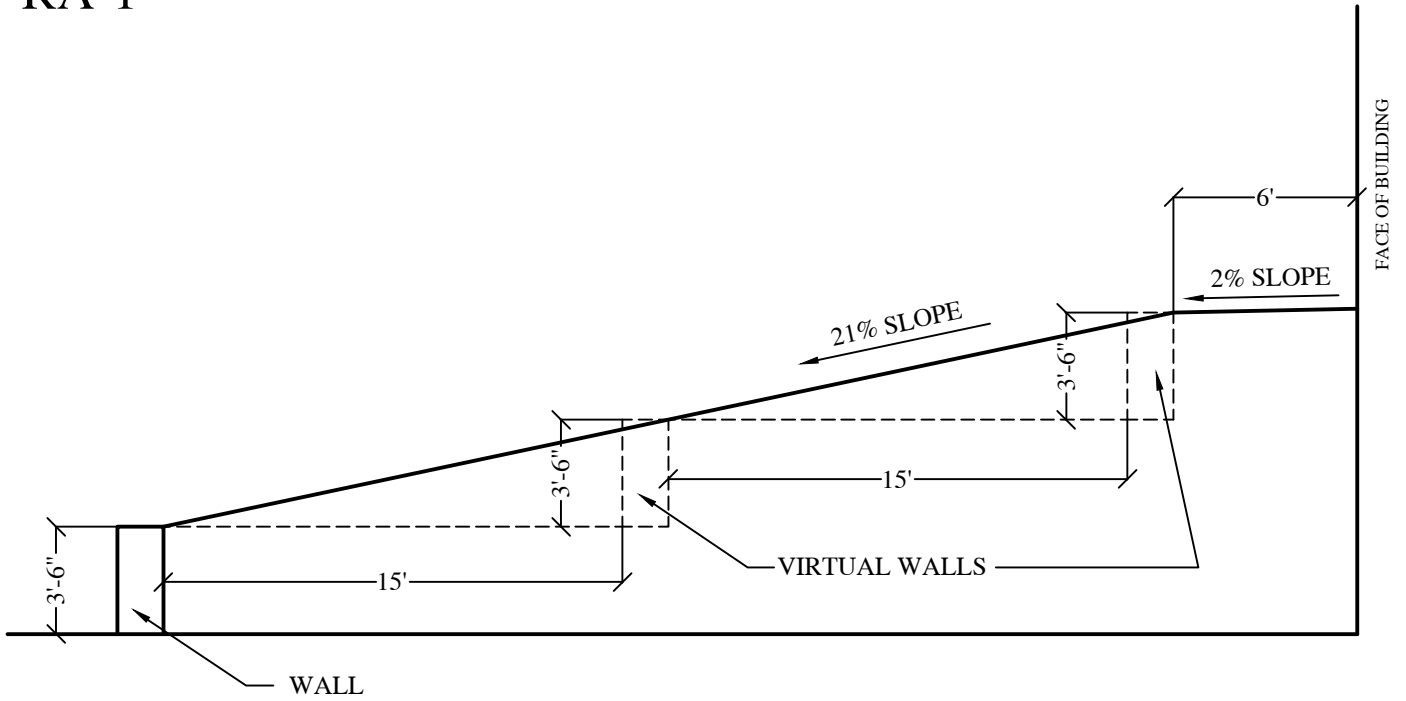
# DIAGRAM 1A

R-12, R-20



# DIAGRAM 1A

RA-1



# DIAGRAM 1A

RA-2, RA-4

