

Burlington Planning Commission

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Burlington Planning Commission

REGULAR MEETING

Tuesday, February 26, 2013 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

AGENDA

Note: times given are approximate unless otherwise noted.

I. Agenda

II. Public Forum - Time Certain: 6:35 pm

The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.

III. Report of the Chair (5 min) – Yves Bradley, Chair

IV. Report of the Director (5 min) – David E. White, Director

V. Public Hearing: ZA-13-06 Downtown Parking (25min) – Time Certain 7:00pm

The Commission will hold a public hearing on the following proposed amendments to the Comprehensive Development Ordinance:

1. **ZA-13-06 – Downtown Parking** - This proposed amendment to the Comprehensive Development Ordinance eliminates off-street parking requirements throughout the Downtown Parking District. The change is intended to increase the affordability of development, reduce the creation of unnecessary and underutilized parking, and encourage greater flexibility to find more creative and effective parking and transportation solutions by eliminating the required minimum off-street parking requirements in downtown. (Modify Section 8.1.6 and Table 8.1.8-1)

VI. planBTV - Open Space Protection Plan Update (30min)

The Commission will hear a presentation by planning staff on the update of the Open Space Protection Plan.

VII. Proposed Zoning Amendments (15min)

The Commission will review the following proposed amendments to the Comprehensive Development Ordinance – Accessory Apartments & Dimensional Waivers.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

VIII. Committee Reports (5 min)

IX. Commissioner Items (5 min)

X. Minutes/Communications

The Commission will review minutes from the February 12, 2013 meeting.

XI. Adjourn (8:00 p.m.)

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-13-06-Downtown Parking Standards

As warned by the Planning Commission for public hearing on Feb 26, 2013.

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: Eliminate off-street parking requirements throughout the Downtown Parking District. The change is intended to increase the affordability of development, reduce the creation of unnecessary and underutilized parking, and encourage greater flexibility to find more creative and effective parking and transportation solutions by eliminating the required minimum off-street parking requirements in downtown.

Sec.8.1.3 Parking Districts

(a) and (b) – No changes

(c) Downtown Parking District:

This parking district ~~further reduces~~ eliminates the requirements from the baseline standards recognizing that extensive sharing of parking demand between nearby land use occurs; that a majority of travel to and between land uses is independent from an automobile; and that an array of public parking facilities and frequent transit service greatly reduces the need for independent parking for individual land uses.

Sec. 8.1.6 Existing Structures: Exemption in Downtown District

~~Any nonresidential use within a structure lawfully in existence prior to January 1, 20007 in any Downtown Parking District shall be exempt from the requirements of this Article when applying for a change to any other nonresidential use.~~

Sec. 8.1.76 Non-conforming Residential Structure

Where additions or conversions to existing residential structures within a Neighborhood or Shared Use Parking District add living space but do not add dwelling units, and such sites do not currently meet the parking standards of **Sec. 8.1.87**, one (1) parking space shall be provided for each additional room. Single detached dwellings shall be exempt from this requirement.

Sec. 8.1.87 Minimum Off-Street Parking Requirements

Parking for all uses and structures shall be provided in accordance with **Table 8.1.87-1**.

(a) Where no requirement is designated and the use is not comparable to any of the listed uses, parking requirements shall be determined by the DRB upon recommendation by the administrative officer based upon the capacity of the facility and its associated uses.

(b) When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.

Table 8.1.87-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
RESIDENTIAL USES	Per Dwelling Unit except as noted		
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	2	1	+0
Single Family detached and Duplex	2	2	+0
RESIDENTIAL USES - SPECIAL	Per Dwelling Unit except as noted		
Assisted Living	0.5	0.5	0.40
Bed and Breakfast (per room, in addition to single-family residence)	1	0.75	0.50
Boarding House (per two (2) beds)	1	0.75	0.50
Community House	1	0.75	0.50
Convalescent Home (per four (4) beds)	1	1	+0
Dormitory (per two (2) beds)	1	1	+0
Group Home (per two (2) beds)	1	1	+0
Historic Inn (per room, in addition to single-family residence)	1	0.75	0.50
Sorority & Fraternity (per two (2) beds)	1	1	+0
NON-RESIDENTIAL USES	Per 1,000 square feet of gross floor area (gfa) except as noted		
Adult Day Care (per two (2) employees)	1	1	+0
Agricultural Use	None0	None0	None0
Amusement Arcade	2	1	0
Animal Boarding/Kennel/Shelter	2.5	1.5	+0
Animal Grooming (per grooming station)	1	1	0
Animal Hospitals/Veterinarian Office	3	2	+0
Appliance & Furniture Sales/Service	2.5	1	+0
Aquarium	1.3	1	+0
Art Gallery	3.3	2.5	+0
Auction Houses	3.3	2.5	+0
Automobile & Marine Parts Sales	2.5	1.5	+0

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Automobile Body Shop	2 plus 1/bay	2 plus 1/bay	<u>2 plus 1/bay</u> ₀
Automobile Repair/Service	2 plus 1/bay	2 plus 1/bay	<u>2 plus 1/bay</u> ₀
Automobile Sales – New & Used	2	2	<u>1</u> ₀
Bakery - Retail	2.5	2.5	<u>1</u> ₀
Bakery - Wholesale	2	2	<u>1</u> ₀
Bank, Credit Union	2.5	2	<u>1</u> ₀
Bar/Tavern	4	3	<u>None</u> ₀
Beauty/Barber Shop (per station/chair)	1	1	<u>None</u> ₀
Bicycle Sales/Repair	2.5	1	<u>None</u> ₀
Billiard Parlor (per game table)	1	1	<u>None</u> ₀
Boat Repair/Service	2	2	<u>1</u> ₀
Boat Sales/Rental	2	2	<u>1</u> ₀
Boat Storage	3	2	<u>1</u> ₀
Bowling Alley (per lane)	3	2	<u>1</u> ₀
Building Material Sales	3.3	2.5	<u>1</u> ₀
Café (per four (4) seats)	1	1	<u>None</u> ₀
Camp Ground (per camping space)	1	1	<u>1</u> ₀
Car Wash (stacking spaces per wash bay)	4	4	<u>4</u> ₀
Cemetery	<u>None</u> ₀	<u>None</u> ₀	<u>None</u> ₀
Cinema (per four (4) seats)	1	1	<u>None</u> ₀
Club, Membership	3.3	2.5	<u>1</u> ₀
Community Center	3.3	2.5	<u>1</u> ₀
Community Garden (per ten (10) plots)	1	1	<u>None</u> ₀
Conference Center	3	2	<u>1</u> ₀
Contractor Yard (per 1,000 gfa of office space)	2.5	2	<u>2</u> ₀
Convenience Store	3	2	1
Convention Center	n/a	3	<u>2</u> ₀
Courthouse	n/a	3.3	<u>2</u> ₀
Crematory (per FTE employee)	1	1	<u>1</u> ₀
Crisis Counseling Center	4	3	<u>1</u> ₀
Daycare - Home (6 children or less)	<u>None</u> ₀	<u>None</u> ₀	<u>1 drop-off</u> ₀
Daycare - Large (Over 20 children) (per two (2) employees)	1 plus 1 per 5 children	1 plus 1 per 5 children	<u>2 drop-off</u> ₀

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Daycare - Small (20 children or less) (per two (2) employees)	1	1	<u>+0</u>
Dental Lab	2	1	None <u>0</u>
Distribution Center (per 3,000 gfa)	1	0.75	0.75 <u>0</u>
Dry Cleaning Plant	1.3	1	<u>+0</u>
Dry Cleaning Service	2.5	2	<u>±0</u>
Film Studio	3.3	2.5	<u>+0</u>
Fire Station (per apparatus)	2	2	<u>+0</u>
Food Processing	1.3	1	<u>+0</u>
Fuel Service Station (per employee/shift)	1	1	<u>+0</u>
Funeral Home (per four (4) seats)	1	1	<u>+0</u>
Garden Supply Store (per 1,000 gfa of retail area.)	3	2	<u>+0</u>
General Merchandise/Retail	3	2	None <u>0</u>
Grocery Store	3	2	None <u>0</u>
Hazardous Waste Collection/Disposal (per two (2) employees on the largest shift)	1	1	n/a
Health Club	3	2	<u>+0</u>
Health Studio	2	1	None <u>0</u>
Hospitals (per patient bed)	2	2	<u>±0</u>
Hostel (per two (2) beds)	0.5	0.5	None <u>0</u>
Hotel/Motel (per room)	1	0.75	0.75 <u>0</u>
Laundromats (per washing machine)	1	1	None <u>0</u>
Library	1.3	1	None <u>0</u>
Lumber Yard (per 1,000 gfa of retail area.)	3	2	<u>+0</u>
Machine Shop/Woodworking Shop	1.3	1	<u>+0</u>
Manufacturing	1.3	1	<u>+0</u>
Manufacturing - Tour Oriented	1.3, plus 3 per 1,000 gfa devoted to patron use.	1.3, plus 2 per 1,000 gfa devoted to patron use.	<u>+0</u>
Marina (per berth)	0.5	0.5	0.5 <u>0</u>
Medical Lab	2	1	None <u>0</u>
Micro-Brewery/Winery	3	2	<u>+0</u>
Museum	1.3	1	<u>+0</u>
Office - General	2	2	<u>±0</u>

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Office - Medical, Dental	3	2	<u>4</u>
Open Air Markets	<u>None</u>	<u>None</u>	<u>None</u>
Operations Center - Taxi (per three (3) employees)	1	1	<u>4</u>
Operations Center - Truck/Bus (per 3,000 gfa)	1	0.75	<u>0.75</u>
Park (per playing area)	5	<u>None</u>	<u>None</u>
Parking Garage – Private	<u>None</u>	<u>None</u>	<u>None</u>
Parking Lot – Private	<u>None</u>	<u>None</u>	<u>None</u>
Performing Arts Center (per four (4) seats)	1	1	<u>None</u>
Performing Arts Studio	1	<u>None</u>	<u>None</u>
Pet Store	2.5	1	<u>None</u>
Pharmacy	3	2	<u>4</u>
Photo Studio	2.5	1	<u>None</u>
Photography Lab	1	1	<u>None</u>
Police Station	2.5	2	<u>2</u>
Post Office	1.3	1	<u>4</u>
Post Office - Local	2	2	<u>None</u>
Printing Plant	1.3	1	<u>4</u>
Printing Shop	2	2	<u>None</u>
Public Transit Terminal	1 per 200 gfa of public waiting space	1 per 200 gfa of public waiting space	<u>None</u>
Public Works Yard/Garage	<u>None</u>	<u>None</u>	<u>None</u>
Radio & TV Studio	2	2	<u>2</u>
Rail Equip. Storage & Repair	<u>None</u>	<u>None</u>	<u>None</u>
Recording Studio	1.3	1	<u>4</u>
Recreational Facility - Indoor (per four (4) seats)	1	1	<u>0.5</u>
Recreational Facility - Outdoor (per playing field)	15	10	<u>None</u>
Recreational Facility - Outdoor Commercial	Larger of 1 per 4 seats or 15 per playing field	Larger of 1 per 4 seats or 10 per playing field	<u>1 per 6 seats</u>
Recreational Vehicle Sales – New and Used	2	2	<u>4</u>
Recycling Center - Large above 2,000 gfa	<u>None</u>	<u>None</u>	<u>None</u>
Recycling Center - Small 2,000 gfa or less	<u>None</u>	<u>None</u>	<u>None</u>
Research Lab	2.5	2	<u>2</u>

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Restaurant	4	3	None 0
Restaurant – Take-Out	4	3	None 0
Salon/Spa	4	4	20
School - Secondary (per Classroom)	7	5	20
School - Primary (per Classroom)	1.5	1.5	1.50
School - Trade/Professional	5	3	10
School, - Post-Secondary	2	2	20
Solid Waste Facility - Incinerator, Landfill, Transfer Station	None 0	None 0	None 0
Tailor Shop	2	1	None 0
Vehicle Salvage	None 0	None 0	None 0
Warehouse	0.5	0.35	0.350
Warehouse - Self Storage Facility	1 per resident manager, plus 1 per 100 leasable storage spaces	1 per resident manager, plus 1 per 100 leasable storage spaces	1 per resident manager, plus 1 per 100 leasable storage spaces0
Warehouse - Retail	3.3	2.5	2.50
Wholesale Sales	1.3	1	10
Worship, Place of (per four (4) seats)	1	1	10

Sec. 8.1.98 Maximum Parking Spaces

No change.

All remaining Sections in this Part are re-numbered accordingly as well as any reference to tables within this section.

Department of Planning and Zoning

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TO: Planning Commission
FROM: Scott Gustin
DATE: February 7, 2013
RE: Setback Alternatives

This proposal allows for retention of existing nonconforming setbacks in the case of demolition and reconstruction of nonconforming buildings and also creates a method for granting a waiver by the DRB for utilization of existing setback encroachments for upper story additions to existing nonconforming buildings in residential zones. This proposal is intended to protect and perpetuate the historic development patterns in our residential neighborhoods where most of the buildings in our older neighborhoods predate zoning regulation and do not currently conform to current side yard setback requirements. These provisions are intended to enable reasonable and appropriate alterations to these buildings that are consistent with our existing development patterns.

The Planning Commission Ordinance Committee most recently considered this proposal on February 7, 2013 following review by the Planning Commission wherein concern about safeguards for expanding nonconforming building footprints was expressed. The Ordinance Committee recommended forwarding the proposal to the Planning Commission emphasizing that nonconformities could only be expanded vertically and that safeguards for reviewing projects under the proposed amendment are in place.

This proposal includes three parts: 1) allow retention of existing setback nonconformity for replacement of demolished buildings, 2) allow construction of residential additions within a setback so long as the existing degree of encroachment is not exceeded, and 3) allow an alternative calculation for residential side yard setbacks based on an average of neighboring properties.

- Part 1 was accepted by the Planning Commission and warned for public hearing on February 12, 2013.
- Part 2 as proposed would allow **only an upper story addition to an existing encroachment** into the setback. The addition could encroach as far as the existing building but no further. The addition would be subject to review by the Development Review Board. No horizontal expansion (i.e. additional building footprint) of nonconformity would be allowed.
- Part 3 would allow for an alternative calculation of required residential side yard setbacks based on the average of neighboring properties. This provision would likely make many existing nonconformities conforming.

Recommendation:

Part 1 has already been warned for public hearing by the Planning Commission. Parts 2 and 3 should be pursued concurrently. Implementation of Part 3 will likely eliminate many existing

setback nonconformities, as it is based on the existing neighborhood development pattern. Part 2 remains applicable in those cases where setback nonconformities may remain.

New CDO language for Part 2 and Part 3 is underlined, and language to be deleted is ~~stricken~~.

[CDO Changes for Part 2]

Article 5: Citywide General Regulations

Sec. 5.3.5, Nonconforming Structures

(a) Changes and Modifications:

... Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

1. Such a change or modification ~~should seek to~~ may reduce the degree of nonconformity and shall not increase ~~expand the degree of nonconformity;~~

Within the residential districts, and subject to Development Review Board approval, existing nonconforming buildings that project into side and/or rear yard setbacks may be vertically expanded so long as the expansion does not encroach further into the setback than the existing structure. Such expansion shall be of the existing nonconformity (i.e. setback) and shall:

- i) Be subject to conformance with all other dimensional requirements (i.e. height, lot coverage, density and intensity of development);
- ii) Not have an undue adverse impact on adjoining properties or any public interest that would be protected by maintaining the existing setbacks; and,
- iii) Be compatible with the character and scale of surrounding structures.

Existing accessory buildings of 15 feet in height or less shall not exceed 15 feet tall as expanded.

[CDO Changes for Part 3]

Article 4: Maps and Districts

Sec. 4.4.5, Residential Districts

(b) Dimensional Standards and Density

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1,3,4,5}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
RL; WRL	35%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width, but in no event less than 5-feet <u>Or ave. of side yard setback of 2 adjacent lots</u>	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Min: 75' feet from the ordinary high water mark of Lake Champlain and the Winooski River	35-feet

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1,3,4,5}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
			<u>on both sides</u> Max required: 20-feet			
RM	40%	Min/Max: Ave of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width, but in no event less than 5-feet <u>Or ave. of side yard setback of 2 adjacent lots on both sides</u> Max required: 20-feet	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	NA	35-feet
WRM	60%	Min/Max: Ave of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width, but in no event less than 5-feet <u>Or ave. of side yard setback of 2 adjacent lots on both sides</u> Max required: 20-feet	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	Min: 75' feet from the ordinary high water mark of Lake Champlain and the Winooski River	35-feet <i>(60-feet under Sec. 4.4.5(d)2A)</i>
RH	80%	Min/Max: Ave of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width, but in no event less than 5-feet <u>Or ave. of side yard setback of 2 adjacent lots on both sides</u>	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	NA	35-feet

Table 4.4.5-3: Residential District Dimensional Standards

Zoning District	Max. Lot Coverage ¹	Setbacks ^{1, 3, 4, 5}				Max. Height ¹
		Front ²	Side ³	Rear	Waterfront	
			Max required: 20-feet			
<ol style="list-style-type: none"> 1. An additional ten per cent (10%) lot coverage may be permitted for accessory residential features per (d)3A below. Measurement of and exceptions to coverage, setback, and height standards are found in Art 5. 2. Average front yard setback of the principal structures on the 2 adjacent lots within the same block having the same street frontage. See Sec. 5.2.4. 3. In no event shall the side yard setback be required to exceed 20-feet, or the rear-yard setback be required to exceed 75-feet. 4. Additional setbacks from the lakeshore and other water features may be applicable per the requirements of the Sec 4.5.4 Riparian and Littoral Conservation Overlay Zone 5. <u>Average side yard setback (left or right – not both together) of the principal structures on the 2 adjacent lots within the same block having the same street frontage. See Sec. 5.2.5.</u> 						

[CDO Changes for Part 3]

Article 5: Citywide General Regulations

Sec. 5.2.5, Setbacks

(a) Setbacks Required:

2. Side yard. The minimum side yard setback for any principal structure shall be as required under the provisions of Article 4. Where the side yard setback is expressed as a percent of lot width, such width shall be measured parallel to the lot frontage. Alternatively, where provided for under Article 4, the minimum side yard setback may be the average of the side yard setback (left or right – not both together) of principal structures in lawful existence as of the adoption of this ordinance on the two (2) neighboring lots on either side and within the same block having the same street frontage.

(b) Exceptions to Yard Setback Requirements:

7. Additional exceptions for nonconforming structures under Sec. 5.3.5.

Burlington Comprehensive Development Ordinance

PROPOSED: Accessory Dwelling Units

As proposed by the Ordinance Committee on February 7, 2013

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This proposed amendment to the Comprehensive Development Ordinance

Sec. 5.4.5 Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses:

Where there is a primary structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means an efficiency or one bedroom apartment that is clearly subordinate to the primary dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. No accessory unit shall be inhabited by more than 2 adult occupants. An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation. Additionally, there must be compliance with all the following:

1. The property has sufficient wastewater capacity as certified by the department of public works;
2. The unit does not ~~exceed 30 percent of~~ consist of more than 30 percent of the total habitable floor the total gross floor area of the dwelling with the apartment, and does not require a change in the dimensions of parking areas of the primary dwelling, minus square footage associated with storage or utility spaces and similar un-insulated or un-inhabitable areas;
3. Applicable setback and coverage requirements are met;
4. ~~Two~~ One additional parking spaces which may be legally allocated to the accessory unit must be ~~in existence~~ and provided for the accessory unit; and,
5. A deed or instrument for the property shall be entered into the land records within 90 days of approval containing a reference to the permit granting the accessory unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy.

(b) Conditional Use Approval for Accessory Units:

If any of the following are also proposed, conditional use approval, as well as development review provisions of Article 6 shall be required:

1. A new accessory structure;
2. An increase in the height or habitable floor area of the existing dwelling;
3. ~~An increase in the dimensions of any parking area;~~

~~4. A parking waiver is requested. If a parking waiver is requested, not more than one of the two required parking spaces for the accessory unit may be waived by the DRB for any of the following reasons:~~

- ~~A. Where one occupant of the accessory unit is disabled as defined in 33 V.S.A. §1991(b) or is at least 65 years of age, and the accessory unit is 750 sq. ft. or less; and/or,~~
- ~~B. Under waiver provisions of Sec. 8.1.15.~~

(e) Additional Conditions of Waiver:

If a waiver is granted, the applicant shall also comply with the following:

- ~~1. A deed or instrument for the property shall be entered into the land records within 90 days of approval containing a reference to the permit granting the accessory unit and the parking waiver. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions; and,~~
- ~~2. The lease for the accessory apartment contains a clause stating that no vehicle parking is provided for or allowed on-site except in an approved parking space and that violation of that condition of the lease shall be grounds for eviction.~~

(d) Loss of Waiver:

~~Any parking waiver granted is automatically void where there has been a change in the underlying facts that supported the waiver and the reference shall be removed from the land records. When there has been such a change in circumstances, the standards of the ordinance without waiver provisions are applicable and a reapplication is required.~~

(ec) Discontinuance of Accessory Units:

Approval of an accessory dwelling unit is contingent on owner occupancy of the single-family dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the primary unit or in the accessory unit. If either the primary unit or the accessory unit is no longer owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.