# **ARTICLE 59-4. EUCLIDEAN ZONING DISTRICT REGULATIONS**

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The following Article is part of the Consolidated Draft. Please be advised that it is in draft form; all references to Divisions and Sections have not been cross-checked in this draft. Editor's notes in red text and highlighted in yellow, [Editor's Note], appear throughout the draft to inform the reader of areas that may require additional research and editing.

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# Div. 4.1. Rules for All Zones

# Sec. 4.1.1. Development Options

The following types of development options are allowed.

#### A. Standard Method (see Div. 4.2 - Div. 4.8)

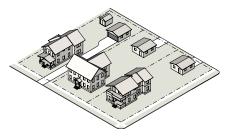
The standard method of development provides the basic framework for development. Development of more than 20 residential units must provide a minimum 12.5% Moderately Priced Dwelling Units (MPDU) under Chapter 25A. A project providing more than 12.5% MPDUs or a project with less than 20 units that provides 12.5% MPDUs is an optional method of development.

#### B. Optional Method (see Div. 6.1 - Div. 6.6)

The optional methods of development contain alternative regulations for the zones in which the method is allowed. The following zones provide an optional method of development: RNC, RE-2C, RE-1, RLD-20, RMD-9, RMD-6, RMD-4, TLD, TMD, THD, RHD-3, RHD-2, RHD-1, CRT, CR, ELS, EOF, and IL.

# Sec. 4.1.2. Building Type Descriptions

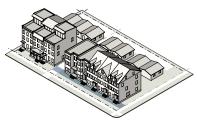
Building types are established to regulate the form applicable to development within each zone. The building type does not determine uses allowed within the structure. All graphic depictions of building types are for illustrative purposes only and are not meant to limit or exclude other designs.



**A. Detached House** A building typically containing one dwelling unit located on a single lot.



**B. Duplex** A building containing 2 dwelling units arranged side by side.

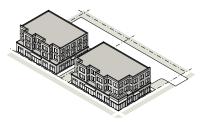


C. Townhouse

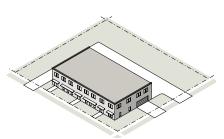
A building typically containing 3 or more dwelling units where each dwelling unit is separated vertically by a party wall. Units may be on individual lots, or the entire building (or project) may be on a single lot.



**D. Apartment/Condo** A building containing 3 or more dwelling units vertically and horizontally integrated.



**E. Mixed Use Building** A building containing ground floor commercial uses with upper-story residential or office uses.



F. General Building

A building typically containing nonresidential uses including office, employment, industrial, civic, institutional, or public uses.

# Sec. 4.1.3. Building Types Allowed by Zone

Building types are allowed by zone as follows:

	Detached House	Duplex	Townhouse	Apartment/ Condo	Mixed Use Building	General Building
Agricultural Zone						
Agricultural Reserve (AR)	Α					А
Rural Zones						
Rural Residential (RR)	А					А
Rural Cluster (RC)	А					Α
Rural Neighborhood Cluster (RNC)	Α	MPDU	А			Α
Residential Detached Zones						
Residential Estate - 2 (RE-2)	А					А
Residential Estate - 2C (RE-2C)	Α	MPDU	MPDU			Α
Residential Estate - 1 (RE-1)	Α	MPDU	MPDU			Α
Residential Low Density - 20 (RLD-20)	A	MPDU	MPDU			Α
Residential Medium Density - 9 (RMD-9)	Α	MPDU, CD	MPDU, CD			Α
Residential Medium Density - 6 (RMD-6)	Α	MPDU, CD	MPDU, CD			Α
Residential Medium Density - 4 (RMD-4)	Α	A	MPDU			Α
Residential Townhouse Zones						
Townhouse Low Density (TLD)	А	А	А			А
Townhouse Medium Density (TMD)	Α	A	Α			Α
Townhouse High Density (THD)	Α	Α	Α			Α
Residential Multi-Unit Zones						
Residential High Density - 3 (RHD-3)	А	А	А	А		А
Residential High Density - 2 (RHD-2)	Α	A	Α	Α		Α
Residential High Density - 1 (RHD-1)	Α	A	A	Α		Α
Commercial/Residential Zones						
CR Neighborhood (CRN)	A	А	Α	А	А	А
CR Town (CRT)	Α	A	Α	Α	Α	Α
CR (CR)	Α	Α	Α	Α	Α	Α
Employment Zones						
Employment General (EG)			А	А	А	А
Employment Life Science (ELS)	Α	Α	A	A	A	A
Employment Office (EOF)			A	A	A	A
Industrial Zones						
Light Industrial (IL)					А	А
Heavy Industrial (IH)					A	A
Overlay Zone					/ \	
Transferable Development Rights (TDR)	TDR	TDR	TDR	TDR		
nanoierable Development fights (TDR)			i bit			

A = Allowed to accommodate permitted, limited, and conditional uses -- = Not allowed CD = Allowed as part of an Optional Method Cluster Development KEY: MPDU = Allowed as part of an Optional Method MPDU Development TDR = Allowed as part of Optional Method TDR Development

# Sec. 4.1.4. Measurement and Exceptions

The rules in Sec. 4.1.4 apply to all zones unless expressly stated otherwise.

#### A. Site

#### 1. Defined

A site is any tract of land or contiguous tract of land owned or functionally controlled by the same person or entity, assembled for the purpose of development.

#### 2. Density

- a. The maximum permitted density is measured by the number of dwelling units allowed per gross acre of land.
- b. Gross tract area is the total of the site area or lot area and any existing or proposed streets, highways, or other land required for public use that is attributable to the site dedicated by the current or previous owner.
- c. Floor Area Ratio (FAR) is a figure which expresses the total gross floor area as a multiple of the gross tract area of the lot. This figure is determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

#### B. Lot

#### 1. Defined

A lot is a tract of land identified on a subdivision plat that is recorded in the land records. A lot may include buildings, accessory buildings and any associated open spaces.

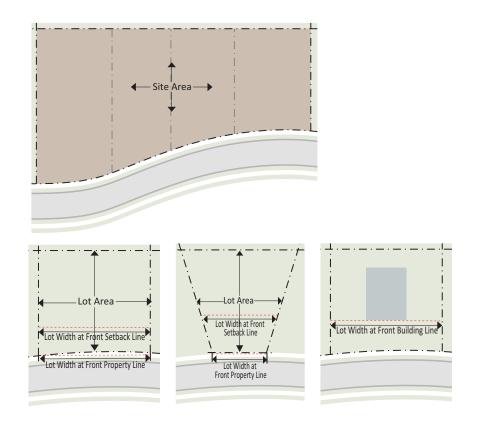
#### 2. Lot Area

The lot area is the area within the rear, side, and front property lines. Does not include existing or proposed public rights-of-way.

#### 3. Lot Width

#### a. At the Front Property Line

Lot width at the front property line is measured between the side property lines at the front property line along a straight line. Where the front property line is curved, lot width at the front property line is measured along the chord of the lot line.



#### b. At the Front Setback Line

Lot width at the front setback line is measured between the side property lines at the front setback line along a straight line.

#### c. At the Front Building Line

Lot width at the front building line is measured between the side property lines at the front edge of the building, along a straight line.

#### C. Placement

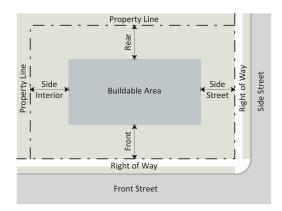
#### 1. Building Setbacks

#### a. Defined

There are front, side street, side interior, and rear setbacks. Through lots have 2 front setbacks. A lot abutting an alley is not a through lot.

#### b. Measurement of Setbacks

- i. The front setback and side street setback are measured from the edge of the right-of-way.
- ii. The side interior setback is measured from the side property line.
- iii. The rear setback is measured from the rear property line or the edge of the right-of-way where there is an alley.



#### 2. Corner Lots

#### a. Defined

A corner lot is a lot abutting 2 or more streets at their intersection where the interior angle of the intersection does not exceed 135 degrees.

#### b. Measurement of Setbacks

i. A corner lot has 2 front setbacks except where the adjoining lot on one of the streets either does not front on that street or is in a non-

Residential zone, then the side street setback applies to both the principal building and the accessory structure.

ii. On a corner lot, the front setback is the greater of the front setback established in Div. 4.2 to Div 4.8 or the established building line.

#### c. Addressing

In determining the address, the following conditions must be considered:

- i. the street with the highest street classification;
- ii. the established orientation of the block;
- iii. the street abutting the longest face of the lot; and
- iv. the street parallel to an alley within the block.

#### 3. Build-to-Zone

#### a. Defined

- i. The build-to-zone is the area on the lot where a certain percentage of the front building facade must be located.
- ii. With the exception of parking areas, all structures and uses customarily allowed on the lot are permitted in the build-to-zone.

#### b. Measurement of Build-to-Line

The build-to-zone is measured as a minimum and maximum setback range from th edge of the right-of-way.

#### 4. Parking Setbacks

#### a. Defined

- There are front, side street, side interior and rear parking setbacks.
  Through lots have 2 front parking setbacks. A lot abutting an alley is not a through lot.
- ii. Parking setbacks apply to on-site surface parking. Structured parking must comply with building setbacks.

#### b. Measurement of Parking Setbacks

- i. The front and side street parking setback is measured from the edge of the right-of-way.
- ii. The side interior parking setback is measured from the side property line.
- iii. The rear parking setback is measured from the rear property line or the edge of the right-of-way if there is an alley.

#### 5. Building Coverage

#### a. Defined

- i. Building coverage is the area of a lot or site that is covered by buildings, including accessory buildings, structured parking, or other roofed structures such as porches, patios, decks, and steps.
- Building coverage does not include paved areas such as driveways, pedestrian walkways, bay windows, uncovered porches or patios, decks, swimming pools, or roof overhangs.

#### 6. Setback Encroachments

All buildings and structures must be located at or behind the required building setbacks lines, except as listed in Sec. 4.1.4.C.5.a to Sec. 4.1.4.C.5.c.

#### a. Building Features

- Unenclosed porches, decks, terraces, steps, and stoops, may project a maximum of 3 feet into any side street or side interior setback and may project a maximum of 9 feet into any front or rear setback. This includes unenclosed roofed porches and terraces.
- ii. Roofed and unenclosed steps and stoops may project a maximum of 3 feet into any side street or side interior setback and may project a maximum of 9 feet into any front or rear setback. Any roof covering unenclosed steps and stoops may project a maximum of 3 feet into any setback.

- Unenclosed balconies may extend a maximum of 6 feet into a required setback, if such extension is a minimum of 2 feet from the vertical plane of any lot line.
- iv. Sills, leaders, belt courses, and similar ornamental features may project a maximum of 6 inches into any front, side street, side interior, or rear setback. Where a wall is located on a property line, such projections may extend across a property line in accordance with provisions in Section 50-20 of the subdivision regulations concerning limitations on issuance of building permits.
- v. Chimneys or flues as part of a detached house, duplex, or townhouse may project a maximum of 2 feet into any front, side street, side interior or rear setback.
- vi. Chimneys or flues as part of an apartment/condo, mixed use, or general building may project a maximum of 4 feet into any front, side street, side interior or rear setback, if such extension remains a minimum of 2 feet from the vertical plane of any lot line.
- vii. Building eaves, cornices, and light shelves may project a maximum of 2 ½ feet into any front, side street, side interior, or rear setback, if such extension remains a minimum of 2 feet from the vertical plane of any lot line. Where a wall is located on a property line, such projections may extend across a property line in accordance with provisions contained in Section 50-20 of the subdivision regulations concerning limitations on issuance of building permits.
- viii. Bay windows, oriels, entrances, vestibules, or balconies, 10 feet in width or less, may project a maximum of 3 feet into any front, side street, side interior, or rear setback.
- ix. Unenclosed fire escapes and outside stairways may project a maximum of 5 feet into any side street, side interior, or rear setback.

#### b. Mechanical Equipment and Utility Lines

i. Mechanical equipment associated with residential uses, such as HVAC units and security lighting may project a maximum of 5 feet into any rear setback. ii. Permanent rainwater collection or harvesting systems may project a maximum of 3 feet into any side street, side interior, or rear setback.

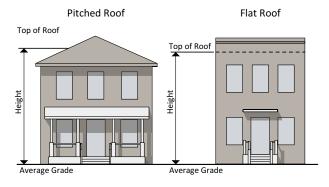
#### c. Other Encroachments

- i. Fences and walls under Sec. 7.5.3.B.5.
- ii. Handicap facilities to the extent necessary to meet the minimum standards of the Americans with Disabilities Act.
- iii. Signs under Div. 7.6.

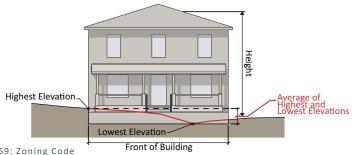
#### D. Height

#### 1. Building Height in Agricultural, Rural, and Residential Zones

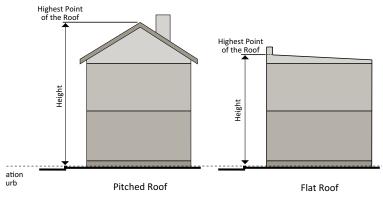
a. Building height is measured from the average grade to the mean height level between the eaves and ridge of a gable, hip, mansard, or gambrel roof or to the highest point of roof surface of a flat roof.



b. Average grade is calculated using the average of the highest and lowest elevation along pre-development or finished level of ground (whichever is more restrictive) along the front of the building parallel to the front setback line.



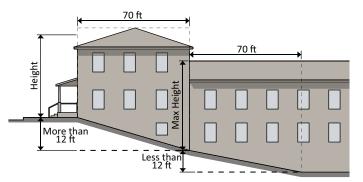
- 2. Building Height in Commercial/Residential, Employment, and Industrial Zones
  - a. Building height is measured from grade to the highest point of the roof.



b. Grade is measured as the average elevation of the top of the curb adjacent to the front of the building. In a lot with more than one frontage, grade is measured as the average elevation of the curb along each frontage.

#### 3. Sloped Lots

For the apartment/condo, mixed use and general building types, where a lot slopes downward from the front property line more than 12 feet along the side of the first 70 feet of the principal building, the height of the building past that point must be reduced by at least the drop in grade in the first 70 feet of the building, and for each successive 70-foot increment after that.



#### 4. Height Encroachments

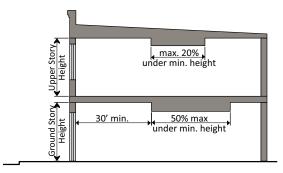
Any height encroachment not specifically listed is expressly prohibited.

- a. The following roof structures can occupy a maximum of 25% of the roof area: spires, belfries, cupolas, domes not intended for human occupancy, chimneys, flue or vent stacks, flagpoles, monuments, water tanks, television antennae or aerials, air conditioning units, or similar structures or mechanical appurtenances.
- b. The maximum heights do not apply to roof structures listed in Sec.
  4.1.4.D.4.a (above), except in the TLD, TMD, THD, and RHD-3 zones, air conditioning units or similar structures or mechanical appurtenances may exceed the established height limit by a maximum of 8 feet.
- c. The following may exceed the established height limits, except when located within an airport approach area, if they do not exceed the maximum height limit by more than 8 feet:
  - i. Rooftop deck, patio, shade structure;
  - ii. Rooftop garden, landscaping;
  - iii. Parapet wall, limited to a height of 4 feet;
  - iv. Rooftop rainwater collection or harvesting systems; and
  - v. Rooftop renewable energy systems, such as solar panels or wind turbines.
- d. The following may exceed the established height limits, except when located within an airport approach area, if they do not exceed the maximum building height by more than 8 feet, occupy a maximum of 25% of the roof area, and are set back a minimum of 10 feet from the edge of the roof. The Planning Board may increase the percentage of occupied roof area where a site plan is reviewed and approved.
  - i. Elevator penthouse or bulkhead;
  - ii. Skylights;
  - iii. Stairway access to roof; and
  - iv. Tank designed to hold liquids.
- e. An accessory structure located on the roof must not be used for any purpose other than a use incidental to the principal use of the building.

f. The maximum heights do not apply to agricultural buildings in the AR, RR, RC, and RNC zones.

### E. Story Height

- 1. Story height is measured from the top of the finished floor to the ceiling above.
- 2. Minimum ground story height applies to the first 30 feet of the building measured inward from the street facing facade. A minimum of 50% of the ground story must meet the minimum height provisions.
- 3. Where applicable, a minimum of 80% of each upper story must meet the required minimum upper story height provisions.



#### F. Form

The building form requirements are intended to enhance the pedestrian area along building frontages.

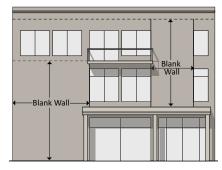
#### 1. Transparency

- a. The minimum percentage of windows and doors that must cover a ground story facade is measured based on facade wall area between o and 12 feet above the adjacent sidewalk.
- b. The minimum percentage of windows and doors that must cover an upper story facade is measured based on facade wall area from the top of the finished floor to the top of the finished floor above. When there is no floor above it is measured from the top of the finished floor to the top of the wall plate.



#### 2. Blank Wall

- a. Blank wall is the area of the exterior facade of the building that does not include a substantial material change (paint color is not considered a substantial change); windows or doors; or columns, pilasters, or other articulation greater than 8 inches in depth.
- b. Blank wall applies in both a vertical and horizontal direction.
- c. Blank wall applies only to street facing facades.



#### **G.** Building Elements

#### 1. Porch

A porch is a raised structure attached to a building, forming a covered entrance to a doorway. A porch is roofed and can be enclosed or unenclosed.

#### 2. Stoop

A stoop is a small raised platform that serves as an entrance to a building. A stoop may be covered but cannot be fully enclosed.

#### 3. Balcony

A balcony is a platform projecting from the wall of a building with a railing along its outer edge, often with access from a door or window. A balcony may be covered but cannot be fully enclosed.

#### 4. Gallery

A gallery is a covered passage extending along the outside wall of a building supported by arches or columns that is open on one side. A gallery must have a minimum height of 10 feet above the sidewalk. A gallery is contiguous and must extend over a minimum of 50% of the width of the building facade from which it projects.

#### 5. Awning

A awning is a wall-mounted, cantilevered structure providing shade and cover from the weather over a sidewalk. An awning must have a minimum height of 10 feet above the sidewalk.

# Sec. 4.1.5. Residential Infill Compatibility

#### A. Applicability

The standards outlined in Sec. 4.1.5.B through Sec. 4.1.5.C apply to the RLD-20, RMD-9, RMD-6, and RMD-4 zones where:

- 1. the lot was created:
  - a. by a plat recorded before January 1, 1978; or
  - b. by a plat of resubdivision that created fewer than 6 lots from a lot previously created by a plat recorded before January 1, 1978;
- 2. the lot is less than 25,000 square feet in area; and
- 3. the construction proposed is:
  - a. a new detached house;
  - b. the demolition and reconstruction of more than 50% of the floor area of an existing detached house; or
  - c. the addition of more than 50% of the floor area of the detached house.

#### **B. Established Building Line**

- 1. The established building line applies only to new buildings and does not apply to an alteration or addition to an existing building.
- 2. The 2 or more detached houses considered in determining the established building line must all be:
  - a. within 300 feet of the side property line of the proposed construction site measured along the street frontage;
  - b. along the same side of the street;
  - c. between intersecting streets or to the point where public thoroughfare is denied;
  - d. in existence or approved by a building permit when the building permit application on the subject property is filed;
  - e. legally constructed; and
  - f. not on a through lot if the building on the through lot fronts on a street other than the street fronting the subject property.

- 3. The established building line is the minimum front setback for the zone, unless there are at least 2 buildings as described in Sec. 4.1.5.B.2 and more than 50 percent of the buildings described in Sec. 4.1.5.B.2 are set back greater than the minimum, in which case the average front setback of all the buildings described in Sec. 4.1.5.B.2, excluding those buildings:
  - a. in the RLD-20 zone that are or were ever served by well or septic;
  - b. on the subject property;
  - c. in a different zone than the subject property;
  - d. on a through lot that fronts on a street different than the subject property;
  - e. located on any pipestem, wedge-shaped, or flag-shaped lot; or
  - f. approved by permit for demolition, except if a building permit was also approved with the same setback,

is the established building line, unless the applicant chooses to calculate the front setback as the average front setback of the two adjoining lots or the applicant chooses to use the front setback of the existing detached house that was established before demolition, excluding any approved variance, if the existing building meets the minimum front setback of the zone. All calculations must be based on a survey that is signed and sealed by a licensed engineer or surveyor. Any building excluded from the established building line restriction must comply with the minimum front setback requirement of the zone.

4. Corner lots have two front setbacks and are subject to established building line standards on both streets. At the option of the applicant, a corner lot may use front setbacks of the adjoining buildings on both sides of the corner lot.

### C. Building Coverage

The maximum area that may be covered by any building, including any accessory building and any weatherproofed floor area above a porch, but not including any bay window, chimney, porch, or up to 240 square feet of a detached garage, if the garage is less than 350 square feet of floor area and less than 20 feet in height, must vary with the lot area as follows:

Lot area less than 6,000 SF:	30 percent of lot area
Lot area equal to or greater	30 percent, less .001 percent
than 6,000 SF but less than	for every square foot of lot
16,000 SF:	area exceeding 6,000 SF
Lot area equal to or greater	20 percent of the lot area
than 16,000 SF:	

# Div. 4.2. Agricultural Zone

# Sec. 4.2.1. Methods of Development

The AR zone allows development only under the standard method. A child lot above the density of one dwelling unit per 25 acres is allowed in the AR zone under standard method according to Sec. 4.2.3.

#### A. Standard Method

Standard method development is allowed under the development standards established in Sec. 4.2.4 to Sec. 4.2.6.

# Sec. 4.2.2. Development Standards

#### A. Building Types

Building types are allowed by zone under Sec. 4.1.3. Dimensional standards for allowed building types are under Sec. 4.2.4 to Sec. 4.2.6.

# Sec. 4.2.3. Special Regulations for Child Lots

#### A. Applicability

A child lot above the density of one detached house per 25 acres is allowed in the AR zone only if the property owner has:

- 1. a recorded title to the property before January 7, 1981;
- 2. personally applied for approval to create the lot; and
- 3. retained a development right for each lot.

#### B. Density

- 1. The Planning Board must only approve one child lot for each child of the property owner, regardless of the number of properties owned.
- A maximum of 3 child lots can be established for a qualifying property owner under Sec. 4.2.5.B.1. The Planning Board may approve up to two additional child lots above the maximum number allowed in Sec. 4.2.5.B.1 if the additional child lot:
  - a. is not encumbered by a State or County Agricultural Land Preservation Easement;
  - b. meets the applicable requirements in Sec. 4.2.3.A;

- c. is on the landowner's only real property holdings in the County; and
- d. the tract of land for 4 child lots is at least 170 acres and the tract of land for 5 total child lots is at least 220 acres.
- 3. In determining whether to approve the additional child lots, the Planning Board must consider any recommendation from the Agricultural Preservation Advisory Board (APAB) about whether the additional lot will promote the continuation of the family farm unit or otherwise meet the purposes of the AR zone.

#### C. Lot Area

A lot created for a child must be no larger than the minimum area necessary for approval of well and septic. The Planning Board may approve a lot larger than 3 acres only if an on-site well and septic system is not feasible and the lot cannot be served by a septic easement. The area of the driveway stem on a flag lot is not included in the maximum area limit.

#### **D. Building Permit**

- 1. When a building permit application is initially filed, the child for whom the lot is created must be the listed owner of the lot in the County land records.
- 2. A building permit for a detached house on a child lot must be issued only to:
  - a. a child of the property owner;
  - b. the spouse of a child of the property owner;
  - c. a contractor for a child of the property owner; or
  - d. a contractor for the spouse of a child of the property owner.

#### E. Ownership Transfer

Ownership of a child lot cannot be transferred or leased within 5 years of the date of the Department of Permitting Services' final inspection of the dwelling unit, with the exception that:

- 1. The owner of the child lot may only lease the lot to an immediate family member.
- 2. Ownership of a child lot may be transferred if the Planning Board finds a

hardship after the date of final inspection, such as a death of the child or a bona fide foreclosure of the mortgage or deed of trust.

#### F. Penalty for Violations

Any violation of Sec. 4.2.3 is subject to the penalty and enforcement provisions in Sec. XYZ [Editor's note: Section reference to be added]. Every day a transfer restriction is violated is a new violation.

#### G. Deed Restrictions and Certificates of Compliance

- 1. Any deed or other instrument conveying title from the owner of the property to a child must be signed by both the grantor and the grantee.
- 2. In any deed or other instrument conveying title from the owner of the property to a child, the grantor must clearly and conspicuously state, and the grantee must clearly and conspicuously acknowledge, that the conveyed property is a child lot subject to the requirements of Sec. 4.2.3.E.
- 3. If the Planning Director determines that a child lot may be transferred under Sec. 4.2.3.E.2, the Planning Director must issue a certificate of compliance to the owner of the child lot in a form appropriate for recordation in the land records. The certificate is conclusive evidence of the owner's compliance with Sec. 4.2.3.E.

#### H. Existing Child Lots and Preliminary Plan Applications

- A child lot is permitted on a tract of land of any size where the child lot has an existing dwelling unit and is either identified on a plat recorded before October 1, 2010 or held pursuant to a deed that indicates conveyance from parent to child and was recorded before October 1, 2010, subject to the following provisions:
  - a. one lot for every 25 acres plus one additional lot for each child lot;
  - b. a child lot of any size; and
  - c. no limitations on ownership.
- 2. A child lot is permitted on a tract of land of any size with a preliminary plan approved before October 1, 2010, subject to the ownership and transfer

provisions of Sec. 4.2.3 and may be identified on a plat recorded among the land records of the County using the following provisions:

- a. one lot for every 25 acres plus one additional lot for each child lot; and
- b. a child lot of any size.
- 3. A child lot is permitted on a tract of land of any size with a preliminary plan application filed, but not approved, before October 1, 2010 and must satisfy all of the provisions of Sec. 4.2.3, except it may be approved with a density of one lot for every 25 acres plus one additional lot for each child lot.
- 4. A child lot previously recorded by plat is exempt from the limit on number of child lots and the lot area, and size limits of Sec. 4.2.3, provided that the density does not exceed one lot for every 25 acres plus one additional lot for each child lot.

# Sec. 4.2.4. Special Regulations for Scenic Setbacks

#### A. AR and RC Zones

In the AR and RC zone, the front setback and side street setback must consist of any scenic setback indicated on an approved and adopted master plan or 50 feet, whichever is greater.

#### B. RNC Zone

In the RNC zone, the side street setback must consist of any scenic setback indicated on an approved and adopted master plan or 50 feet, whichever is greater.

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# Sec. 4.2.5. Detached House, Standard Method Development Standards

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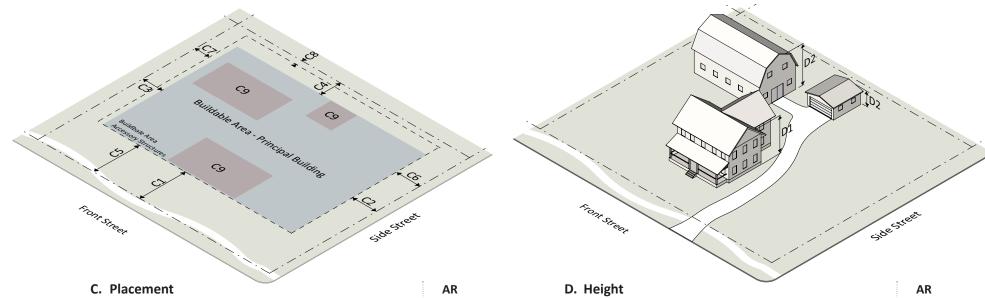
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A. Lot	AR
Basic Lot Alternative	
A1 Lot area (min)	40,000 SF
A2 Lot width at front building line (min)	125'
A3 Lot width at front property line (min)	25'
A4 Density (units/acre)	1/25
Flexible Lot Alternative	
A1 Lot area (max)	3 acres
A2 Lot width at front building line (min)	125'
A3 Lot width at front property line (min)	25'
A4 Remainder of site placed in conservation or agricultural easement such that only 1 dwelling unit exists per 25 acres	yes

B. Child Lots	AR
B1 Density (max)	
Child lots allowed up to 25 acres	1
Child lots allowed 70 to 120 acres	2
Child lots allowed on more than 120 acres	3
B2 Lot size, excluding driveway stem on a flag lot (max)	3 acres

side street

The Planning Board may approve a lot larger than 3 acres only if an on-site well and septic system is not feasible and the lot cannot be served by a septic easement, see Sec. 4.2.3, Special Regulations for Child Lots



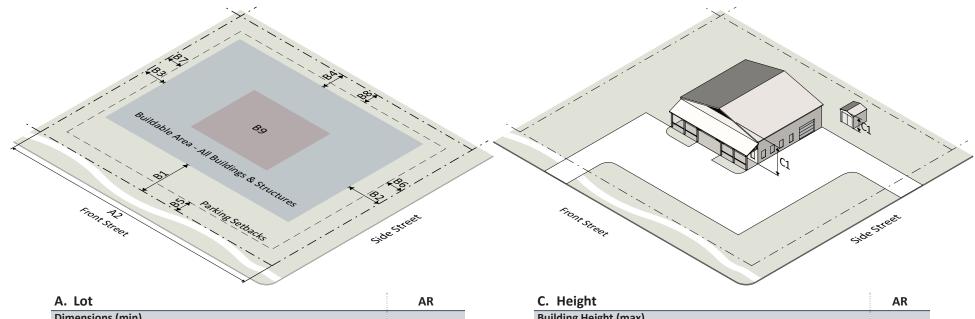
C. Placement	AR
Principal Building Setbacks (min)	
C1 Front setback	50'
C2 Side street setback	50'
C3 Side interior setback	20'
C4 Rear setback	35'
Accessory Structure Setbacks (min)	
C5 Front setback	50'
C6 Side street setback	50'
C7 Side interior setback	15'
C8 Rear setback	15'
Coverage (max)	
C9 Basic lot: roofed buildings & structures	10%
C9 Flexible lot: roofed buildings & structures	20%

On a lot or parcel where agricultural products are grown predominantly in greenhouses, a maximum lot coverage of 40% is permitted if: (1) any increase above 10% consists entirely of greenhouses; and (2) the plan receives Site Plan approval under Sec. 8.3.4.

D. Height	AR
Building Height (max)	
D1 Principal building	50'
D2 Accessory structures	50'

Height restrictions do not apply to agricultural buildings. See Sec.4.1.4.D.4.f

# Sec. 4.2.6. General Building



Dimensions (min)	
A1 Lot area	3 acres
A2 Lot width at front property line	200'

#### **B.** Placement

Building & Structure Setbacks (min)	
B1 Front setback	50'
B2 Side street setback	50'
B3 Side interior setback	25'
B4 Rear setback	25'
Parking Setbacks (min)	
B5 Front setback	25'
B6 Side street setback	25'
B7 Side interior setback	25'
B8 Rear setback	25'
Coverage (max)	
B9 Roofed buildings & structures	10%

On a lot or parcel where agricultural products are grown predominantly in greenhouses, a maximum lot coverage of 40% is permitted if: (1) any increase above 10% consists entirely of greenhouses; and (2) the plan receives Site Plan approval under Sec. 8.3.4.

$\smile$	
C. Height	AR
Building Height (max)	
C1 All buildings & structures	50'

Height restrictions do not apply to agricultural buildings. See Sec.4.1.4.D.4.f

# Div. 4.3. Rural Zones

# Sec. 4.3.1. Methods of Development

The RR zone allows development only under the standard method. The RC and RNC zones allow development under the standard method and may allow development under the optional method, subject to the approval of a Site Plan (Sec. 8.3.4).

#### A. Standard Method

Standard method development is allowed under the development standards established in Sec. 4.3.3 to Sec. 4.3.5.

#### **B.** Optional Method

Optional method development is allowed under Div. 6.1 and Div. 6.2.

# Sec. 4.3.2. Development Standards

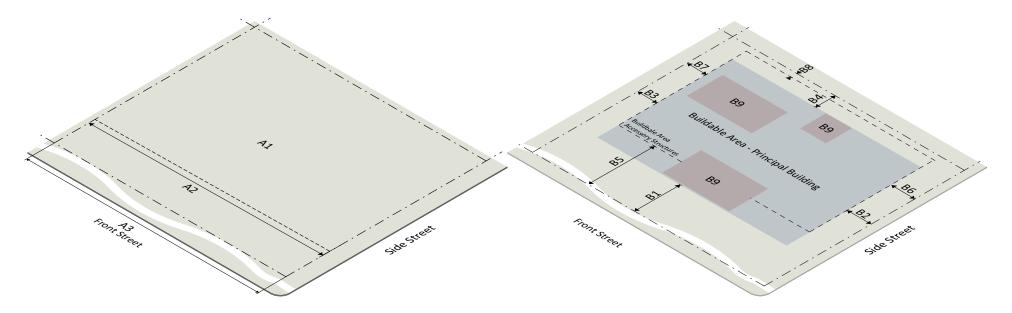
#### A. Building Types

Building types are allowed by zone under Sec. 4.1.3. Dimensional standards for allowed building types are in Sec. 4.3.3 to Sec. 4.3.5.

#### **B. Setbacks**

In Sec. 4.3.3. to Sec. 4.3.5, where a setback is represented as one of two numbers separated by "or" (such as 4' or 20'), this represents a build to line (first number mentioned), or a minimum (second number mentioned).

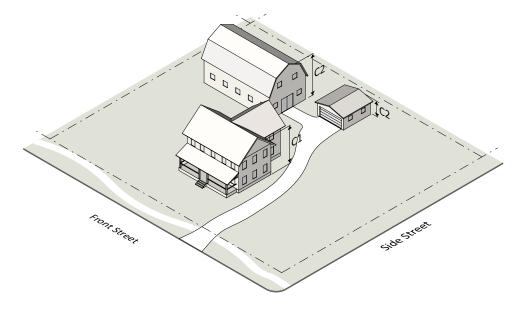




A. Lot	RR	RC	RNC
Dimensions (min)			
A1 Lot area (min)	5 acres	5 acres	25,000 SF
A2 Lot width at front building line (min)	300'	300'	100'
A3 Lot width at front property line (min)	25'	300'	25'
A4 Density (units/acre)	1/5	1/5	1/5
A5 Percent of property reserved for rural open space	n/a	n/a	60%

B. Placement	RR	RC	RNC
Principal Building Setbacks (min)			
B1 Front setback	50'	50'	40'
B2 Side street setback	50'	50'	50'
B3 Side interior setback	20'	20'	15'
B4 Rear setback	35'	35'	35'
Accessory Structure Setbacks (min)			
B5 Front setback	80'	80'	80'
B6 Side street setback	50'	50'	50'
B7 Side interior setback	15'	15'	15'
B8 Rear setback	15'	15'	15'
Coverage (max)			
B9 Roofed buildings & structures	10%	10%	10%

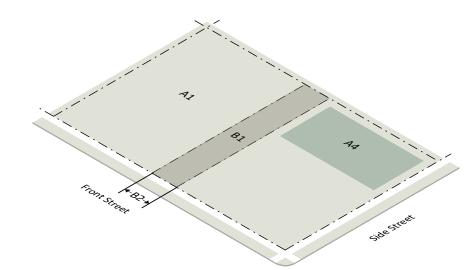
On a lot or parcel where agricultural products are grown predominantly in greenhouses, a maximum lot coverage of 40% is permitted if: (1) any increase above 10% consists entirely of greenhouses; and (2) the plan receives Site Plan approval under Sec. 8.3.4.



C. Height	RR	RC	RNC
Building Height (max)			
C1 Principal building	50'	50'	35'
C2 Accessory structures	50'	50'	35'

Height restrictions do not apply to agricultural buildings. See Sec.4.1.4.D.4.f

# Sec. 4.3.4. Townhouse, Standard Method Development Standards

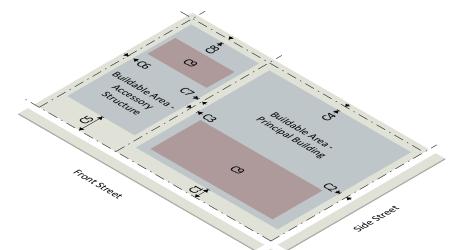


A. Site	RNC
Dimensions (min)	
A1 Site area	20,000 SF
A2 Site area per unit	4,800 SF
Density (max)	
A3 Density (units/acre)	9/1
Coverage (min)	
A4 Common outdoor area (% of site)	50%

See Sec. 7.3.5 for common outdoor area requirements.

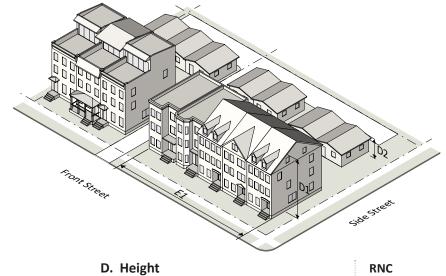
#### B. Lot

Dimensions (min)	
B1 Lot area	1,400 SF
B2 Lot width at front	14'
property line	14



C. Placement	RNC
Principal Building Setbacks (min)	
C1 Front setback, public street	25'
C1 Front setback, private street	4' or 20'
C2 Side street setback	15'
C3 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	Abutting zone
C3 Side interior setback, abutting all other zones	10'
C3 End unit setback, interior to the site	5'
C4 Rear setback	20'
C4 Rear setback, alley	4' or 20'
Accessory Structure Setbacks (min)	
C5 Front setback, behind front building line	10'
C6 Side street setback	15'
C7 Side interior/rear setback, abutting Agricultural, Rural, Residential De- tached, Residential Townhouse zone	5'
C7 Side interior/rear setback, abutting all other zones	0'
C8 Rear setback, alley	4' or 20'
Coverage (min)	
C9 Roofed building & structures	35%

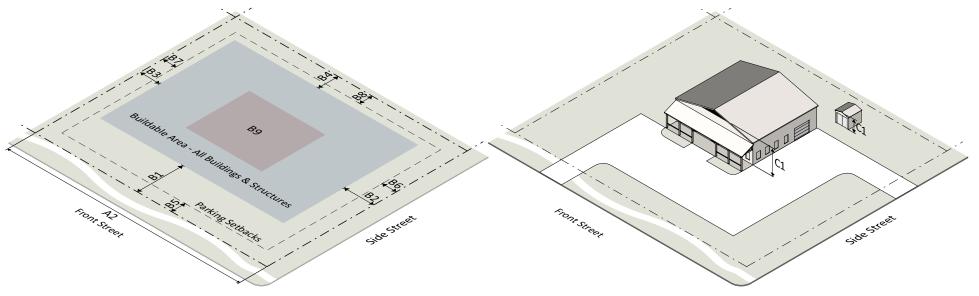
On a lot or parcel where agricultural products are grown predominantly in greenhouses, a maximum lot coverage of 40% is permitted if: (1) any increase above 10% consists entirely of greenhous-



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Building Height (max)	
D1 Principal building	35'
D2 Accessory structure	25'

#### E. Form

Massing	
E1 Number of units permitted in any one row (max)	8



# Sec. 4.3.5. General Building, Standard Method Development Standards

A. Lot	RR, RC, RNC
Dimensions (min)	
A1 Lot area	5 acres
A2 Lot width at front property line	200'

#### **B.** Placement

Di l'idecilient	
Building & Structure Setbacks (min)	
B1 Front setback	50'
B2 Side street setback	50'
B3 Side interior setback	25'
B4 Rear setback	25'
Parking Setbacks (min)	
B5 Front setback	25'
B6 Side street setback	25'
B7 Side interior setback	25'
B8 Rear setback	25'
Coverage (max)	
B9 Roofed buildings & structures	10%
On a lat or parcel where agricultural products or	a supervise second a second second by the

On a lot or parcel where agricultural products are grown predominantly in greenhouses, a maximum lot coverage of 40% is permitted if: (1) any increase above 10% consists entirely of greenhouses; and (2) the plan receives Site Plan approval under Sec. 8.3.4.

C. Height	RR, RC	RNC
Building Height (max)		
C1 All buildings & structures	50'	35'

Height restrictions do not apply to agricultural buildings. See Sec.4.1.4.D.4.f

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# **Div. 4.4. Residential Zones**

# Sec. 4.4.1. Methods of Development

The RE-2 zone allows development only under the standard method. The RE-2C, RE-1, RLD-20, RMD-9, RMD-6, RMD-4, TLD, TMD, THD, RHD-3, RHD-2, and RHD-1 zones allow development under the standard method and may allow development under the optional method, subject to the approval of a Site Plan (Sec. 8.3.4).

#### A. Standard Method

Standard method development is allowed under the development standards established in Sec. 4.4.3 to Sec. 4.4.9. Standard method development of a detached house in the RLD-20, RMD-9, RMD-6, and RMD-4 may also have to satisfy Sec. 4.1.5.

#### **B. Optional Method**

Optional method development is allowed under Div. 6.1 and Div. 6.2.

# Sec. 4.4.2. Development Standards

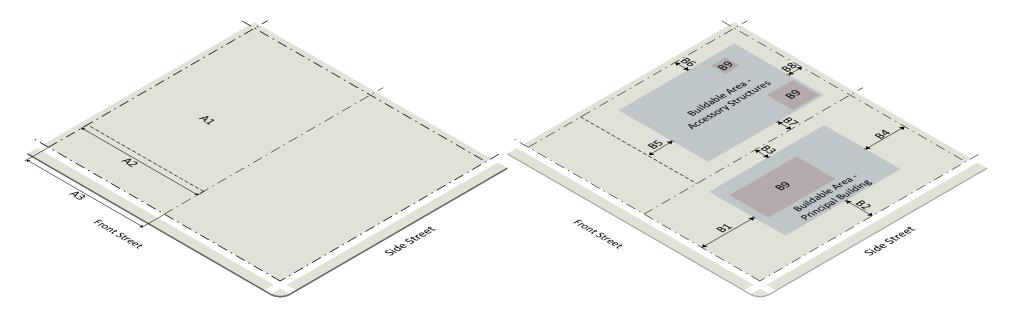
#### A. Building Types

Building types are allowed by zone under Sec. 4.1.3. Dimensional standards for allowed building types are in Sec. 4.4.3 to Sec. 4.4.9.

#### **B. Setbacks**

In Sec. 4.4.3. to Sec. 4.4.9, where a setback is represented as one of two numbers separated by "or" (such as 4' or 20'), this represents a build to line (first number mentioned), or a minimum (second number mentioned).

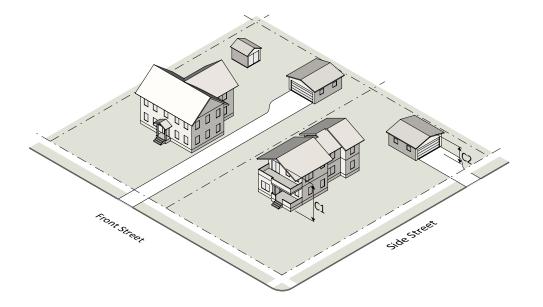




A. Lot	RE-2	RE-2C	RE-1	RLD-20	RMD-9	RMD-6	RMD-4
Dimensions (min)							
A1 Lot area	2 acres	2 acres	40,000 SF	20,000 SF	9,000 SF	6,000 SF	6,000 SF
A2 Lot width at front building line	150'	150'	125'	100'	75'	60'	60'
A3 Lot width at front property line	25'	25'	25'	25'	25'	25'	25'

B. Placement	RE-2	RE-2C	RE-1	RLD-20	RMD-9	RMD-6	RMD-4
Principal Building Setbacks (min)							
B1 Front setback	50'	50'	50'	40'	30'	25'	25'
B2 Side street setback	20'	20'	20'	15'	15'	15'	15'
B3 Side interior setback	17'	17'	17'	12'	8'	8'	8'
B4 Rear setback	35'	35'	35'	30'	25'	20'	20'
Accessory Structure Setbacks (m	in)						
B5 Front setback, behind front building line	20'	20'	20'	10'	10'	10'	10'
B6 Side street setback	20'	20'	20'	15'	15'	15'	15'
B7 Side interior setback	15'	15'	15'	12'	5'	5'	5'
B8 Rear setback	10'	10'	10'	7'	5'	5'	5'
B8 Rear setback, alley	4' or 20'						
Coverage (max)							
B9 Roofed buildings & structures	15%	15%	15%	25%	30%	35%	35%

Development in the RLD-20, RMD-9, RMD-6, and RMD-4 may also have to satisfy Sec. 4.1.5., Residential Infill Compatibility



C. Height	RE-2	RE-2C	RE-1	RLD-20	RMD-9	RMD-6	RMD-4
Building Height (max)							
C1 Principal building when measured to the highest point of a flat roof	50'	50'	50'	40'	35'	35'	35'
C1 Principal building when measured to mean height level between the eaves and ridge of a gable, hip, mansard, or gambrel roof	50'	50'	50'	35'	30'	30'	30'
C2 Accessory structure	50'	50'	50'	35'	25'	25'	25'

In the RMD-9, RMD-6, and RMD-4 zones, height can be increased to 40 feet if approved by the Planing Board in a Site Plan (see Sec. 8.3.4)



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side street

A. Site	TLD	TMD	THD	RHD-3	RHD-2	RHD-1		
Dimensions (min)								
A1 Site area	6,000 SF	12,000 SF	16,000 SF	12,000 SF	16,000 SF	20,000 SF		
A2 Site area per unit	6,000 SF	4,300 SF	3,300 SF	3,600 SF	2,700 SF	2,100 SF		
Density (max)								
A3 Density (units/acre)	7/1	10/1	13/1	12/1	16/1	20/1		
Coverage (min)								
A4 Common outdoor area (% of site)	0%	10%	15%	15%	20%	25%		
See 7.2 For common outdoor area requirements								

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See Sec. 7.3.5 for common outdoor area requirements.

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### B. Lot

Dimensions (min)						
B1 Lot area	6,000 SF	4,000 SF	3,000 SF	3,000 SF	2,000 SF	1,000 SF
B2 Lot width at front building line	50'	40'	25'	25'	25'	25'
B3 Lot width at front property line	25'	25'	25'	25'	25'	25'

C. Placement	TLD	TMD	THD	RHD-3	RHD-2	RHD-1	
Principal Building Setbacks (min)							
C1 Front setback, public street	25'	25'	20'	20'	Greater of	Greater	
C1 Front setback, private street	25'	4' or 20'	4' or 20'	4' or 20'	abutting	of abut- ting zone	
C2 Side street setback	15'	15'	15'	15'	zone or 4'	or 4'	
C3 Side interior setback, abutting Agri- cultural, Rural, Residential Detached, Residential Townhouse zone	Abutting zone	Abutting zone	Abutting zone	Abutting zone	Abutting zone	Abutting zone	
C3 Side interior, abutting all other zones	0' or 5'	0' or 5'	0' or 5'	0' or 5'	Greater of	Greater	
C4 Rear setback	20'	20'	15'	15'	abutting	of abut- ting zone or 4'	
C4 Rear setback, alley	4' or 20'	4' or 20'	4' or 20'	4' or 20'	zone or 4'		
Accessory Structure Setbacks (min)							
C5 Front setback, behind front building line	10'	10'	5'	5'			
C6 Side street setback	15'	15	15'	15'			
C7 Side interior/rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	5'	5'	5'	5'	Greater of abutting	Greater of abut- ting zone	
C7 Side interior/rear setback, abutting all other zones	0' or 5'	0' or 5'	0' or 5'	0' or 5'	zone or 4'	or 4'	
C8 Rear setback, alley	4' or 20'	4' or 20'	4' or 20'	4' or 20'			
Coverage (max)							
C9 Roofed buildings & structures	35%	40%	50%	50%	75%	90%	
				Chapter 5	9: Zoning C	ode	

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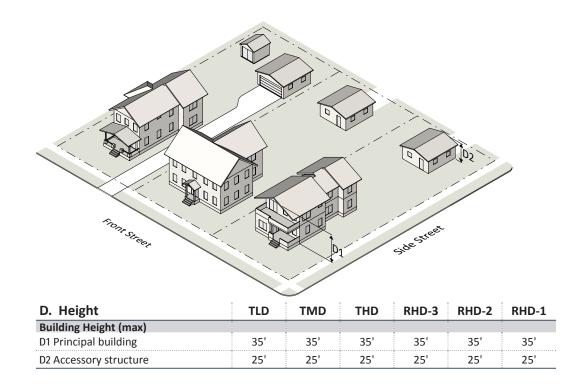
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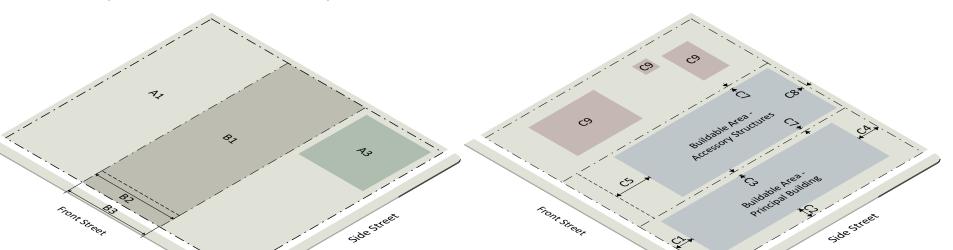
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Buildable Area Principa Building

side street

Chapter 59: Zoning Code Montgomery County, Maryland





Sec. 4.4.5. Duplex, Standard Method Development Standards (1 of 2)

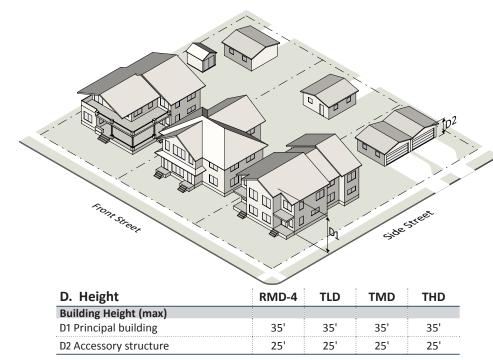
A. Site	RMD-4	TLD	TMD	THD
Dimensions (min)				
A1 Site area	8,000 SF	8,000 SF	8,000 SF	8,000 SF
Density (max)				
A2 Density (units/acre)	10/1	8/1	11/1	14/1
Coverage (min)				
A3 Common outdoor area (% of site)	0%	0%	0%	25%

See Sec. 7.3.5 for common outdoor area requirements.

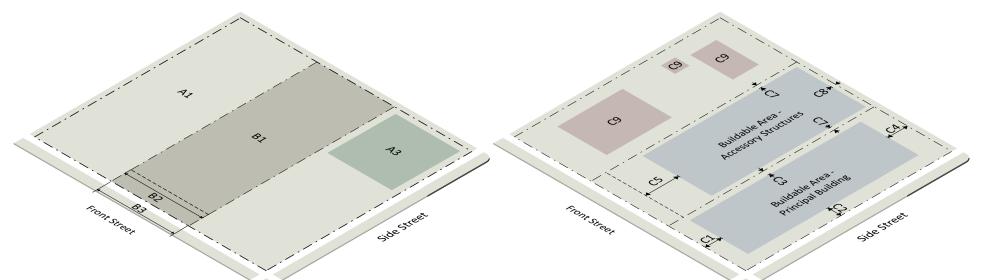
#### B. Lot

Dimensions (min)				
B1 Lot area	4,000 SF	4,000 SF	3,000 SF	2,000 SF
B2 Lot width at front building line	40'	40'	40'	30'
B3 Lot width at front property line	n/a	25'	25'	25'

C. Placement	RMD-4	TLD	TMD	THD
Principal Building Setbacks (min)				
C1 Front setback, public street	25'	25'	25'	20'
C1 Front setback, private street	25'	25'	4' or 20'	4' or 20'
C2 Side street setback	15'	15'	15'	15'
C3 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	Abutting zone	Abutting zone	Abutting zone	Abutting zone
C3 Side interior, abutting all other zones	0' or 5'	0' or 5'	0' or 5'	0' or 5'
C4 Rear setback	20'	20'	20'	15'
C4 Rear setback, alley	4' or 20'	4' or 20'	4' or 20'	4' or 20'
Accessory Structure Setbacks (min)				
C5 Front setback, behind front building line	10'	10'	10'	5'
C6 Side street setback	15'	15'	15	15'
C7 Side interior/rear setback, abutting Agricultural, Rural, Residential Detached, Residential Town- house zone	5'	5'	5'	5'
C7 Side interior/rear setback, abutting all other zones	0' or 5'	0' or 5'	0' or 5'	0' or 5'
C8 Rear setback, alley	4' or 20'	4' or 20'	4' or 20'	4' or 20'
Coverage (max)				
C9 Roofed buildings & structures	40%	35%	40%	50%



In the RMD-4 zone height can be increased to 40 feet if approved by the Planing Board in a Site Plan (see Sec. 8.3.4)



Sec. 4.4.6. Duplex, Standard Method Development Standards (2 of 2)

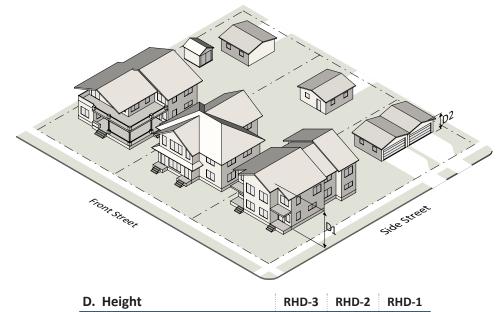
A. Site	RHD-3	RHD-2	RHD-1					
Dimensions (min)								
A1 Site area	8,000 SF	8,000 SF	8,000 SF					
Density (max)								
A2 Density (units/acre)	14/1	20/1	30/1					
Coverage (min)								
A3 Common outdoor area (% of site)	25%	25%	25%					
See 7.2 For common outdoor area requirements								

See Sec. 7.3.5 for common outdoor area requirements.

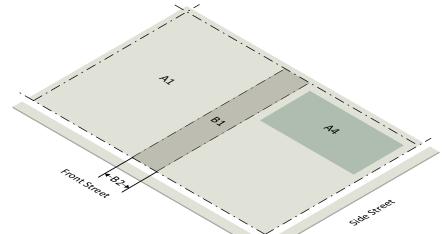
#### B. Lot

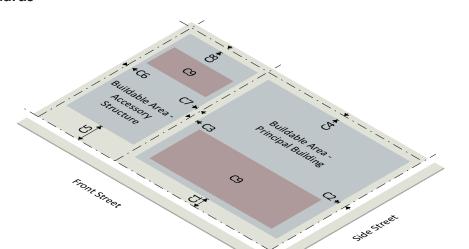
Dimensions (min)			
B1 Lot area	2,000 SF	1,600 SF	800 SF
B2 Lot width at front building line	30'	30'	20'
B3 Lot width at front property line	25'	25'	25'

C. Placement	RHD-3	RHD-2	RHD-1
Principal Building Setbacks (min)			
C1 Front setback, public street	20'	Greater of	Greater of
C1 Front setback, private street	4' or 20'	abutting	abutting
C2 Side street setback	15'	zone or 4'	zone or 4'
C3 Side interior setback, abutting Agricultural, Rural,	Abutting	Abutting	Abutting
Residential Detached, Residential Townhouse zone	zone	zone	zone
C3 Side interior, abutting all other zones	0' or 5'	Greater of	Greater of
C4 Rear setback	15'	abutting	abutting
C4 Rear setback, alley	4' or 20'	zone or 4'	zone or 4'
Accessory Structure Setbacks (min)			
C5 Front setback, behind front building line	5'		
C6 Side street setback	15'	C	C
C7 Side interior/rear setback, abutting Agricultural, Ru- ral, Residential Detached, Residential Townhouse zone	5'	Greater of abutting zone or 4'	Greater of abutting zone or 4'
C7 Side interior/rear setback, abutting all other zones	0' or 5'	20110-01-4	20110-01-4
C8 Rear setback, alley	4' or 20'		
Coverage (max)			
C9 Roofed buildings & structures	50%	75%	90%



Building Height (max)			
D1 Principal building	35'	35'	35'
D2 Accessory structure	25'	25'	25'





0' or 5'

4' or

20'

35%

0' or 5'

4' or

20'

35%

0' or 5'

4' or

20'

A. Site	TLD	TMD	THD	RHD-3	RHD-2	RHD-1	C. Placement	TLD	TMD	THD	RHD-3	RHD-2	RHD-1			
Dimensions (min)							Principal Building Setbacks (min)									
A1 Site area	20,000 SF	20,000 SF	40,000 SF	40,000 SF	40,000 SF	40,000 SF	C1 Front setback, public street	25'	25'	20'	20'	20'	20'			
A2 Site area per unit	4,800 SF	3,600 SF	2,900 SF	2,700 SF	1,800 SF	1,000 SF	C1 Front setback, private street	4' or 20'	4' or 20'	4' or 20'	4' or 20'	4' or 20'	4' or 20'			
Density (max)							C2 Side street setback	15'	15'	15'	15'	15'	15'			
A3 Density (units/acre)	9/1	12/1	15/1	16/1	24/1	40/1	C3 Side interior setback, abutting Agricultural, Ru-	A	A	A	A  +1 <sup>2</sup>	A	A I			
Coverage (min)							ral, Residential Detached, Residential Townhouse	Abutting zone	-	-	Abutting	-	-			
A4 Common outdoor	50%	45%	40%	35%	35%	35%	35%	35%	35%	zsy zone		zone	zone	zone	zone	zone
area (% of site)				3370	3370		C3 Side interior setback, abutting all other zones	10'	10'	8'	8'	8'	8'			
See Sec. 7.3.5 for commor	n outdoor are	a requireme	nts.				C? End unit setback, interior to the site	5'	5'	5'	5'	5'	5'			
B. Lot							C4 Rear setback	20'	20'	20'	10'	10'	10'			
Dimensions (min)								4' or	4' or	4' or	4' or	4' or	4' or			
B1 Lot area	1,400 SF	1,200 SF	1,000 SF	1,200 SF	1,000 SF	800 SF	C4 Rear setback, alley	20'	20'	20'	20'	20'	20'			
B2 Lot width at front	14'	14'	14'	14'	14'	14'	Accessory Structure Setbacks (min)									
property line							C5 Front setback, behind front building line	10'	10'	5'	5'	5'	5'			
							C6 Side street setback	15'	15	15'	15'	15'	15'			
							C7 Side interior/rear setback abutting Agricultural,									
							Rural, Residential Detached, Residential Town-	5'	5'	5'	5'	5'	5'			

house zone

C8 Rear setback, alley

C9 Roofed building & structures

Coverage (min)

zones

C7 Side interior/rear setback, abutting all other

Dimensions (min)						
B1 Lot area	1,400 SF	1,200 SF	1,000 SF	1,200 SF	1,000 SF	800 SF
B2 Lot width at front property line	14'	14'	14'	14'	14'	14'

50%	50%	50%				
Chap	ter 59: Zo	ning Code				

0' or 5'

4' or

20'

0' or 5'

4' or

20'

0' or 5'

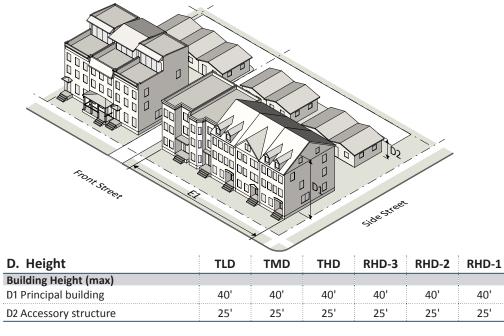
4' or

20'

50%

Sec. 4.4.7. Townhouse, Standard Method Development Standards

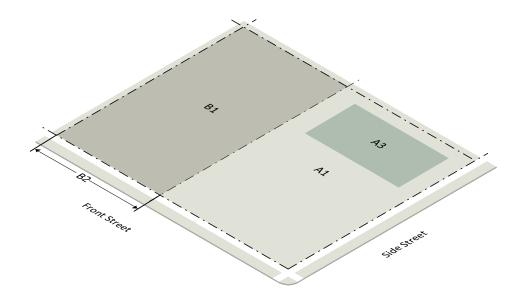
Montgomery County, Maryland



# E. Form

Massing						
E1 Number of units permitted in any	10	10	10	10	10	10
one row (max)	10	10	10	10	10	10



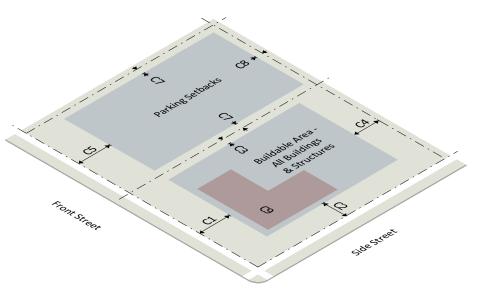


RHD-3	RHD-2	RHD-1
3,000 SF	2,000 SF	1,000 SF
14.5/1	21.7/1	43.5/1
65%	60%	50%
	3,000 SF 14.5/1	3,000 SF 2,000 SF 14.5/1 21.7/1

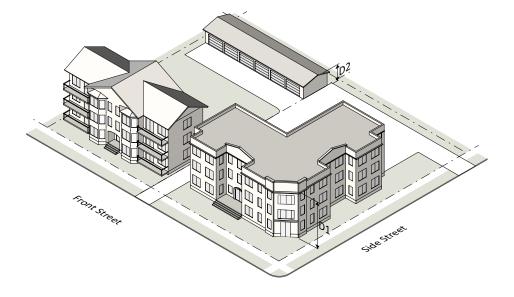
See Sec. 7.3.5 for common outdoor area requirements.

B. Lot

Dimensions			
B1 Lot area (min)	12,000 SF	16,000 SF	20, 000 SF
B2 Lot width at front property line	75'	85'	100'

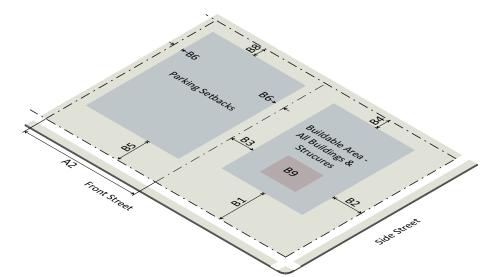


C. Placement	RHD-3	RHD-2	RHD-1
Building & Structure Setbacks (min)			
C1 Front setback	30'	30'	30'
C2 Side street setback	30'	30'	30'
C3 Side interior setback	10'	10'	10'
C4 Rear setback	30'	30'	30'
C4 Rear setback, alley	4'	4'	4'
Additional setback required for buildings greater than 30' in height. For each foot of height over 30', setbacks must be increased by:	n/a	3'	0.5'
Parking Setbacks (min)			
C5 Front setback	30'	30'	30'
C6 Side street setback	10'	10'	10'
C7 Side interior setback	10'	10'	10'
C8 Rear setback	10'	10'	10'
C8 Rear setback, alley	0'	0'	0'
Coverage (max)			
C9 Roofed buildings & structures	18%	18%	12%



D. Height	RHD-3	RHD-2	RHD-1
Building Height (max)			
D1 Principal building	35'	80'	100'
D2 Accessory structure	25'	25'	25'

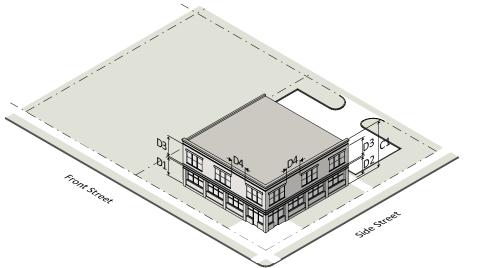




	RE-2 TLD, RMD-9 RHD-3			RHD-3, -2, -1	
A. Lot	RE-2C	RE-1	RLD-20	RMD-6, -4	TMD, THD
Dimensions (min)					
A1 Lot area	2 acres	40,000 SF	20,000 SF	15,000 SF	10,000 SF
A2 Lot width at front property line	150'	125'	100'	75'	75'

# B. Setbacks

All Buildings & Structures (min)					
B1 Front setback	50'	50'	40'	30'	20'
B2 Side street setback	20'	20'	15'	15'	10'
B3 Side interior setback	17'	17'	12'	8'	8'
B4 Rear setback	35'	35'	30'	30'	30'
B4 Rear setback, alley	4'	4'	4'	4'	4'
Parking Setbacks (min)					
B5 Front setback	10'	10'	10'	10'	10'
B6 Side street setback	10'	10'	10'	10'	10'
B7 Side interior setback	10'	10'	10'	10'	10'
B8 Rear setback	10'	10'	10'	10'	10'
B8 Rear setback, alley	0'	0'	0'	0'	0'
Coverage (max)					
B9 Roofed buildings & structures	30%	30%	40%	50%	60%



	RE-2, -2C TLD, RMD-9 RHD-3, -2,			RHD-3, -2, -1
C. Height	RE-1	RLD-20	RMD-6, -4	TMD, THD
Building Height (max)				
C1 All buildings & structures	50'	40'	40'	40'

# D. Form

Transparency				
D1 Ground story, primary street (min)	40%	40%	40%	40%
D2 Ground story, side street (min)	25%	25%	25%	25%
D3 Upper story primary, side street (min)	20%	20%	20%	20%
D4 Blank wall primary, side street (max)	35'	35'	35'	35'

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# **Div. 4.5. Commercial/Residential Zones**

# Sec. 4.5.1. Density and Height Allocation

# A. Density and Height Limits

 Density is calculated as an allowed floor area ratio (FAR). Each unique sequence of maximum total FAR, maximum nonresidential FAR (C), maximum residential FAR (R), and height (H) is established as a zone subject to the following limits:

Zone	Total FAR (max)	C FAR (max)	R FAR (max)	Height (max)
CRN	0.25 to 1.5	0.00 to 1.5	0.00 to 1.5	25' to 65'
CRT	0.5 to 4.0	0.25 to 3.5	0.25 to 3.5	35' to 150'
CR	0.5 to 8.0	0.25 to 7.5	0.25 to 7.5	35' to 300'

2. Zones are only established at densities in increments of 0.25 FAR and heights in increments of 5 feet up to the maximums indicated in Sec. 4.5.1.A.1.

# **B. FAR Averaging**

Permitted FAR may be averaged over 2 or more directly abutting or confronting properties in one or more Commercial/Residential zones, if:

- the properties are subject to the same Site Plan or Sketch Plan; however, if a Sketch Plan is required, density averaging must be shown on the Sketch Plan;
- 2. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved Sketch Plan;
- 3. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;
- 4. a building cannot exceed the maximum height set by the zone;
- 5. uses are subject to the provisions of the zone category;
- the total allowed maximum density on a resulting property that is adjacent to or confronting a property in an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zone that is vacant or improved with an agricultural or residential use, does not exceed that allowed by the property's zone; and

7. public benefits must be provided under the phasing element of an approved Sketch Plan.

# Sec. 4.5.2. Methods of Development

The CRN zone allows development only under the standard method. The CRT and CR zones allow development under the standard method and may allow development under the optional method, subject to approval of a Sketch Plan (see Sec.

#### <mark>8.3.3</mark>).

# A. Standard Method

Standard method development is allowed under the following limitations and requirements.

- 1. In the CRN zone, the maximum total, nonresidential, and residential FARs and maximum height for any property is set by the zone shown on the zon-ing map.
- 2. In the CRT and CR zones, the maximum standard method height for any property is the height set by the zone shown on the zoning map; the maximum total standard method FAR for any property is the density set by the zone shown on the zoning map or the limit indicated in the following table, whichever is less:

Zone	Total Density (max)
CRT	The greater of 1.0 FAR or 10,000 SF of gross floor area
CR	The greater of 0.5 FAR or 10,000 SF of gross floor area

# **B.** Optional Method

Optional method development is allowed under Div. 6.4.

# Sec. 4.5.3. Development Standards

Development in all Commercial/Residential zones must comply with the requirements of Sec. 4.5.3.A to Sec. 4.5.3.D.

# A. Master Plan and Design Guidelines

- 1. Development that requires a Site Plan must be consistent with the applicable Master or Sector Plan.
- 2. Development that requires a Site Plan must address any design guidelines approved by the Planning Board that implement the applicable Master or Sector Plan.

#### **B. Building Types**

Building types are allowed by zone under Sec. 4.1.3. Dimensional standards for allowed building types are under Sec. 4.5.4. to Sec. 4.5.9.

# C. Setbacks

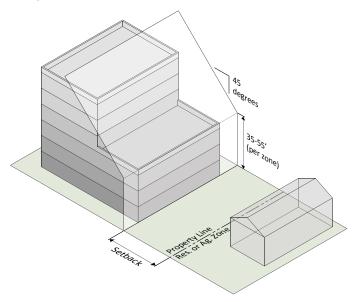
In Sec. 4.5.4. to Sec. 4.5.9, where a setback is represented as one of two numbers separated by "or" (such as 4' or 20'), this represents a build to line (first number mentioned), or a minimum (second number mentioned).

# D. Neighborhood Compatibility

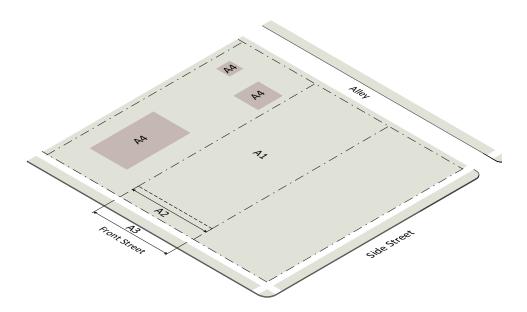
Where an apartment/condo, mixed use, or general building type are on a property that:

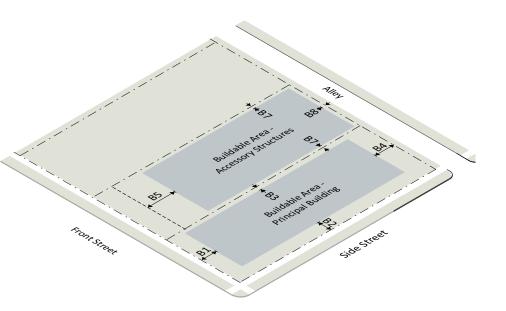
- abuts an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zoned property that is vacant or improved with an agricultural or residential use under Sec. 3.1.7; or
- 2. confronts an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zoned property that is vacant or improved with an agricultural or residential use under Sec. 3.1.7 across a right-of-way recommended for less than 70 feet; and
- 3. proposes a building height over the height allowed in the applicable abutting or confronting zone, any building must:
  - a. have a minimum setback of 25 feet or the setback required by the abutting or confronting property, whichever is greater; and
  - must not project beyond a 45 degree angular plane projecting over the subject property measured from a height of 55 feet in the CR zones, 45 feet in the CRT zones, or 35 feet in the CRN zones at the setback line

determined above, with the exception of those features exempt from height and setback restrictions under Sec. 4.1.4.



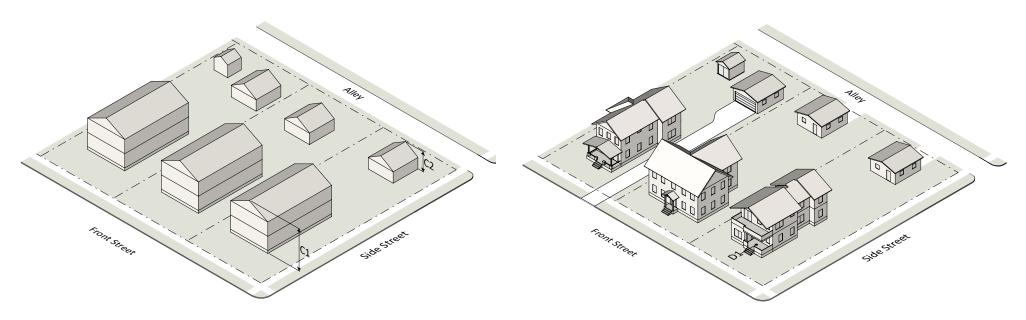






A. Lot	CRN, CRT, CR
Dimensions (min)	
A1 Lot area	1,000 SF
A2 Lot width at front setback line	25'
A3 Lot width at front property line	25'
Coverage (max)	
A4 Roofed buildings & structures	90%

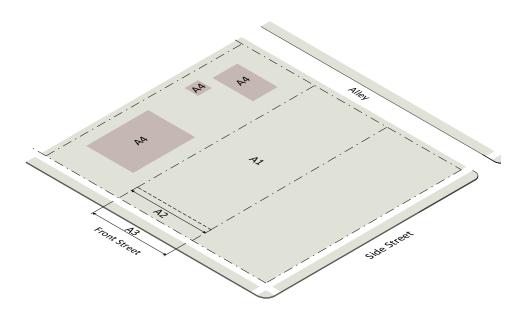
B. Setbacks	CRN, CRT, CR
Principal Building Setbacks (min)	
B1 Front setback	5'
B2 Side street setback	5'
B3 Side interior setback	5'
B4 Rear setback	15'
B4 Rear setback, alley	4' or 20'
Accessory Structure Setbacks (min)	
B5 Front setback, behind front building line	5'
B6 Side street setback	5'
B7 Side interior setback	5'
B8 Rear setback	5'
B8 Rear setback, alley	4' or 20'



C. Height	CRN, CRT, CR
Building Height (max)	
C1 Principal building	40'
C2 Accessory structure	25'

D. Form	CRN, CRT, CR
Building Orientation	
D1 Street or common open space facing entrance	Required
D2 Allowed Building Elements	
Gallery, awning	no
Porch, stoop	yes
Balcony	yes

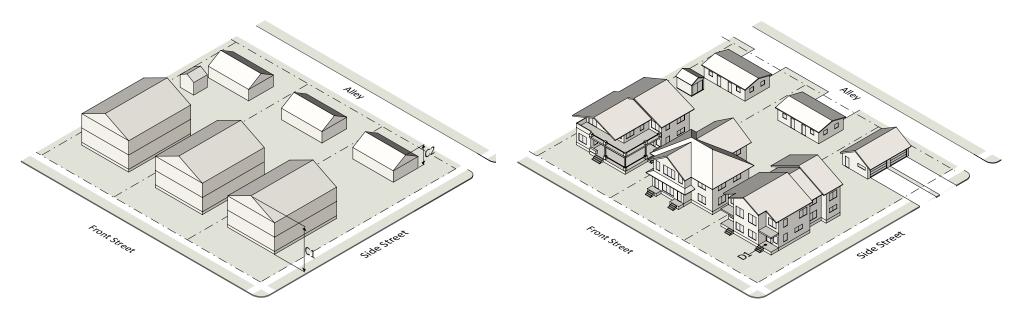




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A. Lot	CRN, CRT, CR
Dimensions (min)	
A1 Lot area	1,600 SF
A2 Lot width at front setback line	25'
A3 Lot width at front property line	25'
Coverage (max)	
A4 Roofed buildings & structures	90%

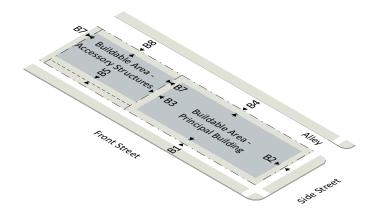
B. Setbacks	CRN, CRT, CR
Principal Building Setbacks (min)	
B1 Front setback	5'
B2 Side street setback	5'
B3 Side interior setback	5'
B4 Rear setback	15'
B4 Rear setback, alley	4' or 20'
Accessory Structure Setbacks (min)	
B5 Front setback, behind front building line	5'
B6 Side street setback	5'
B7 Side interior setback	5'
B8 Rear setback	5'
B8 Rear setback, alley	4' or 20'



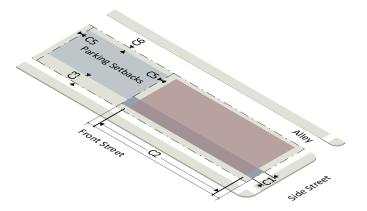
C. Height	CRN, CRT, CR
Building Height (max)	
C1 Principal building	40'
C2 Accessory structure	25'

D. Form	CRN, CRT, CR
Building Orientation	
D1 Street or common open space facing entrance	Required
D2 Allowed Building Elements	
Gallery, awning	no
Porch, stoop	yes
Balcony	yes

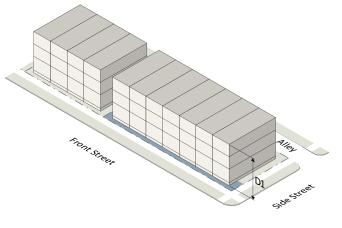
# Sec. 4.5.6. Townhouse, Standard Method Development Standards



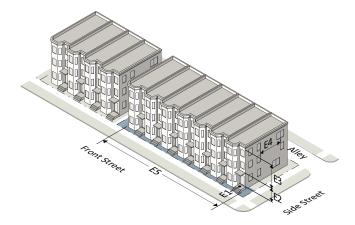
A. Lot	CRN	CRT, CR
Dimensions (min)		
A1 Lot area	900 SF	900 SF
Coverage (min)		
A2 Common outdoor area (% of site)	20%	n/a
B. Setbacks		
Principal Building Setbacks (min)		
B1 Front setback	5'	5'
B2 Side street setback	5'	5'
B3 Side interior setback	10'	10'
B3 End unit setback, interior to the site	5'	5'
B4 Rear setback	20'	20'
B4 Rear setback, alley	4' or 20'	4' or 20'
Accessory Structure Setbacks (min)		
B5 Front setback, behind front building line	5'	5'
B6 Side street setback	5'	5'
B7 Side interior setback	5'	5'
B7 End unit setback, interior to the site	5'	5'
B8 Rear setback	5'	5'
B8 Rear setback, alley	4' or 20'	4' or 20'



C. Placement	CRN, CRT, CR
Build-to Zone (BTZ)	
C1 Front street build-to (min/max)	5'/15'
C2 Building in BTZ (min % of lot width)	70%
Parking Setbacks (min)	
C3 Front setback	10'
C4 Side street setback	10'
C5 Side interior setback	10'
C6 Rear setback	10'
C6 Rear setback, alley	4' or 20'
Coverage (max)	
A2 Roofed buildings & structures	90%

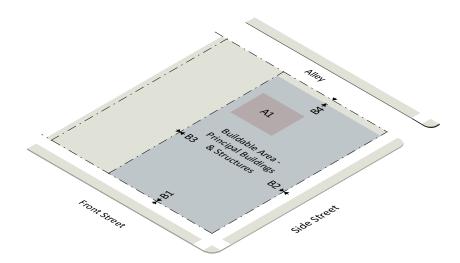


D. Height	CRN, CRT, CR
Building Height (max)	
D1 Principal building	40' unless zone height limit is less
D2 Accessory structure	25'

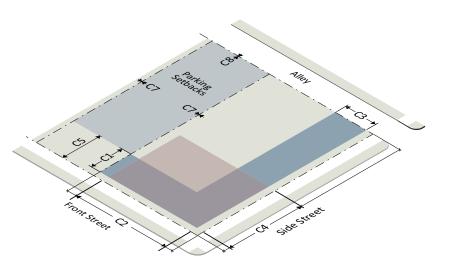


E. Form	CRN, CRT, CR
Building Orientation	
E1 Street-facing entrance	Required
Transparency: Primary & Side Street	
E2 Ground story (min)	20%
E3 Upper story (min)	20%
E4 Blank wall (max)	35'
Massing	
E5 Number of units permitted in any one row	12
E6 Allowed Building Elements	
Gallery, awning	no
Porch, stoop	yes
Balcony	yes

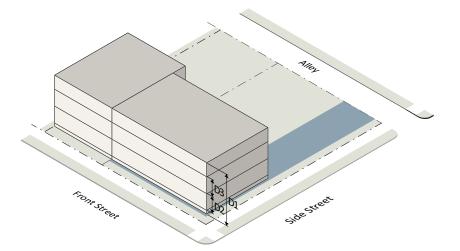
# Sec. 4.5.7. Apartment/Condo, Standard Method Development Standards



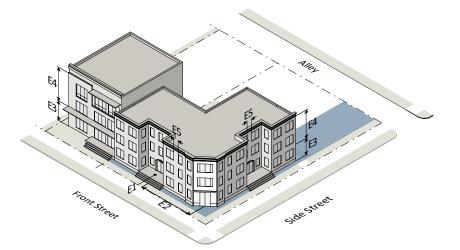
A. Lot	CRN, CRT, CR
A1 Public Use Space	
Lot area ≤ 10,000 SF (% of site)	0%
Lot area > 10,000 SF (% of site)	10%
See Sec. 7.3.6 for public use space requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	0'
B2 Side street setback	0'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	See
dential Detached, Residential Townhouse zone	Sec. 4.5.3.D
B3 Side interior setback, abutting all other zones	0' or 5'
B4 Rear setback, abutting Agricultural, Rural, Residential	<mark>See</mark>
Detached, Residential Townhouse zone	Sec. 4.5.3.D
B4 Rear setback, abutting all other zones	0' or 5'
B4 Rear setback, alley	4'



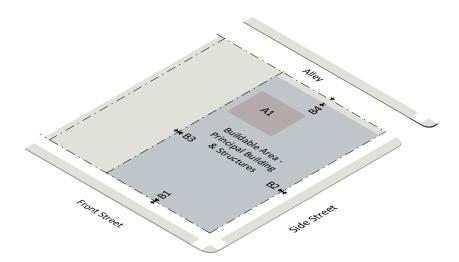
C. Placement	CRN, CRT, CR
Build-to Zone (BTZ)	
C1 Front street (min/max)	0'/30'
C2 Building in front street BTZ (min % of lot width)	70%
C3 Side street (min/max)	0'/30'
C4 Building in side street BTZ (min % of lot width)	35%
Parking Setbacks (min)	
C5 Front setback	30'
C6 Side street setback	10'
C7 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C7 Side interior setback, abutting all other zones	0' or 6'
C8 Rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C8 Rear setback, abutting all other zones	0' or 6'
C8 Rear setback, alley	0' or 6'



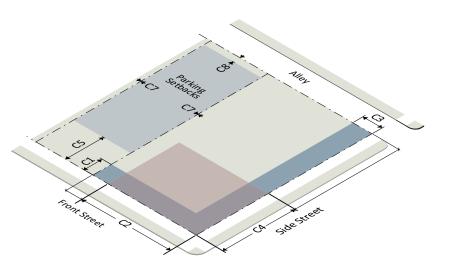
D. Height	CRN, CRT, CR
Building Height (max)	
	Specific to mapped
D1 All buildings & structures	zone: 25' to 300'
	and Sec. 4.5.3.D
Story Heights (min)	
D2 Ground story, floor to ceiling	10'
D3 Upper story, floor to ceiling	9'



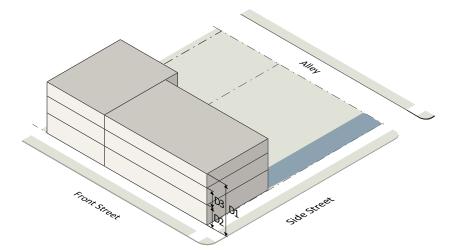
E. Form	CRN, CRT, CR
Building Orientation	
E1 Street-facing entrance	Required
E2 Entrance spacing (max)	100'
Transparency: Primary, Side Street & Public Open Space	
E3 Ground story (min)	20%
E4 Upper story (min)	20%
E5 Blank wall (max)	35'
E6 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	yes
Balcony	yes



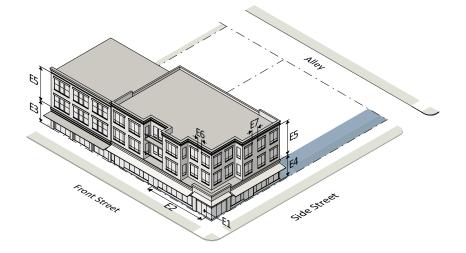
A. Lot	CRN, CRT, CR
A1 Public Use Space	
Lot area ≤ 10,000 SF (% of site)	0%
Lot area > 10,000 SF (% of site)	10%
See Sec. 7.3.6 for public use space requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	0'
B2 Side street setback	0'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	See
dential Detached, Residential Townhouse zone	Sec. 4.5.3.D
B3 Side interior setback, abutting all other zones	0' or 5'
B4 Rear setback, abutting Agricultural, Rural, Residential	See
Detached, Residential Townhouse zone	Sec. 4.5.3.D
B4 Rear setback, abutting all other zones	0' or 5'
B4 Rear setback, alley	4'



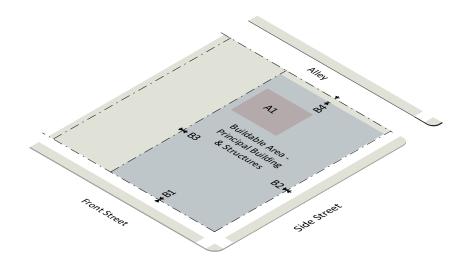
C. Placement	CRN, CRT, CR
Build-to Zone (BTZ)	
C1 Front street (min/max)	0'/15'
C2 Building in front street BTZ (min % of lot width)	70%
C3 Side street (min/max)	0'/15'
C4 Building in side street BTZ (min % of lot width)	35%
Parking Setbacks (min)	
C5 Front setback	30'
C6 Side street setback	10'
C7 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C7 Side interior setback, abutting all other zones	0' or 6'
C8 Rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C8 Rear setback, abutting all other zones	0' or 6'
C8 Rear setback, alley	0' or 6'



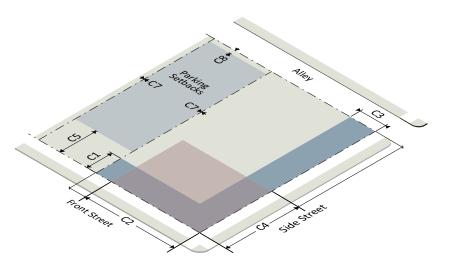
D. Height	CRN, CRT, CR
Building Height (max)	
D1 All buildings & structures	Specific to mapped zone: 25' to 300' and Sec. 4.5.3.D
Story Heights (min)	
D2 Ground story, floor to ceiling	13'
D3 Upper story, floor to ceiling	9'



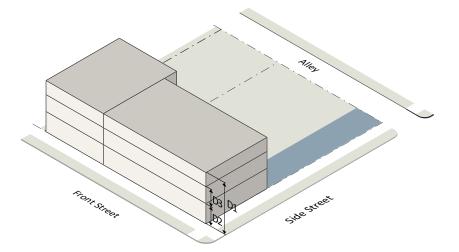
E. Form	CRN, CRT, CR
Building Orientation	
E1 Street-facing entrance	Required
E2 Entrance spacing (max)	75'
Transparency	
E3 Ground story, front street (min)	60%
E4 Ground story, side street, and public open space (min)	30%
E5 Upper story, front, side street, and public open space (min)	20%
E6 Blank wall, front street (max)	25'
E7 Blank wall, side street, and public open space (max)	35'
E8 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	no
Balcony	yes



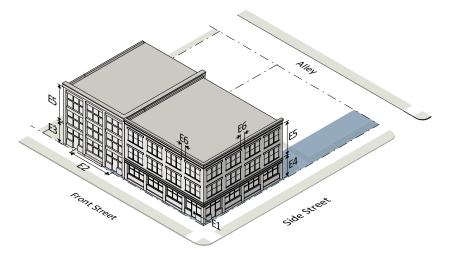
A. Lot	CRN, CRT, CR
A1 Public Use Space	
Lot area ≤ 10,000 SF (% of site)	0%
Lot area > 10,000 SF (% of site)	10%
See Sec. 7.3.6 for public use space requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	0'
B2 Side street setback	0'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	See
dential Detached, Residential Townhouse zone	Sec. 4.5.3.D
B3 Side interior setback, abutting all other zones	0' or 5'
B4 Rear setback, abutting Agricultural, Rural, Residential	See
Detached, Residential Townhouse zone	Sec. 4.5.3.D
B4 Rear setback, abutting all other zones	0' or 5'
B4 Rear setback, alley	4'



C. Placement	CRN, CRT, CR
Build-to Zone (BTZ)	
C1 Front street (min/max)	0'/20'
C2 Building in front street BTZ (min % of lot width)	70%
C3 Side street (min/max)	0'/20'
C4 Building in side street BTZ (min % of lot width)	35%
Parking Setbacks (min)	
C5 Front setback	30'
C6 Side street setback	10'
C7 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C7 Side interior setback, abutting all other zones	0' or 6'
C8 Rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C8 Rear setback, abutting all other zones	0' or 6'
C8 Rear setback, alley	0' or 6'



D. Height	CRN, CRT, CR
Building Height (max)	
D1 All buildings & structures	Specific to mapped zone: 25' to 300' and Sec. 4.5.3.D
Story Heights (min)	
D2 Ground story, floor to ceiling	11'
D3 Upper story, floor to ceiling	9'



E. Form	CRN, CRT, CR
Building Orientation	
E1 Street -facing entrance	Required
E2 Entrance spacing (max)	100'
Transparency	
E3 Ground story front street (min)	40%
E4 Ground story, side street, and public open space (min)	25%
E5 Upper story, front, side street, and public open space (min)	20%
E6 Blank wall, front, side street, and public open space (max)	35'
E7 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	no
Balcony	yes

# **Div. 4.6. Employment Zones**

# Sec. 4.6.1. Density and Height Allocation

# A. Density and Height Limits

 Density is calculated as an allowed floor area ratio (FAR). Each unique sequence of maximum total FAR and height (H) is established as a zone subject to the following limits:

Zone	Total FAR (max)	Height (max)
EG	0.5 to 2.5	25' to 85'
ELS	0.5 to 2.5	35' to 200'
EOF	0.5 to 4.0	35' to 200'

2. Zones are only established at densities in increments of 0.25 FAR and heights in increments of 5 feet up to the maximums indicated in Sec. 4.6.1.A.1.

# **B. FAR Averaging**

Permitted FAR may be averaged over 2 or more directly abutting or confronting properties in one or more Employment zones, if:

- the properties are subject to the same Site Plan or Sketch Plan; however, if a Sketch Plan is required, density averaging must be shown on the Sketch Plan;
- 2. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved Sketch Plan;
- 3. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;
- 4. a building cannot exceed the maximum height set by the zone;
- 5. uses are subject to the provisions of the zone category;
- the total allowed maximum density on a resulting property that is adjacent to or confronting a property in an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zone that is vacant or improved with an agricultural or residential use does not exceed that allowed by the property's zone; and

7. public benefits must be provided under the phasing element of an approved Sketch Plan.

# Sec. 4.6.2. Methods of Development

The EG zone allows development only under the standard method. The ELS and EOF zones allow development under the standard method and may allow development under the optional method, subject to approval of a Sketch Plan.

# A. Standard Method

Standard method development is allowed under the following limitations and requirements.

- 1. In the EG zone, the maximum total FAR and maximum height for any property is set by the zone shown on the zoning map.
- 2. In the ELS and EOF zones, the maximum standard method height for any property is the height set by the zone shown on the zoning map; the maximum total standard method FAR for any property is the density set by the zone shown on the zoning map or the limit indicated in the following table, whichever is less:

Zone	Total Density (max)
ELS	The greater of 0.5 FAR or 10,000 sf of gross floor area
EOF	The greater of 1.0 FAR or 10,000 sf of gross floor area

# **B. Optional Method**

Optional method development is allowed under Div 6.5.

# Sec. 4.6.3. Development Standards

Development in all Employment zones must comply with the requirements of Sec. 4.6.3.A to Sec. 4.6.3.D.

# A. Master Plan and Design Guidelines

- 1. Development that requires a site plan must be consistent with the applicable Master or Sector Plan.
- 2. Development that requires a Site Plan must address any design guidelines

approved by the Planning Board that implement the applicable Master or Sector Plan.

#### **B.** Building Types

Building types are allowed by zone under Sec. 4.1.3. Dimensional standards for allowed building types are under Sec. 4.6.4. to Sec. 4.6.9.

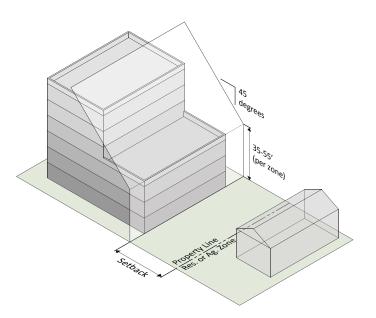
# C. Setback

In Sec. 4.6.4. to Sec. 4.6.9, where a setback is represented as one of two numbers separated by "or" (such as 4' or 20'), this represents a build to line (first number mentioned), or a minimum (second number mentioned).

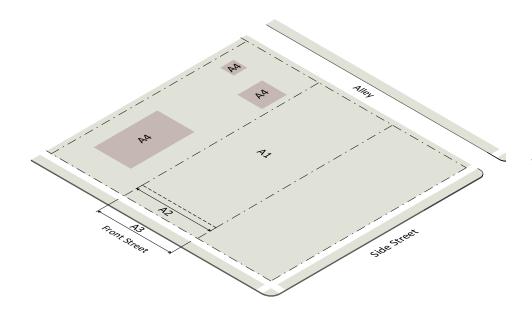
# D. Neighborhood Compatibility

Where an apartment/condo, mixed use, or general building type are on a property that:

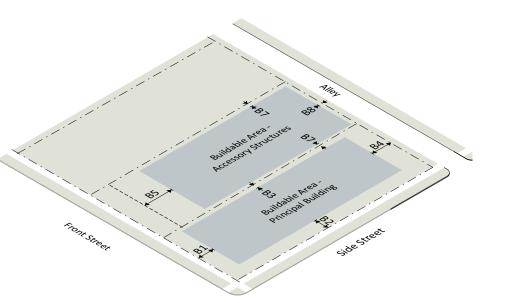
- abuts an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zoned property that is vacant or improved with an agricultural or residential use under Sec. 3.1.7; or
- confronts an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zoned property that is vacant or improved with an agricultural or residential use under Sec. 3.1.7 across a right-of-way recommended for less than 70 feet; and
- 3. proposes a building height over the height allowed in the applicable abutting or confronting zone, any building must:
  - a. have a minimum setback of 25 feet or the setback required by the abutting or confronting property, whichever is greater; and
  - must not project beyond a 45 degree angular plane projecting over the subject property measured from a height of 55 feet in the EOF zones, 45 feet in the ELS zones, or 35 feet in the EG zones at the setback line determined above, with the exception of those features exempt from height and setback restrictions under Sec. 4.1.4.



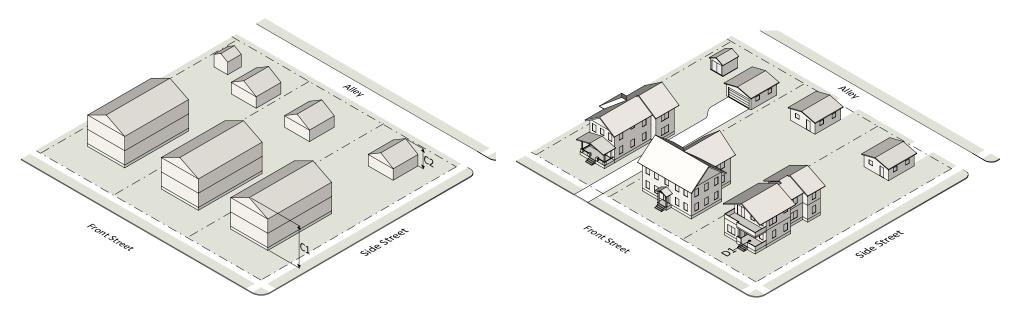
# Sec. 4.6.4. Detached House, Standard Method Development Standards



A. Lot	ELS
Dimensions (min)	
A1 Lot area	1,000 SF
A2 Lot width at front setback line	25'
A3 Lot width at front property line	25'
Coverage (max)	
A4 Roofed buildings & structures	90%
A5 Residential Density	
Gross floor area of all residential uses in an application must not exceed	
30% of maximum allowed FAR mapped on subject site	



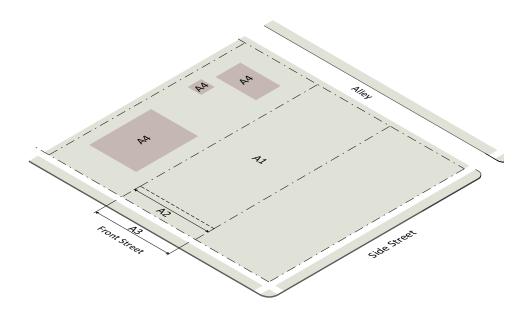
B. Setbacks	ELS
Principal Building Setbacks (min)	
B1 Front setback	5'
B2 Side street setback	5'
B3 Side interior setback	5'
B4 Rear setback	15'
B4 Rear setback, alley	4' or 20'
Accessory Structure Setbacks (min)	
B5 Front setback, behind front building line	5'
B6 Side street setback	5'
B7 Side interior setback	5'
B8 Rear setback	5'
B8 Rear setback, alley	4' or 20'



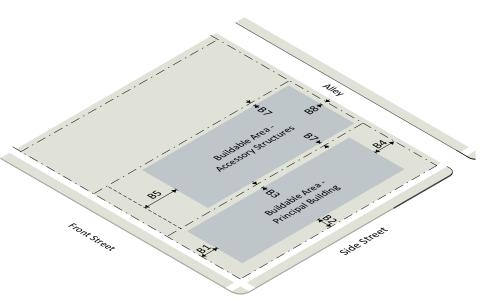
C. Height	ELS
Building Height (max)	
C1 Principal building	35'
C2 Accessory structure	25'

D. Form	ELS
Building Orientation	
D1 Street or common open space facing entrance	Required
D2 Allowed Building Elements	
Gallery, awning	no
Porch, stoop	yes
Balcony	yes

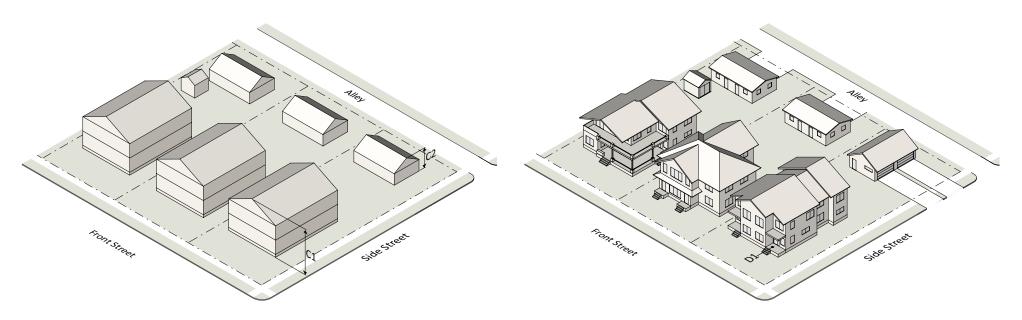
# Sec. 4.6.5. Duplex, Standard Method Development Standards



A. Lot	ELS
Dimensions (min)	
A1 Lot area	1,600 SF
A2 Lot width at front setback line	25'
A3 Lot width at front property line	25'
Coverage (max)	
A4 Roofed buildings & structures	90%
A5 Residential Density (max)	
Gross floor area of all residential uses in an application must not exceed	
30% of maximum allowed FAR mapped on subject site	



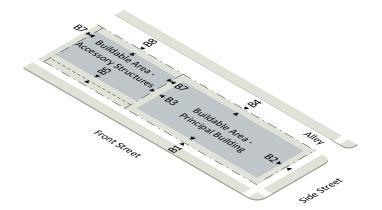
B. Setbacks	ELS
Principal Building Setbacks (min)	
B1 Front setback	5'
B2 Side street setback	5'
B3 Side interior setback	5'
B4 Rear setback	15'
B4 Rear setback, alley	4' or 20'
Accessory Structure Setbacks (min)	
B5 Front setback, behind front building line	5'
B6 Side street setback	5'
B7 Side interior setback	5'
B8 Rear setback	5'
B8 Rear setback, alley	4' or 20'



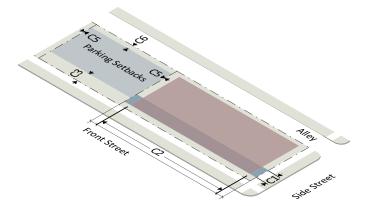
C. Height	ELS
Building Height (max)	
C1 Principal building	35'
C2 Accessory structure	25'

D. Form	ELS
Building Orientation	
D1 Street or common open space facing entrance	Required
D2 Allowed Building Elements	
Gallery, awning	no
Porch, stoop	yes
Balcony	yes

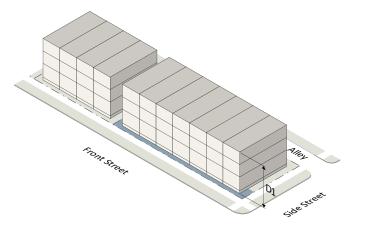
# Sec. 4.6.6. Townhouse, Standard Method Development Standards



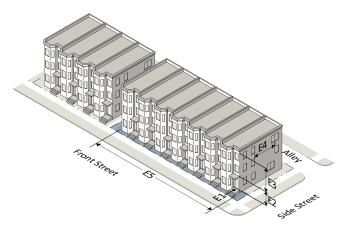
A. Lot	EG, ELS, EOF
Dimensions (min)	
A1 Lot area	900 SF
Coverage (max)	
A2 Roofed buildings & structures	90%
B. Setbacks	
Principal Building Setbacks (min)	
B1 Front setback	5'
B2 Side street setback	5'
B3 Side interior setback	10'
B3 End unit setback, interior to the site	5'
B4 Rear setback	20'
B4 Rear setback, alley	4' or 20'
Accessory Structure Setbacks (min)	
B5 Front setback, behind front building line	5'
B6 Side street setback	5'
B7 Side interior setback	5'
B7 End unit setback, interior to the site	5'
B8 Rear setback	5'
B8 Rear setback, alley	4' or 20'



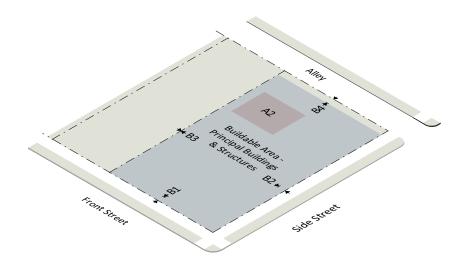
C. Placement	EG, ELS, EOF
Build-to Zone (BTZ)	
C1 Front street build-to (min/max)	5'/15'
C2 Building in BTZ (min % of lot width)	70%
Parking Setbacks (min)	
C3 Front setback	10'
C4 Side street setback	10'
C5 Side interior setback	10'
C6 Rear setback	10'
C6 Rear setback, alley	4' or 20'



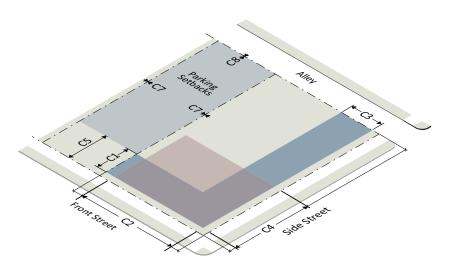
D. Height	EG, ELS, EOF
Building Height (max)	
D1 Principal building	40' unless zone height limit is less
D2 Accessory structure	25'



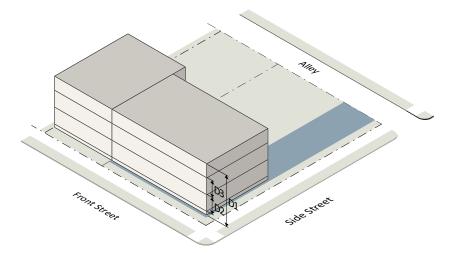
E. Form	EG, ELS, EOF
Building Orientation	
E1 Street-facing entrance	Required
Transparency: Primary & Side Street	
E2 Ground story (min)	20%
E3 Upper story (min)	20%
E4 Blank wall (max)	35'
Massing	
E5 Number of units permitted in any one row	12
E6 Allowed Building Elements	
Gallery, awning	no
Porch, stoop	yes
Balcony	yes



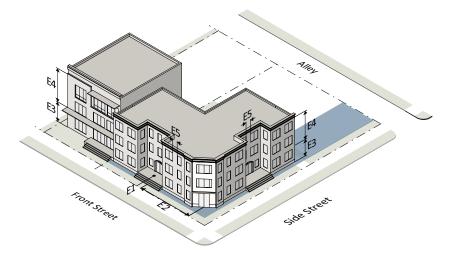
A. Lot	EG, ELS, EOF
A1 Residential Density	
Gross floor area of all residential uses in an application mu	st not exceed
30% of maximum allowed FAR mapped on subject site	
A2 Public Use Space	
Lot area ≤ 10,000 sf (% of site)	0%
Lot area > 10,000 sf (% of site)	10%
See Sec. 7.3.6 for public use space requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	0'
B2 Side street setback	0'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	See
dential Detached, Residential Townhouse zone	Sec. 4.6.3.D
B3 Side interior setback, abutting all other zones	0' or 5'
B4 Rear setback, abutting Agricultural, Rural, Residential	See
Detached, Residential Townhouse zone	<mark>Sec. 4.6.3.D</mark>
B4 Rear setback, abutting all other zones	0' or 5'
B4 Rear setback, alley	4'



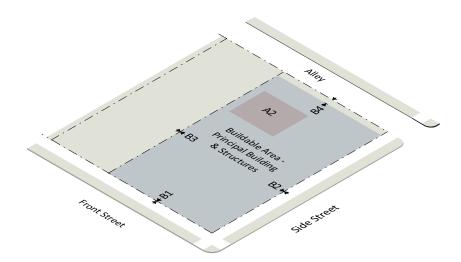
C. Placement	EG, ELS, EOF
Build-to Zone (BTZ)	
C1 Front street (min/max)	0'/30'
C2 Building in front street BTZ (min % of lot width)	70%
C3 Side street (min/max)	0'/30'
C4 Building in side street BTZ (min % of lot width)	35%
Parking Setbacks (min)	
C5 Front setback	30'
C6 Side street setback	10'
C7 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C7 Side interior setback, abutting all other zones	0' or 6'
C8 Rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C8 Rear setback, abutting all other zones	0' or 6'
C8 Rear setback, alley	0' or 6'



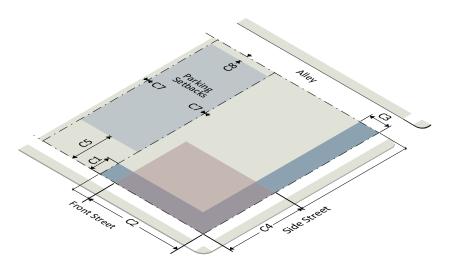
D. Height	EG, ELS, EOF
Building Height (max)	
D1 All buildings & structures	Specific to mapped zone: 25' to 300' and Sec. 4.6.3.D
Story Heights (min)	
D2 Ground story, floor to ceiling	10'
D3 Upper story, floor to ceiling	9'



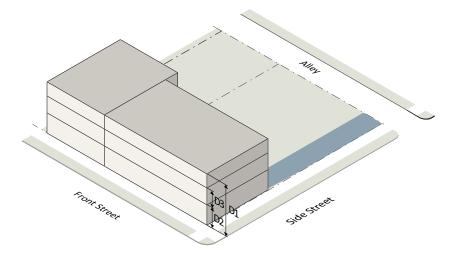
E. Form	EG, ELS, EOF
Building Orientation	
E1 Street-facing entrance	Required
E2 Entrance spacing (max)	100'
Transparency: Primary, Side Street & Public Open Space	
E3 Ground story (min)	20%
E4 Upper story (min)	20%
E5 Blank wall (max)	35'
E6 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	yes
Balcony	yes



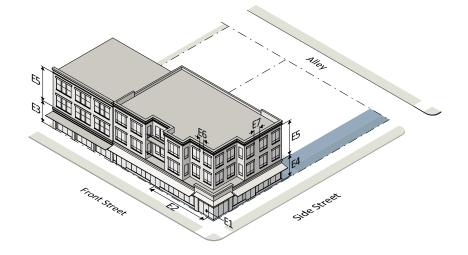
A. Lot	EG, ELS, EOF
A1 Residential Density	
Gross floor area of all residential uses in an application mu	st not exceed
30% of maximum allowed FAR mapped on subject site	
A2 Public Use Space	
Lot area ≤ 10,000 SF (% of site)	0%
Lot area > 10,000 SF (% of site)	10%
See Sec. 7.3.6 for public use space requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	0'
B2 Side street setback	0'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	See
dential Detached, Residential Townhouse zone	Sec. 4.6.3.D
B3 Side interior setback, abutting all other zones	0' or 5'
B4 Rear setback, abutting Agricultural, Rural, Residential	See See
Detached, Residential Townhouse zone	<mark>Sec. 4.6.3.D</mark>
B4 Rear setback, abutting all other zones	0' or 5'
B4 Rear setback, alley	4'



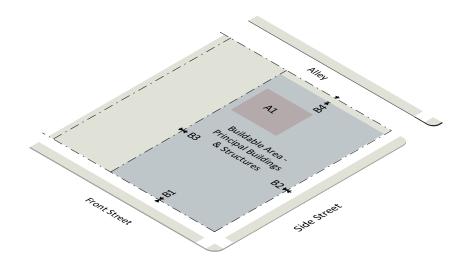
C. Placement	EG, ELS, EOF
Build-to Zone (BTZ)	
C1 Front street (min/max)	0'/15'
C2 Building in front street BTZ (min % of lot width)	70%
C3 Side street (min/max)	0'/15'
C4 Building in side street BTZ (min % of lot width)	35%
Parking Setbacks (min)	
C5 Front setback	30'
C6 Side street setback	10'
C7 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C7 Side interior setback, abutting all other zones	0' or 6'
C8 Rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C8 Rear setback, abutting all other zones	0' or 6'
C8 Rear setback, alley	0' or 6'



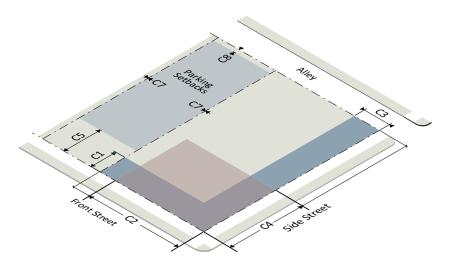
D. Height	EG, ELS, EOF
Building Height (max)	
D1 All buildings & structures	Specific to mapped zone: 25' to 300' and Sec. 4.6.3.D
Story Heights (min)	
D2 Ground story, floor to ceiling	13'
D3 Upper story, floor to ceiling	9'



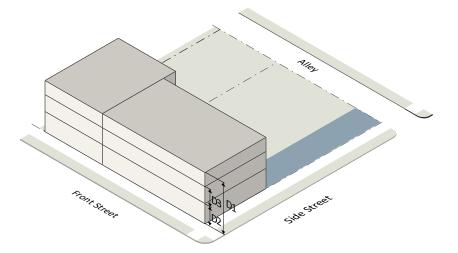
E. Form	EG, ELS, EOF
Building Orientation	
E1 Street-facing entrance	Required
E2 Entrance spacing (max)	75'
Transparency	
E3 Ground story front street (min)	60%
E4 Ground story side street & public open space (min)	30%
E5 Upper story front, side street & public open space (min)	20%
E6 Blank wall front street (max)	25'
E7 Blank wall side street & public open space (max)	35'
E8 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	no
Balcony	yes



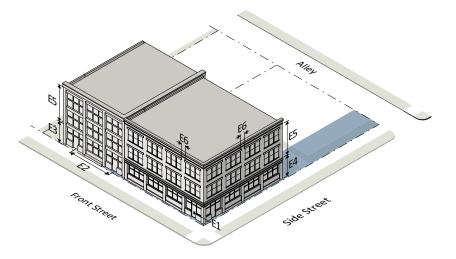
A. Lot	EG, ELS, EOF
A1 Public Use Space	
Lot area ≤ 10,000 SF (% of site)	0%
Lot area > 10,000 SF (% of site)	10%
See Sec. 7.3.6 for public use space requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	0'
B2 Side street setback	0'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	See
dential Detached, Residential Townhouse zone	<mark>Sec. 4.6.3.D</mark>
B3 Side interior setback, abutting all other zones	0' or 5'
B4 Rear setback, abutting Agricultural, Rural, Residential	See
Detached, Residential Townhouse zone	<mark>Sec. 4.6.3.D</mark>
B4 Rear setback, abutting all other zones	0' or 5'
B4 Rear setback, alley	4'



C. Placement	EG, ELS, EOF
Build-to Zone (BTZ)	
C1 Front street (min/max)	0'/20'
C2 Building in front street BTZ (min % of lot width)	70%
C3 Side street (min/max)	0'/20'
C4 Building in side street BTZ (min % of lot width)	35%
Parking Setbacks (min)	
C5 Front setback	30'
C6 Side street setback	10'
C7 Side interior setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C7 Side interior setback, abutting all other zones	0' or 6'
C8 Rear setback, abutting Agricultural, Rural, Residential Detached, Residential Townhouse zone	10'
C8 Rear setback, abutting all other zones	0' or 6'
C8 Rear setback, alley	0' or 6'



D. Height	EG, ELS, EOF
Building Height (max)	
	Specific to mapped
D1 All buildings & structures	zone: 25' to 300'
	and Sec. 4.6.3.D
Story Heights (min)	
D2 Ground story, floor to ceiling	11'
D3 Upper story, floor to ceiling	9'



E. Form	EG, ELS, EOF
Building Orientation	
E1 Street-facing entrance	Required
E2 Entrance spacing (max)	100'
Transparency	
E3 Ground story front street (min)	40%
E4 Ground story side street & public open space (min)	25%
E5 Upper story front, side street & public open space (min)	20%
E6 Blank wall front, side street & public open space (max)	35'
E7 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	no
Balcony	yes

# Div. 4.7. Industrial Zones

# Sec. 4.7.1. Methods of Development

The IL and IH zones allow development only under the standard method. A Site Plan may be required in the IL and IH zones under Sec. 8.3.4.

# Sec. 4.7.2. Development Standards

Development in all Industrial zones must comply with the requirements in Sec. 4.7.2.A to Sec. 4.7.2.C.

# A. Master Plan and Design Guidelines

- 1. Development that requires a Site Plan must be consistent with the applicable Master or Sector Plan.
- 2. Development that requires a Site Plan must address any design guidelines approved by the Planning Board that implement the applicable Master or Sector Plan.

# **B.** Building Types

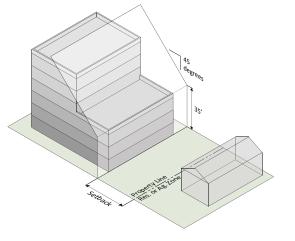
Building types are allowed by zone under Sec. 4.1.3. Dimensional standards for allowed building types are under Sec. 4.7.3 to Sec. 4.7.4.

# C. Neighborhood Compatibility

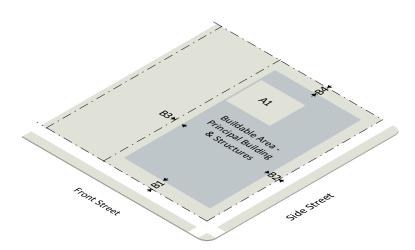
Where a mixed use, or general building type are on a property that:

- abuts an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zoned property that is vacant or improved with an agricultural or residential use under Sec. 3.1.7; or
- 2. confronts an AR, RR, RC, RNC, RE, RLD, RMD, TLD, TMD, or THD zoned property that is vacant or improved with an agricultural or residential use under Sec. 3.1.7 across a right-of-way recommended for less than 70 feet; and
- 3. proposes a building height over the height allowed in the applicable abutting or confronting zone, any building must:
  - a. have a minimum setback of 25 feet or the setback required by the abutting or confronting property, whichever is greater; and
  - b. must not project beyond a 45 degree angular plan projecting over the subject property measured from a height of 35 feet at the setback line

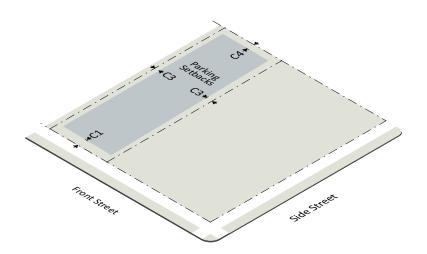
determined above, with the exception of those features exempt from height and setback restrictions under Sec. 4.1.4.



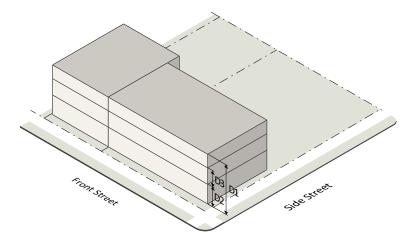
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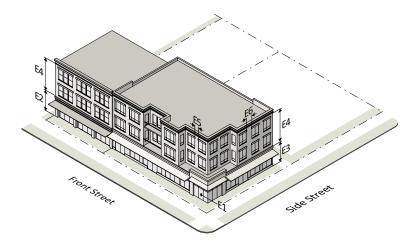
A. Lot	IL, IH
A1 Green Area	
Lot area ≤ 10,000 SF (% of lot)	0%
Lot area > 10,000 SF (% of lot)	10%
See Sec. 7.3.7 for green area requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	10'
B2 Side street setback	10'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	<mark>See</mark>
dential Detached, Residential Townhouse zone	Sec. 4.7.2.C
B3 Side interior setback, abutting all other zones	10'
B4 Rear setback, abutting abutting Agricultural, Rural,	<mark>See</mark>
Residential Detached, Residential Townhouse zone	Sec. 4.7.2.C
B4 Rear setback, abutting all other zones	10'
B4 Rear setback, alley	4'



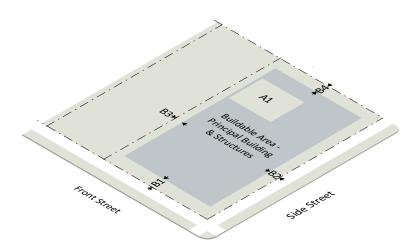
C. Placement	IL, IH
Parking Setbacks (min)	
C1 Front setback	10'
C2 Side street setback	10'
C3 Side interior setback	10'
C4 Rear setback	10'
C4 Rear setback, alley	0'



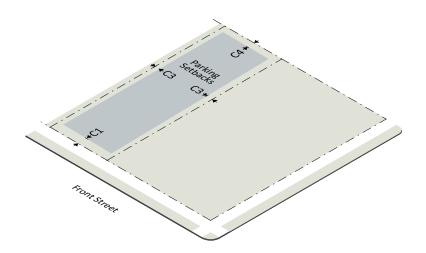
D. Height	IL	IH
Building Height (max)		
D1 All buildings & structures	120' and	70' and
	Sec. 4.7.2.C	Sec. 4.7.2.C
Story Heights (min)		
D2 Ground story, floor to ceiling	13'	13'
D3 Upper story, floor to ceiling	9'	9'



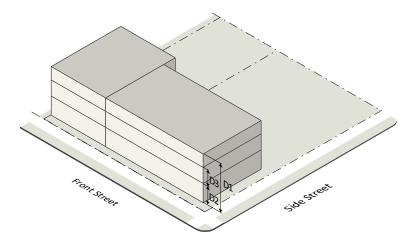
E. Form	IL, IH
Building Orientation	
E1 Street-facing entrance	Required
Transparency	
E2 Ground story front street (min)	60%
E3 Ground story side street (min)	30%
E4 Upper story front, side street (min)	20%
E5 Blank wall front street (max)	25'
E6 Blank wall side street (max)	35'
E7 Allowed Building Elements	
Gallery, awning	yes
Porch, stoop	no
Balcony	yes



A. Lot	IL, IH
A1 Green Area	
Lot area ≤ 10,000 SF (% of lot)	0%
Lot area > 10,000 SF (% of lot)	10%
See Sec. 7.3.7 for green area requirements.	
B. Setbacks	
Building & Structure Setbacks (min)	
B1 Front setback	10'
B2 Side street setback	10'
B3 Side interior setback, abutting Agricultural, Rural, Resi-	<mark>See</mark>
dential Detached, Residential Townhouse zone	Sec. 4.7.2.C
B3 Side interior setback, abutting all other zones	10'
B4 Rear setback, abutting Agricultural, Rural, Residential	<mark>See</mark>
Detached, Residential Townhouse zone	Sec. 4.7.2.C
B4 Rear setback, abutting all other zones	10'
B4 Rear setback, alley	4'



C. Placement	IL, IH
Parking Setbacks (min)	
C1 Front setback	10'
C2 Side street setback	10'
C3 Side interior setback	10'
C3 Rear setback	10'
C4 Rear setback, alley	0'



From street side street
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D. Height	IL	IH
Building Height (max)		
D1 All buildings & structures	120' and <mark>Sec. 4.7.2.C</mark>	70' and Sec. 4.7.2.C
Story Heights (min)		
D2 Ground story, floor to ceiling	11'	11'
D3 Upper story, floor to ceiling	9'	9'

IL, IH
yes
no
yes

# Div. 4.8. Overlay Zones

# Sec. 4.8.1. In General

# A. Applicability

Land must only be designated within an overlay when approved as part of a Sectional or District Map Amendment.

# **B. Standards and Requirements**

Development in an Overlay zone must conform to the standards and requirements of the underlying zone, except as specifically modified by this Division (Div. 4.8). Where there is an ambiguity as to whether the regulations of the underlying zone or Overlay zone apply, the regulations of the Overlay zone apply. A Site Plan must be submitted under Sec. 8.3.4 except where specifically exempted in the development standards of each Overlay zone.

# Sec. 4.8.2. Neighborhood Protection (NP) Overlay Zone

# A. Neighborhood Protection – Garrett Park (NP-GP) Overlay Zone

# 1. Purpose

The purpose of the NP-GP Overlay zone is to:

- Preserve the unique park-like setting of the 19th century garden suburb, maintain the prevailing pattern of houses and open spaces, and retain the maximum amount of green area surrounding new or expanded houses.
- b. Encourage a compatible relationship between new or expanded houses and neighboring structures in scale, siting, and orientation on the lot.
- c. Maintain housing diversity and choice by retaining existing housing stock yet allowing a reasonable amount of expansion in living space.
- d. Create a uniform set of development standards in order to resolve the multiplicity of standards that currently apply to lots in Garrett Park.

#### 2. Exemptions

The following are exempt from this Section (Sec. 4.8.2.A):

- a. Any lot that was legally recorded by deed or subdivision plat before June 1, 1958, and that was a buildable lot under the law in effect immediately before June 1, 1958, is a buildable lot for building a detached house only, even though the lot may have less than the minimum area for any Residential Detached zone.
- b. Any lot that was legally recorded by deed or subdivision plat between June 1, 1958 and August 4, 1964 and that was a buildable lot under the law in effect during that period is a buildable lot for building a detached house only, even though the lot may have less than the minimum area for any Residential Detached zone.
- c. Any detached house in a Residential Detached zone or Agricultural zone that was built on a lot legally recorded by deed or subdivision plat before June 1, 1958 is not a nonconforming building.
- d. Any detached house in the NP-GP Overlay zone that was built on a lot legally recorded by deed or subdivision plat between June 1, 1958 and March 29, 1993 is not a nonconforming building.
- e. Reconstruction of a detached house may not exceed the footprint or floor area of the prior dwelling unless reconstruction fully conforms with the standards of the NP-GP Overlay zone.

# 3. Land uses

The land uses and use standards of the underlying zone are applicable unless the development standards in Sec. 4.8.2. are more restrictive, in which case, Sec. 4.8.2. must be followed.

# 4. Development Standards

The development standards in the NP-GP Overlay zone are the same as those in the RMD-9, except as follows:

a. The minimum front setback for a main building is 30 feet, and if the adjoining lots are occupied by buildings with a front setback greater than this requirement, no building hereafter erected or any addition to an

existing building can project beyond the line previously established by the buildings on the adjoining lots;

- A front porch added to a main building existing as of February 15, 2000 may project a maximum of 8 feet into the front setback and may be covered, but not enclosed.
- c. In the case of a corner lot, if the adjoining lot on one of the streets either does not front on that street or is in a non-Residential zone, the setback from that street must be a minimum of 15 feet.
- d. The minimum side interior setback for a principal building is 10 feet. The minimum sum of both side interior setbacks is: 25 feet for lots with over 60 feet in width at the building line, and 20 feet for lots with 60 feet or less in width at the building line.
- e. The minimum rear setback is 25 feet for lots over 90 feet in depth and 15 feet for lots with 90 feet or less in depth.
- f. The maximum building coverage is 20%.
- g. The maximum FAR for all buildings on a lot is 0.375.
- h. An accessory building or structure must be located behind the rear building line and can occupy:
  - i. a maximum of 25% of the property behind the rear building line on lots with a total lot area smaller than 8,600 square feet; or,
  - ii. a maximum of 20% of the property behind the rear building line on lots with a total lot area 8,600 square feet or larger.

#### 5. Site Plan

A Site Plan is not required in the NP-GP Overlay zone except as provided in Sec. 4.4.3.C.

# Sec. 4.8.3. Special Protection Area (SPA) Overlay Zone

# A. Special Protection Area - Upper Paint Branch (SPA-UPB) Overlay Zone

1. Purpose

The purpose of the SPA-UPB Overlay zone is to:

- Protect the water quality and quantity and biodiversity of the Upper Paint Branch Watershed and its tributaries, including the headwater tributary areas of Good Hope, Gum Springs, Right Fork and Left Fork, and the segment of the Paint Branch north of Fairland Road.
- Regulate the amount and location of impervious surfaces to maintain levels of infiltration, control erosion, and allow natural processes to filter water and control temperature.
- c. Regulate land uses that could adversely affect the high quality, cold water stream Use III Waters system resources.

#### 2. Exemptions

The following are exempt from this Section (Sec. 4.8.3.A):

- a. Any impervious surface lawfully existing pursuant to a building permit issued before July 1, 2007 may continue or be reconstructed under the development standards in effect when the building permit was issued.
- b. Any impervious surface which results from construction pursuant to a building permit may be constructed or reconstructed under the development standards in effect on July 31, 2007 if:
  - the building permit application was pending before DPS on July 31, 2007, or
  - the building permit is for a lot in a subdivision approved before July 31, 2007, if the subdivision was approved for fewer than 20 housing units,
- c. Any impervious surface resulting from an addition or accessory structure to an existing detached house must not be counted against any calculation of the 8% impervious surface restriction.

#### 3. Land Uses

- a. Except as delineated in Sec. 4.8.3.A.3.b-c (below), the land uses of the underlying zone are applicable. The use standards of the underlying zone are applicable unless the development standards in Sec.4.8.3.A are more restrictive, in which case Sec. 4.8.3.A must be followed.
- b. The following uses are restricted in the SPA-UPB Overlay zone:
  - Landscape contractors and nurseries must be certified as an organic grower by the State of Maryland or another approved certifying body;
  - ii. Golf courses and country clubs must have an Integrated Pest Management program; and
  - iii. Equestrian facilities must have an approved Soil Conservation Water Quality Plan from the Montgomery Soil Conservation District.
- c. If validly existing on July 1, 1997, the uses in Sec. 4.8.3.A.3.b. (above) may be continued under the regulations in effect at the time the use was established. Any expansion requires compliance with the provisions of the SPA-UPB Overlay zone.
- d. The following uses are prohibited in the SPA-UPB Overlay zone:
  - i. Farm airstrip;
  - ii. Helipad, Heliport;
  - iii. Pipelines used for interstate transmission of petroleum products; and
  - iv. Vehicle services.

#### 4. Development Standards

Impervious surfaces are restricted to a maximum of 8% of the gross tract area of any application for development.

#### 5. Waiver

The applicable review body may grant a waiver of the development standards in Sec. 4.8.3.A.4 if it finds that:

- The 8% impervious surface limit would cause an undue hardship on the applicant because of events or circumstances not caused or facilitated by the applicant;
- b. The application otherwise complies with all applicable federal, state, and county water quality regulations;
- c. The relief sought is the minimum needed to prevent the undue hardship; and
- d. Alternative water quality and control techiniques are used to meet the purposes of this Section (Sec. 4.8.3.A).

# B. Special Protection Area - Upper Rock Creek (SPA-URC) Overlay Zone

#### 1. Purpose

The purpose of the SPA-URC Overlay zone is to:

- Protect the water quality and quantity and biodiversity of the Upper Rock Creek and its tributaries, including Rock Creek and the North Branch of Rock Creek north of Muncaster Mill Road.
- b. Regulate the amount and location of impervious surfaces to maintain levels of infiltration, control erosion, and allow natural processes to filter water and control temperature, and control the volume of stormwater runoff.

# 2. Exemptions

The following are exempt from this Section (Sec. 4.8.3.B):

- a. Any impervious surface lawfully existing pursuant to a building permit or sediment control permit issued before November 15, 2004 or subject to a building permit or sediment control permit application filed on or before November 15, 2004 may be continued, renovated, repaired, or reconstructed to the same size and configuration.
- b. Any property expressly exempted by the applicable Master or Sector Plan.
- c. Any addition, allowed under the development standards of the underlying zone, to an detached house.

- d. Any accessory structure, allowed under the development standards of the underlying zone, on the lot of an existing detached house.
- e. Any private institutional facility developed according to an approved preliminary plan dated on or before November 15, 2004, provided every effort is made to minimize imperviousness and/or mitigate the impacts of runoff. Further, additions to such plans that increase impervious area a maximum of 5% above the amount approved are allowed.
- f. All public projects are subject to the provisions of the SPA-URC Overlay zone, however, these provisions are not intended to preclude the development of public facilities. Such facilities must conform to the water quality plan submission and review requirements established in Chapter 19, Article V, and keep imperviousness to the minimum needed to accomplish the public purpose intended.
- g. Development in any Industrial, Commercial/Residential, or Employment zone.

#### 3. Development Standards

Impervious surfaces are restricted to a maximum of 8% of the gross tract area of any application for development.

#### 4. Waiver

The applicable review body may grant a waiver of the development standards in Sec. 4.8.3.B.3 if it finds that:

- a. The 8% impervious surface limit would cause an undue hardship on the applicant because of events or circumstances not caused or facilitated by the applicant or the applicant can demonstrate that the impervious surface limit would prevent the applicant from building the maximum number of affordable housing units otherwise allowed by the zone;
  - If the applicable review body grants a waiver for affordable housing, it must approve the minimum increase necessary to allow the affordable housing. In no event may the waiver result in development with more than 10% impervious surface area.
- b. The application otherwise complies with all applicable federal, state, and county water quality regulations;

- c. The relief sought is the minimum needed to prevent the undue hardship; and
- d. Alternative water quality and quantity control techniques are used to meet the purposes of this Section (Sec. 4.8.3.B).

# Sec. 4.8.4. Transferable Development Rights (TDR) Overlay Zone

# A. Standard Method

Development in the TDR Overlay zone can occur under the standard method of development without the use of Transferable Development Rights and must comply with the requirements for development and density limitations contained in the underlying zone (see Div. 4.3 - Div. 4.6). In addition, standard method development in the TDR Overlay zone may be approved under the cluster development procedures of Div. 6.2 or the procedures for development including moderately priced dwelling units as contained in Div. 6.1, if the property satisfies the minimum requirements for these development options per the underlying zone.

# **B. Optional Method**

Optional method development is allowed in the TDR Overaly zone under Div. 6.3.

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