

ARTICLE 59-5. FLOATING ZONE REQUIREMENTS

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The Preliminary PHED Committee Draft is still under review. Any additional changes will be incorporated in the Final PHED Committee Draft. Article 59-8 has yet to be reviewed by the PHED Committee therefore it is not included in the Preliminary PHED Committee Draft.

Several elements of the Floating Zone Requirements are being revised. After it is discussed with the PHED Committee, it will be updated in the Final PHED Committee Draft.

Division 5.1. In General

Section 5.1.1. Zone Categories

There are 4 categories of Floating zones:

- A. Residential Floating zones ([Div.] Division 5.2);
- B. Commercial/Residential Floating zones ([Div.] Division 5.3);
- C. Employment Floating zones ([Div.] Division 5.4); and
- D. Industrial Floating zones ([Div.] Division 5.5)

Section 5.1.2. Purposes

The purposes of the Floating zones are to:

- A. Implement comprehensive planning objectives by:
 - 1. furthering the goals of the general plan, applicable master plan, and functional master plans;
 - 2. ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, and functional master plans; and
 - 3. allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property; and
- B. Encourage the appropriate use of land by:
 - 1. providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;
 - 2. allowing various uses, building types, and densities on sites determined by the property's size and base zone to serve a diverse and evolving population; and
 - 3. ensuring that development satisfies basic sustainability requirements including appropriate location and connections to circulation networks; and
- C. Ensure protection of established neighborhoods by:

- 1. establishing compatible relationships between new development and existing neighborhoods;
- 2. providing development standards to protect the character of adjacent neighborhoods; and
- 3. allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.

Section 5.1.3. Applicability and Approval Required

- A. A Floating zone must not be approved for property that is in an Agricultural or Rural Residential zone.
- B. If a Floating zone is recommended in a master plan, there are no prerequisites for an application.
- C. If a Floating zone is not recommended in a master plan, prerequisites apply as follows:
 - 1. The maximum allowed density is based on the base zone and size of the tract as stated in [Div.] Division 5.2 through [Div.] Division 5.5.
 - 2. Residential Base Zone
When requesting a Floating zone for a property with a Residential base zone:
 - a. If no commercial uses are requested and no increase in density above that allowed by the base zone is requested, there are no prerequisites for an application;
 - b. If a commercial use or an increase in density above that allowed by the base zone is requested, the application must satisfy at least 2 of the prerequisites for each of the following categories:

Category	Prerequisite Choices
Location	At least 75% of the site must be within ½ mile of a Level 2 transit station/stop or 1 mile of a Level 1 transit station/stop;
	The site must be served by existing water and sewer infrastructure that will not require an upgrade due to the proposed development;
	The site must be in a transitional location between existing Residential Multi-Unit, Residential Townhouse, or non-Residential zoning and Residential Multi-Unit, Residential Townhouse, or Residential Detached zoning;
	Any stream, floodplain, wetland, or environmental buffer on-site will not be adversely impacted by the development; or
	If proposing development that may generate students, the site must not be in an area that is under moratorium due to school capacity or result in a school utilization rate greater than 120% because of the proposed development. For any site within 2 school clusters, only the portions of the site that satisfy this requirement can proceed. Age-restricted or senior housing automatically qualifies for this prerequisite.
Circulation Network	All streets built as part of the development must be available for general public use;
	Except for detached houses, all parking, except on-street parallel parking, must be to the side of or behind buildings;
	Surface parking for the development must not cover more than 20% of the site;
	The site has frontage on a nonresidential street; or The tract is adjacent to an existing pedestrian and bicyclist route that is at least 5 miles in length.

3. Non-Residential Base Zone

When requesting a Floating zone for a property with a non-Residential base zone there are no additional prerequisites for an application.

- D. Application of a Floating zone requires approval of a Local Map Amendment under [Sec.] Section 8.2.1.
- E. A Floating zone application that meets the prerequisites and requirements in this Article (Article 59-5) may not be sufficient to require approval of the application.

Section 5.1.4. Special Provisions for Properties in a Zone Under Article 59-9

- A. Properties in a zone under Article 59-9 may be rezoned to a Floating zone in this Article (Article 59-5) as follows:
 - 1. The applicant must propose an equivalent Euclidean zone based on the subject property's existing use and density;
 - 2. The equivalent Euclidean zone is the base zone that determines:
 - a. the prerequisites under [Sec.] Section 5.1.3 that apply;
 - b. the Floating zone that may be requested; and
 - c. any applicable land uses, building types, and development standards.
- B. [This] Section 5.1.4 [(Sec. 5.1.4)] does not apply where Article 59-9 specifically prohibits rezoning to a new Floating zone.

Division 5.2. Residential Floating Zones

Section 5.2.1. Zones

- A. There are 3 Residential Floating zone categories.
- B. Residential Floating zones are mapped using the zone’s initials followed by a number indicating the maximum allowed units per acre approved by a Local Map Amendment under [Sec.] Section 8.2.1:
1. Residential Detached – Floating (RDF-#);
 2. Townhouse – Floating (TF-#); and
 3. Apartment – Floating (AF-#).

Section 5.2.2. Land Uses

A. Allowed Uses

Land uses are allowed in the Residential Floating zones as follows:

Floating Zone Category	Approved Density	All Uses Allowed
RDF	< 3 units/acre and < 150 total units	R-200
	< 3 units/acre and ≥ 150 total units	R-200, CRN
	≥ 3 units/acre and < 150 total units	R-90, R-60, R-40
	≥ 3 units/acre and ≥ 150 total units	R-90, R-60, R-40, CRT
TF	< 12 units/acre and < 150 total units	TLD
	< 12 units/acre and ≥ 150 total units	TLD, CRN
	≥ 12 units/acre and < 150 total units	TMD, THD
	≥ 12 units/acre and ≥ 150 total units	TMD, THD, CRT

Floating Zone Category	Approved Density	All Uses Allowed
AF	< 20 units/acre and < 150 total units	R-30, CRN
	< 20 units/acre and ≥ 150 total units	R-30, CRT
	≥ 20 units/acre and < 150 total units	R-20, R-10, CRN
	≥ 20 units/acre and ≥ 150 total units	R-20, R-10, CR

B. Use Provisions

1. In the Residential Floating zones the maximum area of the site for nonresidential uses is 25% and the maximum nonresidential density on that 25% of the site is 0.25 FAR.
2. The lot on which any approved commercial uses are located must be separated from the boundary of the tract included in the Local Map Amendment by residential lots or open space and must not share a lot line with any properties in a Residential zone not included in the Local Map Amendment.
3. An applicant may voluntarily prohibit specific uses or establish binding elements that restrict specific uses [in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

Section 5.2.3. Building Types

A. Building types are allowed as follows:

Zone	Detached House	Duplex	Town-house	Apartment/[Condo]	Multi Use Building	General Building
RDF	A				S	A
TF	A	A	A		S	A
AF	A	A	A	A	S	A
KEY 5.2.2	A = Allowed S = Subject to approval of commercial uses under [Sec.] Section 5.2.2					

- B. An applicant may voluntarily prohibit specific building types or establish binding elements that restrict specific uses [in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

Section 5.2.4. Development Standards

A. Density

1. Residential Density

- a. If a Floating zone is recommended in a master plan, residential density must not exceed [the specific] that recommendation, except where MP-DUs above the minimum required or TDRs are provided.
- b. If a Floating zone is not recommended in a master plan the following residential density limits apply, calculated on site area:

Pre-Existing Euclidean Zone	Base Lot/ Site Size	Base Density in Units per Acre	Maximum Allowed Density in Units per Acre		
			Less than 3 times the base lot/site size	3 to <6 times the base lot/ site size	At least 6 times the base lot/site size
RE-2, RE-2C	2 acres	0.50	0.50	0.75	1.00
RE-1	40,000 SF	1.09	1.09	1.63	2.18
R-200	20,000 SF	2.18	2.18	3.27	4.36
R-90	9,000 SF	4.84	4.84	7.26	12.00
R-60	6,000 SF	7.26	7.26	10.89	14.52
R-40	4,000 SF	10.89	10.89	16.33	21.78
TLD	20,000 SF	9.00	9.00	13.50	18.00
TMD	20,000 SF	12.00	12.00	18.00	24.00
THD	40,000 SF	15.00	15.00	22.50	30.00
R-30	12,000 SF	14.50	14.50	21.75	29.00
R-20	16,000 SF	21.70	21.70	32.55	43.40
R-10	20,000 SF	43.50	43.50	65.25	87.00

2. Commercial Density

Commercial density, if allowed under [Sec.] Section 5.2.2, is limited to 0.25 FAR, calculated on 25% of the [site] site's land area.

3. Modifications by Applicant

An applicant may limit density below the maximum allowed by [this] Section 5.2.4.A [(Sec. 5.2.4.A) in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

B. Setback and Height

- 1. If a Floating zone is recommended in a master plan, height must not exceed [the specific] that recommendation.
- 2. Maximum height and setbacks are established by the floating zone plan.
- 3. Height must satisfy the compatibility standards for the applicable building type under [Div. 7.4.] Section 4.1.6.B.

C. Lot Size

Minimum lot sizes are established by the floating zone plan.

D. Coverage

Minimum open space must be provided as a percentage of the site area as determined by the most intense building type approved and density in units per acre.

Building Type	Open Space Required			
	Minimum Open Space Required Based on Units per Acre			
	1-19 units/acre	20-39 units/acre	40-59 units/acre	60+ units/acre
Detached House	0%	10%	10%	15%
Duplex	0%	10%	15%	20%
Townhouse	10%	15%	20%	25%
Apartment/[Condo], Multi Use, or General Building	15%	20%	25%	30%

E. General Requirements

1. Parking, open space, recreation facilities, screening, and landscaping must be provided under [Article 59-7](#) according to the Euclidean zone that establishes uses under [\[Sec.\] Section 5.2.2](#). for each applicable residential or commercial area.
2. The floating zone plan may [\[require\] provide for](#) additional parking, open space, recreation facilities, screening, or landscaping or further restrict lighting [\[in order\]](#) to [allow the District Council to](#) make the necessary findings of approval under [\[Sec.\] Section 8.2.1](#).

Division 5.3. Commercial/Residential Floating Zones

Section 5.3.1. Zones

- A. There are 3 categories of Commercial/Residential Floating zones.
- B. Commercial/Residential Floating zones are mapped using the zone’s initials followed by the maximum allowed total, commercial, and residential densities and maximum allowed height as limited by [this] Division 5.3 [(Div. 5.3)].
 - 1. Commercial Residential Neighborhood – Floating (CRNF# C# R# H#)
 - 2. Commercial Residential Town – Floating (CRTF# C# R# H#)
 - 3. Commercial Residential – Floating (CRF# C# R# H#)

Section 5.3.2. Land Uses

- A. The following land uses are allowed in the Commercial/Residential Floating zones:
 - 1. In the CRNF zones, only the uses allowed in the CRN zone are allowed.
 - 2. In the CRTF zones, only the uses allowed in the CRT zone are allowed.
 - 3. In the CRF zones, only the uses allowed in the CR zone are allowed.
- B. An applicant may voluntarily prohibit specific uses or establish binding elements that restrict specific uses [in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

Section 5.3.3. Building Types Allowed

- A. Any building type is allowed in the Commercial/Residential Floating zones.
- B. An applicant may voluntarily prohibit specific building types or establish binding elements that restrict specific building types [in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

Section 5.3.4. Development Standards

A. Density

- 1. If a Floating zone is recommended in a master plan, density must not exceed [the specific] that recommendation.
- 2. If a Floating zone is not recommended in a master plan, the following density limits apply.

Density Allowed

Pre-Existing Euclidean Zone	Maximum Density Allowed in FAR Based on Size of Tract in Acres					
	Up to 0.5 acres		0.51 acres - 3.00 acres		Greater than 3 acres	
	Total Density	C or R Density	Total Density	C or R Density	Total Density	C or R Density
RE-2, RE-2c, RE-1, R-200	0.75 FAR	0.5 FAR	1.0 FAR	0.75 FAR	1.25 FAR	1.0 FAR
R-90, R-60, R-40, TLD, TMD, THD	1.0	0.75	1.25	1.0	1.5	1.25
R-30, R-20, R-10	1.25	1.0	1.5	1.25	1.75	1.5
CRN	1.0	0.75	1.25	1.0	1.5	1.25
CRT	2.0	1.5	3.0	2.0	4.0	3.0
CR	4.0	3.0	6.0	4.5	8.0	6.0
Employment	2.0	1.5	3.0	2.0	4.0	3.0
IL, IM	0.75	0.5	1.0	0.75	1.5	1.25

- 3. An applicant may limit density below the maximum allowed by [this] Section 5.3.4.A [(Sec. 5.3.4.A) in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

B. Setback and Height

- 1. If a Floating zone is recommended in a master plan, height must not exceed [the specific] that recommendation.
- 2. Maximum height and setbacks are established by the floating zone plan.
- 3. Height must satisfy the compatibility standards for the applicable building type under [Div. 7.4.] Section 4.1.6.B.

C. Lot Size

Minimum lot sizes are established by the floating zone plan.

D. Coverage

The minimum [Minimum] open space is [equivalent to] the minimum open space [under] required for the Euclidean zone that establishes uses under [Sec.] Section 5.3.2.A for each applicable building type.

E. General Requirements

1. Parking, recreation facilities, and landscaping must be provided under Article 59-7 [according to] as required for the Euclidean zone that establishes uses under [Sec.] Section 5.3.2.
2. Public open space must be provided under Article 59-4 (for standard method) and Article 59-6 (for optional method) [according to] as required for the Euclidean zone that establishes uses under [Sec.] Section 5.3.2.
3. The [Local Map Amendment] floating zone plan may [require] provide for additional parking, open space, recreation facilities, screening, or landscaping or further restrict lighting [in order] to allow the District Council to make the necessary findings of approval under [Sec.] Section 8.2.1.

F. Public Benefits

1. Public Benefits Required

- a. Development above 1.0 FAR in the CRTF zone requires public benefits.
- b. Development above 0.5 FAR in the CRF zone requires public benefits.
- c. When public benefits are required by development in the Commercial/ Residential Floating zones, a sketch plan must be submitted under [Sec.] Section 8.3.3.

2. Public Benefit Points and Categories Required

- a. Public benefits under [Div.] Division 6.6 must be provided according to zone and [to the site] tract size or maximum total mapped FAR, which ever requires [fewer] more public benefit points:

Zone	Tract Size OR Max Total FAR	Public Benefit Points (min)	Number of Benefit Categories (min)
CRTF	< 10,000 SF OR < 1.5 max FAR	25	2
	10,000 SF to < 1,250,000 SF OR 1.5 to < [3.25] 3.5 max FAR	50	3
	≥ 1,250,000 SF OR ≥ 3.5 max FAR	75	4
CRF	< 10,000 SF OR < 1.5 max FAR	50	3
	10,000 SF to < 1,250,000 SF OR 1.5 to < [3.25] 3.5 max FAR	100	4
	≥ 1,250,000 SF OR ≥ 3.5 max FAR	125	5

- b. In the CRF zone, the purchase of BLTs is required under [Sec.] Section 6.6.3.F.1.a.

Division 5.4. Employment Floating Zones

Section 5.4.1. Zones

- A. There are 4 categories of Employment Floating zones.
- B. Employment Floating zones are mapped using the [zones] [zone's](#) initials followed by the maximum allowed total density and maximum allowed height as limited by [this] Division [5.4.](#) [(Div. 5.4)]
1. GENERAL RETAIL – FLOATING (GRF# H#)
 2. NEIGHBORHOOD RETAIL – FLOATING (NRF# H#)
 3. EMPLOYMENT OFFICE – FLOATING (EOFF# H#)
 4. LIFE SCIENCES CENTER – FLOATING (LSCF# H#)

Section 5.4.2. Land Uses

- A. The following land uses are allowed in the Employment Floating zones:
1. In the GRF zones, only the uses allowed in the GR zone are allowed.
 2. In the NRF zones, only the uses allowed in the NR zone are allowed.
 3. In the EOFF zones, only the uses allowed in the EOF zone are allowed.
 4. In the LSCF zones, only the uses allowed in the LSC zone are allowed.
- B. An applicant may voluntarily prohibit specific uses or establish binding elements that restrict specific uses [\[in order\]](#) to support the necessary findings of approval under [\[Sec.\] Section 8.2.1.](#)

Section 5.4.3. Building Types Allowed

- A. Any building type is allowed in the Employment Floating zones.
- B. An applicant may voluntarily prohibit specific building types or establish binding elements that restrict specific building types [\[in order\]](#) to support the necessary findings of approval under [\[Sec.\] Section 8.2.1.](#)

Section 5.4.4. Development Standards

A. Density

1. If a Floating zone is recommended in a master plan, density must not exceed [\[the specific\] that](#) recommendation.

2. If a Floating zone is not recommended in a master plan, the following density limits apply:

Pre-Existing Euclidean Zone	Density Allowed		
	Maximum Total Density Allowed in FAR Based on Size of Tract in Acres		
	Less than 0.5 Acres	0.5 – 3.00 Acres	Greater than 3 Acres
RE-2, RE-2c, RE-1, R-200	0.75 FAR	1.0 FAR	1.25 FAR
R-90, R-60, R-40, TLD, TMD, THD	1.0	1.25	1.5
R-30, R-20, R-10	1.25	1.5	1.75
CRN	1.0	1.25	1.5
CRT	2.0	3.0	4.0
CR	4.0	6.0	8.0
Employment	2.0	3.0	4.0
IL, IM	0.75	1.0	1.5

3. An applicant may limit density below the maximum allowed by this Section (Sec. 5.4.4.A) [\[in order\]](#) to support the necessary findings of approval under [\[Sec.\] Section 8.2.1.](#)

B. Setback and Height

1. If a Floating zone is recommended in a master plan, height must not exceed [\[the specific\] that](#) recommendation.
2. Maximum height and setbacks are established by the floating zone plan.
3. Height must satisfy the compatibility standards for the applicable building type under [\[Div. 7.4.\] Section 4.1.6.B.](#)

C. Lot Size

Minimum lot sizes are established by the floating zone plan.

D. Coverage

[The minimum \[Minimum\]](#) open space is [\[equivalent to\]](#) the minimum open space [\[under\] required for](#) the Euclidean zone that establishes uses under [\[Sec.\] Section 5.4.2.A](#) for each applicable building type.

E. General Requirements

1. Parking, recreation facilities, and landscaping must be provided under Article 59-7 [according to] as required for the Euclidean zone that establishes uses under [Sec.] Section 5.4.4.
2. Public open space must be provided under Article. 59-4 (for standard method) and Article 59-6 (for optional method) [according to] as required for the Euclidean zone that establishes uses under [Sec.] Section 5.4.4.
3. The [Local Map Amendment] floating zone plan may [require] provide for additional parking, open space, recreation facilities, screening, or landscaping or further restrict lighting [in order] to allow the District Council to make the necessary findings of approval under [Sec.] Section 8.2.1.

F. Public Benefits

1. Public Benefits Required

- a. Development above 1.0 FAR in the EOFF zone requires public benefits.
- b. Development above 0.5 FAR in the LSCF zone requires public benefits.
- c. When public benefits are required by development in the Employment Floating zones, a sketch plan must be submitted under [Sec.] Section 8.3.3.

2. Public Benefit Points and Categories Required

- a. Public benefits under [Div.] Division 6.6 must be provided according to zone and [to the] tract size or maximum total mapped FAR, whichever requires [fewer] more public benefit points:

Zone	Tract Size OR Max Total FAR	Public Benefit Points (min)	Number of Benefit Categories (min)
LSCF	< 10,000 SF OR < [1.5] 1.0 max FAR	15	1
	10,000 SF to < 1,250,000 SF OR [1.5] 1.0 to < [3.25] 1.75 max FAR	30	2
	≥ 1,250,000 SF OR ≥[3.5] 1.75 max FAR	40	3

EOFF	< 10,000 SF OR < 1.5 max FAR	30	2
	10,000 SF to < 1,250,000 SF OR 1.5 to < [3.25] 3.5 max FAR	60	3
	≥ 1,250,000 SF OR ≥ 3.5 max FAR	75	4

- b. In the LSCF zone, the purchase of BLTs is required under [Sec.] Section 6.6.3.F.1.b.

Division 5.5. Industrial Floating Zones

Section 5.5.1. Zones

- A. There are 2 categories of Industrial Floating zones.
- B. Industrial Floating zones are mapped using the [zones'] zone's initials followed by the maximum allowed total density and maximum allowed height as limited by [this] Division 5.5 [(Div. 5.5)].
1. INDUSTRIAL LIGHT – FLOATING (ILF# H#)
 2. INDUSTRIAL MODERATE – FLOATING (IMF# H#)

Section 5.5.2. Land Uses

- A. The following land uses are allowed in the Industrial Floating zones:
1. In the ILF zones, only the uses allowed in the IL zone are allowed.
 2. In the IMF zones, only the uses allowed in the IM zone are allowed.
- B. An applicant may voluntarily prohibit specific uses or establish binding elements that restrict specific uses [in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

Section 5.5.3. Building Types Allowed

- A. Building types are allowed [according to] under the equivalent Euclidean zone.
- B. An applicant may voluntarily prohibit [specific] building types or establish binding elements that restrict specific building types [in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

Section 5.5.4. Development Standards

A. Density

1. If a Floating zone is recommended in a master plan, density must not exceed [the specific] that recommendation.
2. If a Floating zone is not recommended in a master plan, the following density limits apply:

Density Allowed

Pre-Existing Euclidean Zone	Maximum Total Density Allowed in FAR Based on Size of Tract in Acres		
	Less than 0.5 Acres	0.5 – 3.00 Acres	Greater than 3 Acres
RE-2, RE-2c, RE-1, R-200	0.50 FAR	0.75 FAR	1.00 FAR
R-90, R-60, R-40, TLD, TMD, THD	0.75	1.00	1.25
R-30, R-20, R-10	1.00	1.25	1.50
CRN	0.75	1.00	1.25
CRT	1.00	1.25	1.50
CR	2.00	2.50	3.00
Employment	1.00	1.25	1.50
Industrial	2.00	2.50	3.00

3. An applicant may limit density below the maximum allowed by [this] Section 5.5.4.A [(Sec. 5.5.4.A) in order] to support the necessary findings of approval under [Sec.] Section 8.2.1.

B. Setback and Height

1. If a Floating zone is recommended in a master plan, height must not exceed [the specific] that recommendation.
2. Maximum height and setbacks are established by the floating zone plan.
3. Height must satisfy the compatibility standards for the applicable building type under [Div. 7.4.] Section 4.1.6.B.

C. Lot Size

Minimum lot sizes are established by the floating zone plan.

D. Coverage

The minimum [Minimum] open space is [equivalent to] the minimum open space [under] required for the Euclidean zone that establishes uses under [Sec.] Section 5.5.2.A for each applicable building type.

E. General Requirements

1. Parking, recreation facilities, and landscaping must be provided under Article 59-7 [according to] as required for the Euclidean zone that establishes uses under [Sec.] Section 5.5.2.
2. Public open space must be provided under Article. 59-4 (for standard method) and Article 59-6 (for optional method) [according to] as required for the Euclidean zone that establishes uses under [Sec.] Section 5.5.2.
3. The [Local Map Amendment] floating zone plan may [require] provide for additional parking, open space, recreation facilities, screening, or landscaping or further restrict lighting [in order] to allow the District Council to make the necessary findings of approval under [Sec.] Section 8.2.1.