

# ARTICLE 59-7. GENERAL DEVELOPMENT REGULATIONS

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## Div. 7.1. Site Access

### Sec. 7.1.1. Intent

- A. The intent of the site access regulations is to ensure safe and convenient vehicular and pedestrian access among and between lots on the same block face and to lessen traffic congestion.
- B. Adjustments may be appropriate where topographic changes are too steep, where existing buildings, streams and site layout prevent cross access, where adjoining uses are incompatible, or where strict compliance with this Code would pose a safety hazard, as determined by the applicable review body.

### Sec. 7.1.2. Applicability

- A. The requirements of this Division apply to development in the CR, CRT, CRN, EOF, ELS, EG, RHD and PD zones where a site plan or conditional use plan is required and where an Apartment/Condo, Mixed Use Building or General Building type is proposed.
- B. The requirements of this Division apply to new development and any addition of floor area or impervious cover that requires a site plan or conditional use plan.

### Sec. 7.1.3. General Access Requirements

- A. All existing and proposed development must provide a satisfactory means of vehicular, pedestrian and bicycle ingress and egress to and from a street or an abutting site. Vehicle access across primary pedestrian, bicycle or transit routes must be limited wherever feasible.
- B. All on-site parking areas must be designed to allow vehicles to enter and exit the parking area in a forward motion, unless otherwise approved by the applicable review body.
- C. All pad sites must take vehicular access from within the site, unless otherwise approved by the Director of Permitting Services.
- D. No land that is located in a residential zone may be used for driveway or vehicular access purposes to any land that is not residentially zoned, except in a Historic District.

### Sec. 7.1.4. Driveway Access

- A. Driveway dimensions must be in accordance with the following table:

Zone	Width (min)	Width (max)	Radius (max)
RHD			
One-way	12'	16'	10'
Two-way	20'	24'	10'
CR, CRT, CRN, EOF, ELS, EG			
One-way	12'	18'	10'
Two-way	20'	32'	15'
IL, IH	30'	40'	30'

- B. The applicable review body may require wider driveways where unusual traffic, grade or site conditions exist.
- C. Where on-site parking areas can be accessed from an improved alley with a right-of-way of at least 20 feet in width, access from the alley is required and new curb cuts along the public right-of-way are not allowed.
- D. No more than two driveways are allowed along the property frontage of any street. Additional driveways require approval from the applicable review body.
- E. On corner lots, vehicular access must be taken from the street with the lower roadway classification. On through lots, vehicular access must be taken from the street with the lower roadway classification unless the road is classified as a residential road.

### Sec. 7.1.5. Cross-Access

To encourage shared parking and shared access, site plan or conditional use plans and conditional use plans for CR, CRT, CRN, EOF, ELS and EG zones must comply with the following:

- A. Internal vehicular circulation areas must be designed to allow for cross-access between abutting lots that have nonresidential or mixed uses.
- B. Cross-access is required when abutting developed property lies in a CR, CRT, CRN, EOF, ELS or EG zone. A stub for future cross-access must be provided to all abutting vacant land in a CR, CRT, CRN, EOF, ELS or EG zone.
- C. When cross-access for vehicles is deemed impractical by the Planning Board on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross-access may be waived. Bicycle and pedestrian

connections must be provided between abutting properties when cross-access is waived.

- D. Property owners who establish cross-access easements must:
1. Record an easement through a record plat allowing cross-access to and from properties served by the cross-access easement.
  2. Record a joint maintenance agreement defining the maintenance responsibilities of each property owner.

## Div. 7.2. Parking, Queuing & Loading

### Sec. 7.2.1. Intent

The intent of the vehicle and bicycle parking, queuing and loading requirements is to ensure adequate and appropriate levels of parking are provided in a safe and efficient manner in both shared and non-shared parking environments.

### Sec. 7.2.2. Applicability

- A. Off-street parking spaces with adequate provision for ingress and egress by vehicles must be provided in accordance with this Division for any principal building or structure at the time of construction and when any principal building or structure is enlarged or increased in capacity. The following are exempt from the required parking ratios of this Division:
1. Any structure on the National Register of Historic Places;
  2. Any structure with less than 5,000 square feet of gross floor area located in a CR, CRT, CRN, EOF, ELS or EG zone; and
  3. Any expansion of less than 500 square feet in floor area or impervious cover.
- B. All off-street parking facilities provided, whether required or in addition to minimum requirements, must conform to all standards contained in this Division.
- C. No off-street parking facility can be reduced in area or encroached upon by buildings, vehicle storage or any other use where such reduction or encroachment will reduce the number of parking spaces to fewer than those required by this Division. This does not include parking allowed within the right-of-way.

### Sec. 7.2.3. Calculation of Required Parking

#### A. In General

1. When a lot is used for a combination of uses, the parking requirements are the sum of the requirements for each use, and no parking space for one use can be included in the calculation of parking requirements for any other use, except as expressly allowed in this Division (see especially Sec. 7.2.4.C. and 7.2.6.C.).
2. In determining the required number of parking spaces, fractional spaces are rounded up to the nearest whole number.
3. Where spaces are calculated based on employees, the largest shift must be used.

#### B. Conditional Uses

The review body may exercise discretion regarding on-site parking requirements using the following guidelines:

1. Provision of ample parking for residents, employees and visitors, taking into consideration the number of employees on the maximum shift, the method of operation, including the number of appointments and deliveries, type of clientele expected, and type of care provided.
2. Parking requirements may be increased or decreased from those in Sec. 7.2.5 or 7.2.6 based on available on-street parking and the availability of nearby public or private parking facilities
3. All off-street parking must be located so as to maximize the safety, convenience and amenity for residents of the neighboring area.

### Sec. 7.2.4. Agricultural & Rural, Residential, Industrial Zones

#### A. Required Vehicle Parking

The minimum parking requirements of the Agricultural & Rural, Residential and Industrial zones reflect a non-shared parking environment. The total number of spaces required for any site is the sum of the spaces required for each applicable category of land use in the table in [Sec. 7.2.5](#).

#### B. Required Bicycle Parking

The minimum bicycle parking requirements of the Agricultural & Rural, Residential and Industrial zones reflect a non-shared parking environment. The total number of spaces required for any site is the sum of the spaces required for each applicable category of land use in the following table. Long-term bicycle parking spaces are intended to be used for resident and employee parking. Short-term bicycle parking spaces are intended to be used for patrons.

#### C. Adjustments

##### 1. Shared Parking

- a. Applicants wishing to use shared parking as a means of reducing the total number of required spaces may submit a shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model (latest edition).

- b. The study must be provided in a form established by the Director of Permitting Services.
- c. Reductions in the total number of required spaces for shared parking are not permitted unless the applicable review body determines a reduction is appropriate on a case-by-case basis.
- d. Uses providing shared parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The applicable review body will determine whether hours of operation are compatibly overlapping.

**2. On-Street Space**

One on-street parking space located in public or private right-of-way abutting the subject property may be substituted for every required parking space, as determined by the Director of Permitting Services.

**3. Car-Share Space**

Preferential location of one car-share space may be substituted for three required parking spaces for residential uses. Car-share parking spaces are not counted against the parking maximum.

**4. Moderately-Priced Dwelling Units (MPDU's)**

Parking for all multi-unit moderately-priced dwelling units (MPDU's) may be reduced by 50% from the baseline rate for the specific unit type.

**D. Using the Parking Table**

Uses on the parking table match the allowed uses and use groups in Article 59-3. There are columns on the table for both required vehicle parking and required bicycle parking (if any). The number of required spaces is based on a metric specific to each use, such as 1,000 square feet of gross floor area (GFA).

**Sec. 7.2.5. Agricultural & Rural, Residential and Industrial Zones**

USE or USE GROUP	VEHICLE PARKING SPACES		BICYCLE PARKING SPACES		
	Metric	Baseline Minimum	Metric	Spaces Required	% Long-Term
<b>Agricultural</b>					
Agricultural Auction Facility	1,000 SF of GFA	5.00	--	--	--
Agricultural Processing	1,000 SF of GFA	1.50	--	--	--
Equestrian Facility	Each Seat	0.25	--	--	--
Farm Supply, Machinery	1,000 SF of Sales Area	5.00	--	--	--
Nursery, Retail	1,000 SF of GFA	3.00	--	--	--
Nursery Wholesale	1,000 SF of GFA	1.50	--	--	--
Slaughterhouse	1,000 SF of GFA	1.50	--	--	--
Winery	1,000 SF of GFA	5.00	--	--	--
<b>Residential</b>					
Single Unit, Two Unit, Townhouse	Dwelling Unit	2.00	--	--	--
Multi-Unit	Efficiency Dwelling Unit	1.00	Dwelling Unit (20+ Units Only)	0.5 100 max	95%
	1 Bedroom Dwelling Unit	1.25			
	2 Bedroom Dwelling Unit	1.50			
	3+ Bedroom Dwelling Unit	2.00			
Accessory Apartment, Attached or Detached	Accessory Dwelling Unit	1.00	--	--	--
Home Occupation, Low Impact	Home Occupation	2.00	--	--	--
Home Occupation, Major Impact (in addition to residential spaces)	Non-Resident Employee, plus Each Client Allowed per Hour	1.00 1.00	--	--	--
Home Health Practitioner, Low Impact	Home Health Practitioner	2.00	--	--	--
Home Health Practitioner, Major Impact (in addition to residential spaces)	Non-Resident Employee, plus Each Client Allowed per Hour	1.00 1.00	--	--	--
Group Living	Bed, plus	0.25	Dwelling Unit (20+ Units Only)	0.25 50 max	95%
	Employee	0.50			
	OR: Dwelling Unit or PLQ	1.00			
<b>Civic &amp; Institutional</b>					
Charitable, Philanthropic Institution	1,000 SF of GFA	2.50	10,000 SF of GFA	2.0	85%
Cultural Institution	1,000 SF of GFA	1.25	10,000 SF of GFA	1.0	15%
Day Care Facility	Non-Resident Employee	1.00	--	--	--
		1,000 SF of GFA	3.00	10,000 SF of GFA	2.0
Educational Institution (Private)	Student (Grade K-8)	0.25	10,000 SF of GFA	2.0	85%
	Student (Grade 9-12)	0.50			
Fire/EMS (Private)	Employee	1.0	10,000 SF of GFA	2.0	85%
Hospital	1,000 SF of GFA	2.5	10,000 SF of GFA	2.0	85%
Private Club, Service Organization	1,000 SF of GFA	2.50	10,000 SF of GFA	1.0	15%
Religious Assembly	Main Assembly Room Seat	0.25	10,000 SF of GFA	1.0	15%

USE or USE GROUP	VEHICLE PARKING SPACES		BICYCLE PARKING SPACES		
	Metric	Baseline Minimum	Metric	Spaces Required	% Long-Term
<b>Commercial</b>					
Animal Services	1,000 SF of GFA	3.50	10,000 SF of GFA	1.0	15%
Eating & Drinking	1,000 SF for Patron Use	10.00	10,000 SF of GFA	1.0	15%
Funeral & Interment Services	Each Seat	0.25	10,000 SF of GFA	1.0	15%
Landscape Contractor	1,000 SF of GFA	5.00	--	--	--
Lodging, Bed & Breakfast	Guest Room	1.00	--	--	--
Lodging, Hotel/Motel	Guest Room, plus 1,000 SF of Meeting Room, Dining	0.70 10.00	10 Guest Rooms	1.0	100%
Medical & Dental	1,000 SF of GFA	3.50	10,000 SF of GFA	2.0	85%
Office & Professional	1,000 SF of GFA	2.80	10,000 SF of GFA	2.0	85%
Recreation & Entertainment	1,000 SF of GFA	5.00	10,000 SF of GFA	1.0	15%
Retail Sales & Service	1,000 SF of GFA	4.00	10,000 SF of GFA	1.0	15%
Vehicle/Equipment Sales & Rental	1,000 SF of GFA	4.00	10,000 SF of GFA	1.0	15%
Vehicle Service	1,000 SF of GFA	4.00	10,000 SF of GFA	1.0	15%
<b>Industrial</b>					
All Industrial	1,000 SF of GFA	1.50	--	--	--

GFA = Gross Floor Area



## Sec. 7.2.6. Commercial/Residential & Employment Zones

### A. Required Vehicle Parking

1. The minimum parking requirements of the CR, CRN, CRT, EOF, ELS and EG zones reflect a shared parking environment. The total number of spaces required for any site is the sum of the spaces required for each applicable category of land use in the following table. No additional reduction for shared parking is allowed.
2. Parking must be provided in Parking Benefit Districts, as defined by Chapter 6o, such that the amount provided is between a baseline minimum and a baseline maximum, which may be adjusted as set forth in this Section. Parking in all other locations must be provided for at least the baseline minimum, as adjusted; no maximum is established for these locations.
3. When a building is constructed, parking spaces may be reserved for specific tenants or units, provided that the baseline minimum is met and the baseline maximum is not exceeded, as adjusted under Sec. 7.2.6.C. For any parking spaces provided beyond the maximum, a fee per space will be assessed or the space must be made available to the general public (this provision may be further defined and regulated in Chapter 6o).
4. In a Primary Parking Benefit District, minimum parking requirements may be met through payment of a fee to the appropriate district under Chapter 6o.

### B. Required Bicycle Parking

The following minimum bicycle parking requirements reflect a mixed use environment. The total number of spaces required for any site is the sum of the spaces required for each applicable category of land use in the following table. Long-term bicycle parking spaces are focused on resident and employee parking. Short-term bicycle parking spaces are focused on patrons.

### C. Adjustments

#### 1. NADMS Factor

Any applicable Non-Auto Driver Mode Share (NADMS) factor is multiplied against the baseline minimum parking standard to determine a new minimum parking standard. The baseline maximum parking standard remains unaffected by the NADMS factor.

#### 2. On-Street Space

One on-street parking space located in public or private right-of-way abutting the subject property may be substituted for every required parking space, as determined by the Director of Permitting Services.

#### 3. Carpool/Vanpool Space

Preferential location of one carpool or vanpool space may be substituted for three required parking spaces.

#### 4. Car-Share Space

Preferential location of one car-share space may be substituted for three required parking spaces for residential uses, and six spaces for commercial uses. Car-share parking spaces are not counted against the parking maximum.

#### 5. Unbundled Residential Space

Where residential parking space is unbundled (parking spaces are offered at market rates as an option distinct from the purchase or lease of a residential unit), the minimum parking requirement is reduced to 0.8 spaces per dwelling unit.

#### 6. Moderately-Priced Dwelling Units (MPDU's)

Parking for all moderately-priced dwelling units (MPDU's) may be reduced by 50% from the baseline rate for the specific unit type.

#### 7. Restaurant Outdoor Patron Areas

No parking is required for outdoor patron seating areas at a restaurant located within one mile of transit.

### D. Using the Parking Table

Uses on the parking table match the allowed uses and use groups in Article 59-3. There are columns on the table for both required vehicle parking and required bicycle parking (if any). The number of required spaces is based on a metric specific to each use, such as 1,000 square feet of gross floor area (GFA). Vehicle parking is further differentiated by site location in or outside of a parking benefit district.

Sec. 7.2.7. Commercial/Residential & Employment Zones

USE or USE GROUP	Metric	VEHICLE PARKING SPACES			BICYCLE PARKING SPACES		
		Primary/Secondary Parking Benefit Districts		All Other Locations	All Locations		
		Baseline Minimum	Baseline Maximum	Baseline Minimum	Metric	Spaces Required	% Long-Term
<b>Agricultural</b>							
Nursery, Retail	1,000 SF of GFA	0.25	1.25	1.25	10,000 SF of GFA	1.0	15%
<b>Residential</b>							
Single Unit, Two Unit, Townhouse	Dwelling Unit	1.00	2.00	2.00	--	--	--
Multi-Unit							
Efficiency	Dwelling Unit	0.50	1.00	1.00	Dwelling Units (20+ Units Only)	0.5 100 max	95%
1 Bedroom	Dwelling Unit	0.50	1.25	1.25			
2 Bedroom	Dwelling Unit	0.75	1.50	1.50			
3+ Bedroom	Dwelling Unit	1.00	2.00	2.00			
Accessory Apartment, Attached or Detached	Dwelling Unit	1.00	2.00	2.00	--	--	--
Home Occupation, Low Impact	Home Occupation	2.00	2.00	2.00	--	--	--
Home Occupation, Major Impact (in addition to residential spaces)	Non-Resident Employee, plus Each Client Allowed per Hour	1.00	1.00	1.00	--	--	--
Home Health Practitioner, Low Impact	Home Health Practitioner	2.00	2.00	2.00	--	--	--
Home Health Practitioner, Major Impact (in addition to residential spaces)	Non-Resident Employee, plus Each Client Allowed per Hour	1.00	1.00	1.00	--	--	--
Group Living	Each Bed, plus	0.25	0.25	0.25	Dwelling Units (20+ Units Only)	0.25 50 max	95%
	Each Employee	0.50	0.50	0.50			
	OR: Each Dwelling Unit or PLQ	1.00	1.00	1.00			
<b>Civic &amp; Institutional</b>							
Charitable, Philanthropic Institution	1,000 SF of GFA	1.50	2.25	2.25	10,000 SF of GFA	2.0	85%
Cultural Institution	1,000 SF of GFA	0.50	1.25	1.25	10,000 SF of GFA	1.0	15%
Day Care Facility							
Family Day Care (in addition to residential spaces)	Non-Resident Employee	1.00	1.00	1.00	--	--	--
Group Day Care, Day Care Center	1,000 SF of GFA	3.00	3.00	3.00	10,000 SF of GFA	2.0	85%
Educational Institution (Private)	Each Student (Grade K-8)	0.15	0.25	0.25	10,000 SF of GFA	2.0	85%
	Each Student (Grade 9-12)	0.25	0.50	0.50			
Fire/EMS (Private)	Each Employee	0.50	1.00	1.00	10,000 SF of GFA	2.0	85%
Hospital	1,000 SF of GFA	1.50	2.25	2.25	10,000 SF of GFA	2.0	85%
Private Club, Service Organization	1,000 SF of GFA	1.50	2.25	2.25	10,000 SF of GFA	1.0	15%
Religious Assembly	Main Assembly Room Seat	0.15	0.50	0.50	10,000 SF of GFA	1.0	15%

USE or USE GROUP	Metric	VEHICLE PARKING SPACES			BICYCLE PARKING SPACES		
		Primary/Secondary Parking Benefit Districts		All Other Locations	All Locations		
		Baseline Minimum	Baseline Maximum	Baseline Minimum	Metric	Spaces Required	% Long-Term
<b>Commercial</b>							
Animal Services	1,000 SF of GFA	1.00	2.50	2.50	10,000 SF of GFA	1.0	15%
Eating & Drinking	1,000 SF for Patron Use	2.00	4.00	4.00	10,000 SF of GFA	1.0	15%
Funeral & Interment Services	Each Seat	0.15	0.50	0.50	10,000 SF of GFA	1.0	15%
Lodging	Guest Room, plus 1,000 SF of Meeting Room, Dining	0.33 2.00	0.66 4.00	0.50 4.00	10 Guest Rooms	1.0	100%
Medical & Dental	1,000 SF of GFA	2.00	3.00	2.25	10,000 SF of GFA	2.0	85%
Office & Professional	1,000 SF of GFA	2.00	2.70	2.25	10,000 SF of GFA	2.0	85%
Recreation & Entertainment	1,000 SF of GFA	1.00	3.50	3.50	10,000 SF of GFA	1.0	15%
Retail Sales & Service	1,000 SF of GFA	1.00	4.00	4.00	10,000 SF of GFA	1.0	15%
Vehicle/Equipment Sales & Rental	1,000 SF of GFA	1.00	2.50	2.50	10,000 SF of GFA	1.0	15%
Vehicle Service	1,000 SF of GFA	1.00	2.50	2.50	10,000 SF of GFA	1.0	15%
<b>Industrial</b>							
All Industrial	1,000 SF of GFA	1.00	3.00	1.50	10,000 SF of GFA	2.0	85%

GFA = Gross Floor Area

## Sec. 7.2.8. Parking Design Standards

### A. Location

All required off-street parking must be located so that the major point of pedestrian access to a parking facility is within 500 feet walking distance of the entrance to the establishment to be served by such facilities.

### B. Access

Each parking space must have access to a street or alley open to use by the public via adequate interior aisles and entrance and exit driveways. Vehicle access crossing primary pedestrian, bicycle or transit routes must be limited wherever feasible.

### C. Marking

1. All off-street parking areas must be arranged and marked so as to provide for orderly and safe loading, unloading, parking and storage of vehicles.
2. Individual parking spaces must be clearly defined, and directional arrows and traffic signs must be provided as necessary for traffic control.
3. Each space or area for compact parking must be clearly marked to indicate the intended use.

### D. Size of Spaces

1. Parking spaces must meet the following dimensional requirements:

Parking Angle	Standard Space		Compact Space	
	Width	Length	Width	Length
Perpendicular	8.5'	18'	7.5'	16.5'
60 to 75 degrees	10'	23'	8.5'	21'
45 to 59 degrees	12'	26.5'	not allowed	not allowed
Parallel	7'	21'	6'	19.5'

2. Up to 10 percent of all required spaces may be compact spaces.
3. If a column or other obstruction is adjacent to a parking space and would interfere with car door openings, then the minimum stall width of that space must be increased by one foot.
4. Tandem parking is allowed for dwelling units and valet parking. Two parking spaces in tandem must have a combined minimum dimension of 8.5 feet in

width by 36 feet in length. When used for residential purposes, both parking spaces in tandem must be assigned to the same dwelling unit.

5. Valet parking is allowed as a means of satisfying required parking where:
  - a. An attendant is provided to park vehicles during all business hours of the benefitting use.
  - b. An equivalent number of valet spaces are available to substitute for the required parking spaces. Valet spaces do not require individual striping, and may take into account the mass parking of vehicles.

### E. Drive Aisles

1. Interior drive aisles have parking stalls along the sides. Entrance and exit drive aisles have no parking stalls along the sides.
2. Drive aisles for one-way movements must be at least 10 feet in width. Entrance and exit drive aisles must be separately provided wherever possible. Drive aisles designed to accommodate two-way movements must have a minimum width of 20 feet. If entrance and exit drive aisles are combined, the combined drive aisle must be not less than 20 feet in width.
3. Drive aisles designed to accommodate one-way movements must have the following minimum widths based on the configuration of the adjacent parking spaces:

Parking Type	Aisle
Perpendicular	20'
60 to 75 degrees	18'
45 to 59 degrees	16'
Parallel	10'

### F. Handicapped Spaces

Parking spaces for handicapped persons must be provided in accordance with the standards specified in the Maryland Building Code for the Handicapped as contained in the Code of Maryland Regulations 05.02.02, dated February 1, 1995.

### G. Motorcycle/Scooter Parking

All parking facilities containing more than 50 parking spaces must provide motorcycle/scooter stalls equal to at least 2% of the number of vehicle spaces. Not more than 10 motorcycle/scooter stalls are required on any one lot.

## H. Car-Share Spaces

1. One car-share parking space is required for every 50 reserved parking spaces.
2. If no car-share organization can be found to make use of the spaces, the property owner may use the space for publicly-available parking provided that upon 90 days advance written notification of interest, the property owner must make the space available to any County-recognized car-share organization.

## I. Electric Plug-In Spaces

All parking facilities containing more than 50 parking spaces must provide one electric plug-in parking space for every 50 reserved parking spaces.

## J. Parking Separation

1. All parking spaces must be separated from sidewalks, roads, streets or alleys by curbing or wheel stops.
2. All roads, streets, alleys, sidewalks and other public rights-of-way must be protected from vehicular overhang by wheel stops, curbs, spacing between the right-of-way line and the parking area, or other method approved by the Director of Permitting Services.

## K. Walkways

Pedestrian walkways or sidewalks must be provided in all off-street parking facilities where necessary for pedestrian safety. Such walkways and sidewalks must be protected from vehicular encroachment by wheel stops, curbs or other methods approved by the applicable review body.

## L. Drainage

All off-street parking facilities must be drained so as to prevent damage to abutting properties and public streets, and must be constructed of material which will assure a surface resistant to erosion. All drainage must comply with the principles of Environmental Site Design as specified in the Stormwater Management Manual adopted by the County.

## M. Landscaping & Lighting

Landscaping and lighting in parking lots must follow the regulations in [Div. 7.6](#).

## N. Facilities Within or Adjoining a Residential Zone

### 1. Setbacks

- a. The following setback standards apply to any parking facility located on a parcel within or adjoining a residential zone that is:
  - i. Not recommended for commercial or industrial use on an adopted master or sector plan;
  - ii. Not used for public or private off-street parking; or
  - iii. Not improved with a commercial or industrial use.
- b. All parking surfaces, spaces and driveways must be set back a distance not less than the applicable front, rear or side yard setback required for the property in the residential zone that adjoins or confronts the applicable boundary of the parking facility and comply with any applicable environmental buffers. In addition, screening must be provided in accordance with the screening requirements of [Div. 7.6](#).
- c. The residential setbacks required above are modified in the following situations:
  - i. Where a parking facility adjoins an existing or planned public right-of-way that is 120 feet or more in width, the provision for a landscaped strip applies to the property line abutting that right-of-way in lieu of the residential setback.
  - ii. Where a parking facility adjoins land that is classified in an RHD zone, only the minimum adjacent setback requirement of the RHD zone applies. Any increased setback based on building height that may be specified in the multifamily zone is not applicable to the parking facility.
  - iii. Where a parking facility is located on land zoned agricultural, rural or residential in a designated historic district in conjunction with a commercial use also located in the historic district, the applicable setbacks for parking surfaces, spaces and driveways may be waived by the Planning Board at the time of site plan conditional use plan review.

## 2. Facilities for Conditional Uses in Residential Zones

This paragraph applies to any off-street parking facility for a conditional use that is located in an agricultural, rural or residential zone where three or more parking spaces are provided.

### a. Location

Parking facilities must be located to maintain a residential character and a pedestrian-friendly street orientation.

### b. Setbacks

Each parking and loading facility, including each entrance and exit driveway, must be set back a distance not less than the applicable building front and rear yard and twice the building side yard required in the zone. The following additional setbacks must be provided for each parking facility:

- i. Where 150 to 199 parking spaces are provided, the required side and rear parking facility setbacks must be increased by five feet;
- ii. Where 200 or more parking spaces are provided, the required side and rear parking facility setbacks must be increased by 10 feet.

## O. Commercial Vehicle Parking

### 1. AC, RR, RC and RNC Zones

- a. Vehicles and machinery for farming uses may be parked without restriction.
- b. On any lot or parcel up to 0.5 acre, one light commercial vehicle and one unoccupied recreational vehicle may be parked at any one time.
- c. On any lot or parcel over 0.5 and under two acres, up to three light commercial vehicles and one unoccupied recreational vehicles may be parked at any one time. One additional recreational vehicle may be used for dwelling purposes for not more than three days in any month.

### 2. RE-2 and RE-1

Up to three light commercial vehicles and one unoccupied recreational vehicle may be parked at any one time. One additional recreational vehicle

may be used for dwelling purposes for not more than three days in any month.

### 3. RLD-20, RMD-9 and RMD-6

One light commercial vehicle may be parked on any lot or parcel. One recreational vehicle may be parked on a lot or parcel, however, it must not be used for dwelling purposes for more than three days in any month

## P. Surface Parking in RLD-20, RMD-9 and RMD-6

1. Parking for any vehicle or trailer in the area between the property line and the front building line must be on a surfaced area.
2. Temporary parking for visitors, and loading, unloading, or cleaning vehicles or trailers is permitted on any area. Temporary parking is infrequent; not more than 12 days per year.
3. The maximum percentage of the area between the property line and the front building line that can be covered by surfaced area, excluding the surfaced area in a driveway on a pipestem or flag shaped lot is as follows:
 

a. RLD-20	30%
b. RMD-9	30%
c. RMD-6	35%
4. Any surfaced area existing before October 26, 2010 is not limited by this provision if the existing surface area is not increased.
5. For properties with primary access from a primary residential street, minor arterial road, major highway or arterial, or any State road, the surfaced area may be a maximum of 50 percent of the area between the property line and the front building line.
  - a. Surfaced area consisting of two parking spaces can exceed the limits of this provision if it is no larger than 320 square feet in total area.
  - b. No more than one vehicle may be parked for every 160 square feet of surfaced area.
  - c. The limit on surfaced area does not apply to stone or rock quarries in the RLD-20 zone.

- d. The Department of Permitting Services may grant a waiver to these surfaced area limits as necessary to protect public safety.
- 6. Parking in the area between the property line and front building line on a non-surfaced area or parking on less than 160 square feet of surfaced area for each vehicle must cease after October 24, 2011.

## Sec. 7.2.9. Bicycle Parking Design Standards

### A. Long-Term Spaces

#### 1. Location, Access and Security

- a. Long-term bicycle parking spaces may be provided within a building or covered parking garage, or in bicycle lockers. Access to spaces must be convenient from the building or structure and the street or other bicycle right-of-way.
- b. Spaces must be available for all building tenants and accessible 24 hours a day, 7 days a week.
- c. When provided in a garage, spaces must be clearly marked as such and should be separated from vehicle parking by a barrier that minimizes the possibility of a parked bicycle being hit by a car.
- d. Spaces must be located no lower than the first complete parking level below grade, and no higher than the first complete parking level above grade.
- e. Spaces must be independently accessible by means of an aisle with a minimum width of 48 inches and a minimum vertical clearance of 75 inches.
- f. When provided in an enclosed area, the area must be composed of floor-to-ceiling fencing and a securable door to prohibit unauthorized access.
- g. When provided in lockers, the lockers must be securely anchored.
- h. All facilities must be well-maintained and monitored.
- i. All facilities must be well lit.

#### 2. Space Dimensions

- a. Bicycle parking spaces must have:

- i. A minimum vertical clearance of 75 inches, for spaces other than lockers, and 48 inches for lockers.
- ii. A minimum of length of 72 inches and width of 24 inches where the bicycles are to be placed horizontally, or a minimum length of 40 inches where bicycles are to be placed vertically.
- b. An aisle five feet in width must be provided between rows of bicycle parking spaces and the perimeter of the area devoted to bicycle parking.
- c. Where a room or common locker not divided into individual spaces is used to meet these requirements, each 12 square feet of floor area is counted as one bicycle parking space.
- d. Where manufactured metal lockers or racks are provided, each locker or stall devoted to bicycle parking is counted as one bicycle parking space.

#### 3. Signs

Where a long-term bicycle parking facility is not visible from the street or main building entrance, a sign indicating the location of the parking must be posted on the street at eye level for bicyclists.

#### 4. Changing Facilities – Showers and Lockers

Any individual tenant space over 50,000 square feet of nonresidential gross floor area (excluding retail), must provide one shower for each gender.

### B. Short-Term Spaces

#### 1. Location, Access and Security

- a. Short-term spaces must be available to the public.
- b. Spaces must be provided in a convenient, well-lit location that is clearly visible to both the occupants of the building for which the spaces are built, as well as the sidewalk that accesses the building's main entrance.
- c. Spaces must be placed no more than 100 feet from the main entrance of the building.
- d. Parking racks must be placed to avoid obstructing pedestrian traffic, bus stops, trees, and other features located in the pedestrian area.

- e. Sidewalk racks that are parallel to the curb must be located two feet from the curb face.
- f. Sidewalk racks aligned perpendicular to the curb must be placed so that the nearest vertical component of the rack is at least four feet from the curb .
- g. Sidewalk racks must be at least 14 feet from any stand-alone fire hydrant.
- h. Each parked bicycle must be accessible without moving another bicycle.
- i. An aisle of at least five feet in width must be maintained behind all occupied parking racks to allow room for bicycle maneuvering.

## 2. Racks

Where required bicycle parking is provided via racks, the racks must meet the following design and dimension standards:

- a. The bicycle frame and one wheel can be locked to the rack with a high security lock;
- b. A bicycle can be securely held with its frame supported in at least two places;
- c. Racks must be offset a minimum of 30 inches on center;
- d. The rack must be durable and securely anchored; and
- e. The locking surface of the rack should be thin enough to allow standard u-locks to be used, but thick enough so the rack cannot be cut with bolt cutters.

## Sec. 7.2.10. Stacking Design Standards

### A. In General

Adequate space must be made available on-site for the stacking, storage and queuing of vehicles. Vehicles using drive-thru facilities may not encroach on or interfere with the public use of streets and sidewalks.

### B. Drive-Thru Facility Design

- 1. No part of a drive-thru facility, including the stacking area, may be located within 100 feet of a property line shared with land zoned Agricultural & Rural, or Residential (RE-1, RE-2, RLD-20, RMD-9 and RMD-6 only).
- 2. No drive-thru service window, drive aisle or stacking area may be located between the street and the front wall of the principal building.
- 3. No drive-through service window, drive aisle or stacking area may be located between the street and the side wall of the principal building on a corner lot unless permanently screened from any street by a five-foot or higher wall or fence.

## Sec. 7.2.11. Loading Design Standards

- A. For any building or land used for commercial or industrial purposes, adequate space for off-street parking to accommodate the loading and unloading of materials must be provided, consistent with the size and proposed use of the building.
- B. Such space, whether inside or outside a building, must be in addition to any required parking space and must be designed not to impede normal vehicular and pedestrian circulation.



## Div. 7.3. Open Space

### Sec. 7.3.1. Intent

Open spaces serve to protect the health, safety, and welfare of the public; improve the appearance of the community; safeguard and enhance property values; and encourage preservation and enhancement of natural resources, including improvement of water quality and hydrology.

### Sec. 7.3.2. Summary of Open Space Requirements

The following table provides a summary of the types of open space that may be required by zone. Detailed applicability is included with each open space type on the following pages.

Zone	Rural Open Space	Common Outdoor Area	Public Use Space	Green Area
AC, RR	--	--	--	--
RC	■	--	--	--
RNC	■	■	--	--
RE, RLD, RMD, RHD	--	■	--	--
TLD, TMD, THD	--	■	--	--
CR-N, CR-T, CR	--	--	■	--
EG, ELS, EOF	--	--	■	--
IL, IH	--	--	--	■
PDR, PDT	--	■	--	--
PDE, PDCR	--	--	■	--

### Sec. 7.3.3. Ownership and Management

#### A. Ownership

Required open space must be accepted and owned by one of the following entities:

##### 1. Government

The ownership or responsibility for maintaining the open space and any facilities may be borne by a Federal, State, County or local governmental entity. Maintenance and ownership may be handled separately.

##### 2. Land Conservancy or Land Trust

The ownership or responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust. Maintenance and ownership may be handled separately.

##### 3. Property Owners' Association

A property owners' association representing residents of the subdivision may own the open space. Membership in the association must be mandatory and automatic for all property owners of the subdivision and their successors. The responsibility for maintaining the open space and any facilities must be borne by the property owners' association.

##### 4. Private Landowner

A private landowner may retain ownership of the open space. The responsibility for maintaining the open space and any facilities must be borne by the private landowner.

#### B. Management Plan

As part of the site plan conditional use plan, the applicant must submit a plan for the management of open space that:

1. Allocates responsibility and provides guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
2. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
3. Provides that any changes to the management plan be approved by the Planning Director or Planning Board if part of an approved Forest Conservation Plan; and
4. Provides for enforcement of the management plan.

#### C. Access and Maintenance

1. Rural open space must be managed and maintained but may be modified to improve its appearance, function or overall condition by using the following techniques:

- a. Reforestation;
  - b. Woodland management;
  - c. Meadow management;
  - d. Stream bank protection;
  - e. Non-structural stormwater best management practices as defined by the most recent edition of the Maryland Stormwater Design Manual adopted for use by Montgomery County, and structural stormwater, provided that the Planning Board finds the location and appearance of any facility is consistent with the general intent of the zone, and with the policy and guidance of the relevant master plan for use of the rural open space;
  - f. Wetlands management; and
  - g. Agricultural management.
2. Common outdoor areas must be accessible to all residents of the development.
  3. Public use space must be easily and visibly accessible and open to the general public.
  4. Passive open space maintenance obligations include the removal of litter and debris. Watercourses are to be maintained as free-flowing. Stream channels must be maintained so as not to alter floodplain levels. Maintenance is limited to ensuring that there exist no hazards, nuisances or unhealthy conditions.

#### **D. Failure to Maintain**

1. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the County may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance.
2. The costs of maintenance may be charged to the owner of the property; or in the event that the owner is a property owners' association, to the individual property owners that make up the property owner's association. Costs for maintenance may include administrative costs and penalties. Such costs may become a lien on all development properties.

#### **E. Permanent Protection**

1. Open space must be protected by a binding legal instrument that is recorded with the deed. The instrument must be one of the following:
  - a. A restrictive covenant for open space purposes in favor of a governmental entity.
  - b. An equivalent legal tool that provides permanent protection, if approved by the appropriate review body.
2. The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this Article, as well as any further restrictions the applicant chooses to place on the use of the open space.

## Sec. 7.3.4. Rural Open Space

### A. General Regulations

#### 1. Applicability

- a. All optional method development in the RC zone is required to provide rural open space.
- b. All development in the RNC zone is required to provide rural open space.

#### 2. Definition

Rural open space is land that is managed as described in [Sec. 7.6.3.e](#), or is returning to its natural state without human intervention. Rural open space is typically contiguous and shares an extended boundary with a residential cluster neighborhood. Rural open space may preserve sensitive natural resources, other sensitive areas and associated habitats.

#### 3. Amount of Rural Open Space

- a. The amount of required rural open space in the RC Zone is identified in [Sec. XX](#). The amount of required rural open space in the RNC Zone is identified in [Sec. 4.2.1](#) for standard method development and [6.2.1](#) for optional method development.
- b. The Planning Board may approve a minor variation in the master plan recommended rural open space if the Board finds that the variation would retain both the quality and character of the rural open space as set forth in the guidelines of the master plan.

### B. Design Regulations

#### 1. Open Space Allocation

In allocating land for required rural open space, the following are considered of primary importance:

- a. The 100-year floodplain;
- b. Stream buffer areas;
- c. Jurisdictional wetlands under federal law ([Sec. 404](#)) that meet the definition applied by the Army Corps of Engineers;

- d. Habitat for federally-listed endangered or threatened species;
- e. Historic, archaeological and cultural sites, cemeteries and burial grounds; and
- f. Agricultural lands containing prime farmland soils or other soils of state-wide importance.
- g. Individual existing healthy trees greater than 12 inches DBH;
- h. Areas that connect the site to neighboring rural open space, trails or greenways;
- i. Soils with severe limitations for development due to drainage problems; and
- j. Forest areas not included in the environmental buffer.

#### 2. Configuration of Rural Open Space

- a. The minimum width for any required rural open space is 75 feet. Exceptions may be granted for items such as trail easements and linear parks when their purpose meets the intent of this section.
- b. At least 60 percent of the required rural open space must be in a contiguous lot or site or series of lots and sites. For the purposes of this section, contiguous includes any rural open space bisected by a street.
- c. Where feasible, the rural open space must adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected rural open space.

### C. Allowed Uses

Rural open space may be used for the following purposes.

1. Community garden or farming, provided that all applicable best management practices are used to minimize environmental impacts;
2. Conservation areas for natural, archeological or historical resources;
3. Wildlife corridors, game preserves and similar conservation-oriented areas;
4. Pedestrian or multipurpose trails;
5. Passive recreation areas;

6. Above-ground utility rights-of-way;
7. Water bodies, such as lakes, ponds and floodways;
8. Non-structural stormwater management facilities;
9. Utilities; and
10. Other conservation-oriented uses compatible with the purposes of this section.

#### D. Prohibited Uses

Required rural open space may not be used for the following:

1. Streets (except for street crossings as expressly provided above) and impervious parking areas; and
2. Other activities may be prohibited by the applicant and recorded on the legal instrument providing for permanent protection.
  - a. Provides that any changes to the management plan be approved by the Director of Permitting Services; and
  - b. Provides for enforcement of the management plan.
3. Any use not allowed in rural open space under Sec. XX (use standard).

### Sec. 7.3.5. Common Outdoor Area

#### A. General Regulations

##### 1. Applicability

- a. All optional method development in the RNC, RE, RLD, RMD, RHD, TLD, TMD and THD zones is required to provide common outdoor area.
- b. All development in the PDR and PDT zones is required to provide common outdoor area.

##### 2. Definition

Common outdoor area is the area not included in individual record lots or dedicated to public use. Common outdoor area may be public or private.

##### 3. Amount of Common Outdoor Area

- a. The amount of common outdoor area is calculated as outlined below.
  - i. For MPDU development in rural and residential zones, the required percentage is identified in Sec. 6.1.3, General Site and Building Type Mix for MPDU Optional Method Development.
  - ii. For cluster development in rural and residential zones, the required percentage is identified in Sec. 6.2.3, General Site, Building Type Mix, and Height Standards for Cluster Optional Method Development.
  - iii. [INSERT cross-reference to PDR and PDT open space amount]

#### B. Design Regulations

1. Common outdoor area is intended for common use by the residents of the neighborhood and must be located in a central position in the neighborhood bordered by streets and/or building lots.
2. The minimum width for any required common outdoor area is 50 feet. Exceptions may be granted for items such as trail easements, mid-block crossings, and linear parks, when their purpose meets the intent of this section.
3. At least 50 percent of the required common outdoor area must be in a contiguous lot or site or series of lots and sites. For the purposes of this section, contiguous includes any common outdoor area bisected by a street.

### C. Allowed Uses

Common outdoor area may be used for the following purposes:

1. Community gardens or urban farms, provided that all applicable best management practices are used to minimize environmental impacts;
2. Conservation areas for natural, archeological or historical resources;
3. Wildlife corridors, game preserves, or similar conservation-oriented areas;
4. Pedestrian or multipurpose trails;
5. Passive recreation areas and facilities;
6. Active recreation areas and facilities;
7. Community swimming pools;
8. Above-ground utility rights-of-way;
9. Water bodies, such as lakes and ponds, and floodways;
10. Natural stormwater management facilities;
11. Utilities; and
12. Other conservation-oriented uses compatible with the purposes of this section.

### D. Prohibited Uses

Required common outdoor area may not be used for the following:

1. Individual wastewater disposal systems, or drain fields for community systems;
2. Streets and impervious parking areas; and
3. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

## Sec. 7.3.6. Public Use Space

### A. General Regulations

#### 1. Applicability

- a. In the CR -N, CR-T, CR, EG, ELS and EOF zones, standard method development that requires a site plan or conditional use plan must provide public use space.
- b. All development of an apartment/condo building, mixed use building, general building or community building type in the CR -N, CR-T, CR, EG, ELS and EOF zones must provide public use space on any site greater than 10,000 square feet in area.
- c. All development in the PDCR or PDE zones must provide public use space.

#### 2. Definition

Public use space is space devoted to public enjoyment and must be easily and visibly accessible and open.

#### 3. Amount of Public Use Space

- a. The amount of public use space is calculated as a percentage of the gross project area as outlined below.
  - i. For standard method development in the CR zones, the required percentage is identified by building type in Div. 4.4. Commercial/Residential Zones.
  - ii. For optional method development in the CR zones, the required percentage is identified in Sec. 6.3.2.B, Public Use Space.
  - iii. For standard method development in the employment zones, the required percentage is identified by building type in Div. 4.5. Employment Zones.
  - iv. For optional method development in the employment zones, the required percentage is identified in Sec. 6.4.2.B, Public Use Space.
  - v. [INSERT cross-reference to PDR and PDT open space amount]

- b. When the project area includes rights-of-way for roads classified as major highways or freeways, public use space is calculated on the net tract area by deducting those rights-of-way from the gross area of the property.

## B. Design Regulations

The dimensional standards and amenities contained within public use space are determined under the findings required by site plan or conditional use plan review (see Sec. XX).

## C. Allowed Uses

Public use space may be used for the following purposes:

1. Open space such as green areas, gardens, plazas, walks, pathways, promenades, arcades, urban parks or town squares;
2. Passive recreation areas;
3. Active recreation areas;
4. Public parks, playground;
5. Pedestrian or multipurpose trails or walkways;
6. Above-ground utility rights-of-way;
7. Natural stormwater management facilities;
8. Utilities; and
9. Public space or amenities recommended by an approved urban renewal plan.

## D. Prohibited Uses

Required public use space may not be used for the following:

1. Individual wastewater disposal systems, or drain fields for community systems;
2. Parking or maneuvering areas for vehicles.
3. Public streets; and
4. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

## E. Off-Site Options

Instead of providing on-site public use space, an applicant may satisfy all or part of the requirement by one or more of the following means (subject to Planning Board approval):

1. Implementing public park or public use space improvements of an equal or greater size within or near the applicable master or sector plan area; or
2. Making a payment in part or in full for design, construction, renovation, restoration, installation or operation within or near the applicable master or sector plan area if the payment is:
  - a. Equal to the cost of constructing an equal amount of public use space and associated amenities on-site per square foot plus the fair market value of the applicable tract of land per square foot;
  - b. Used to implement the open space, recreation and cultural goals of the applicable master plan or sector plan; and
  - c. Made within 30 days of the release of any building permit for the subject application.

## Sec. 7.3.7. Green Area

### A. General Regulations

#### 1. Applicability

Any development in the IL or IH zones is required to provide green area in accordance with this section.

#### 2. Definition

An area associated with a major building or group of buildings, or a prescribed portion of the area designated on a site plan or conditional use plan, that provides access to active or passive recreation areas and natural features for the use and enjoyment of employees and visitors.

#### 3. Amount of Green Area

- a. The amount of public use space is calculated as a percentage of the gross project area as outlined below.
  - i. For standard method development in the IL or IH zones, the required percentage is identified by building type in Div. 4.6. Industrial Zones.
  - ii. For optional method development in the IL or IH zones, the required percentage is identified in Sec. 6.5.2.B, Green Area.
- b. A minimum of 50% of any green area must be permeable.
- c. The green area required under this section may be alternatively met by public use space under, 7.6.4, Public Use Space.

### B. Design Regulations

1. The minimum width for any required public use space is 25 feet.
2. At least 75 percent of the required green area must be in a contiguous lot or site or series of lots and sites.

### C. Allowed Uses

Green area may be used for the following purposes:

1. Open space such as gardens, lawns, ornamental planting areas or natural habitat;

2. Passive recreation areas and facilities;
3. Public or private park, playground;
4. Pedestrian or multipurpose trails or walkways;
5. Above-ground utility rights-of-way;
6. ESD stormwater management facilities; and
7. Utilities.

### D. Prohibited Uses

Required green area may not be used for the following:

1. Transitory use;
2. Individual wastewater disposal systems, or drain fields for community systems;
3. Parking or maneuvering areas for vehicles.
4. Streets; and
5. Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.

## Div. 7.4. Recreation Facilities

### Sec. 7.4.1. Intent

Ensure health, safety, and welfare of County residents by providing access to recreation facilities and amenities. Such facilities provide an important supplement to the public park system, but in no way diminish the need for parks as estimated in the **Parks, Recreation and Open Space Master Plan**.

### Sec. 7.4.2. Applicability

Any development project that provides 20 or more residential units in any zone must provide recreational facilities that meet the standards of this Division.

### Sec. 7.4.3. Determining Demand

- A. The extent of recreation facilities that must be provided is determined by the points required for the mix of building types in the project. The following table provides the assessed point value for each project based on unit type and age group.

Building Type	Points Required Per Unit				
	Tots Age 0-4	Kids 5-11	Teens 12-17	Adults 18-64	Seniors 65+
Detached/Duplex ≥ 20,000 sf. lots	.10	.20	.20	.80	.10
Detached/Duplex < 20,000 sf. lots	.15	.25	.25	1.00	.10
Townhouse	.20	.20	.20	1.20	.10
Apartment/Condo, Mixed Use < 5 stories	.10	.15	.10	1.20	.10
Apartment/Condo, Mixed Use ≥ 5 stories	.05	.05	.05	.80	.50

- B. The required amount and type of recreation facilities is determined by calculating the sum of the points by building type for each age group.
- C. When a project combines building types, the recreation facilities requirements are the sum of the requirements for each building type.

### Sec. 7.4.4. Calculating Supply

- A. After the required number of points for each age group has been determined, the applicant must determine the type of recreation facilities that must be provided. The table below establishes the supply credit for each type of recreation facility. Credit may be given for on-site facilities and for off-site facilities that are within close proximity to the project.

Facility Type	On-Site Credits					Off-Site Credits		
	Tots Age 0-4	Kids 5-11	Teens 12-17	Adults 18-64	Seniors 65+	1/4 Mile	1/2 Mile	1 Mile
Tot lot	10			2	2			
Playground	10	15		2	2			
Sitting area	2	2	10	5	10			
Picnic area	2	2	5	10	10			
Small lawn area	5	10	10	5	5			
Large lawn area	2	5	15	10				
Sport court		10	15	10				
Sport field		10	15	10				
Sidewalk network		5	10	15	10			
Bicycle path / shared use trail		5	10	15	10			
Swimming, aquatic facility	2	10	15	15	15	X 0.75	X 0.5	X 0.25
Natural trail / path	2	10	15	20	15			
Public park	5	10	10	10	15			
Cultural facility		5	10	20	20			
Urban plaza		10	20	20	15			
Basic services		5	10	20	20			
Community gym / health facility			5	20	10			
Private gym / health facility				10	5			
Community room	2	5	10	20	20			
Community garden	2	5	5	10	10			

- B. The supply credit calculated must equal or exceed the number of points for each unit type and age group in the project.



## Sec. 7.4.5. Recreation Facility Standards & Specifications

### A. Tot Lot

A facility with play features to support five activities for tots. Must include climbing and sliding activities.

1. Area must be a minimum of 1,000 square feet.
2. Setbacks must be 30 feet from any building or curb, except where fencing or landscaping is provided to ensure compatibility.
3. Shade trees must be provided, along with planting to define the area and low shrubs to separate the facility from any street.
4. Adjacent seating and a trash receptacle must be provided.
5. All equipment must comply with County design specifications.

### B. Playground

A facility with play features to support ten activities for tots, kids and teens. Must include climbing and sliding activities.

1. Area must be a minimum of 2,500 square feet.
2. Setbacks must be 50 feet from any building and 30 feet from any curb, except where fencing or landscaping is provided to ensure compatibility.
3. Shade trees must be provided, along with planting to define the area and low shrubs to separate the facility from any street.
4. Adjacent seating and a trash receptacle must be provided.
5. Where tot equipment is provided, it should be physically separated.
6. All equipment must comply with County design specifications.

### C. Sitting Area

A facility with at least two benches that accommodate a minimum of six people.

1. Shade and evergreen trees must be planted to provide protection from sun and wind.
2. A trash receptacle must be provided.
3. All equipment must comply with County design specifications.

### D. Picnic Area

A facility with at least one picnic table that accommodates a minimum of six people.

1. Shade and evergreen trees must be planted to provide protection from sun and wind.
2. A trash receptacle must be provided.
3. All equipment must comply with County design specifications.

### E. Small Lawn Area

An open, level grass area to accommodate several play activities.

1. Area must be a minimum of 5,000 square feet.
2. Minimum dimension must be 45 feet (width or depth).
3. Setbacks must be 30 feet from any building or curb, except where fencing or landscaping is provided to ensure compatibility.
4. Landscaping must be used to define the area.
5. Positive drainage with a slope of 2% to 5% must be provided.

### F. Large Lawn Area

An open, level grass area to accommodate several play activities.

1. Area must be a minimum of 10,000 square feet.
2. Minimum dimension must be 60 feet (width or depth).
3. Setbacks must be 30 feet from any building or curb, except where fencing or landscaping is provided to ensure compatibility.
4. Landscaping must be used to define the area.
5. Positive drainage with a slope of 2% to 5% must be provided.

### G. Sport Court

An open, level grass area that serves as a court for volleyball or similar activities.

1. Area must provide a clear playing area of 42 feet by 60 feet.
2. Setbacks must be 50 feet from any building and 30 feet from any curb, except where fencing or landscaping is provided to ensure compatibility.
3. Landscaping must be used to define the area.

4. Positive drainage with a slope of 2% to 5% must be provided.
5. A north-south orientation is preferred.

#### **H. Sport Field**

A turf grass field for soccer, lacrosse, football and similar sports.

1. Area must provide a clear playing area of 225 feet by 360 feet.
2. Setbacks must be 100 feet from any building and 40 feet from any curb, except where fencing or landscaping is provided to ensure compatibility.
3. Shade must be provided for any spectator seating area.
4. Positive drainage must be provided, with a central longitudinal crown and 1.5% slope to sidelines.
5. A northwest-southeast orientation is preferred.

#### **I. Sidewalk Network**

A safe, coherent and continuous on-site system of sidewalks and pedestrian paths.

1. A minimum length of one mile must be provided.
2. Minimum width must be five feet.
3. Linkages to neighborhood destinations must be provided, including to public transportation and public facilities.
4. Facilities must comply with County specifications.
5. Surfaces other than concrete may be considered.
6. Resting areas should be provided.

#### **J. Bicycle Path/Shared Use Trail**

A safe, coherent and continuous on-site system of bicycle paths, lanes or routes.

1. A minimum length of one mile must be provided.
2. Minimum facility widths:
  - a. Bike path (one way) must be a minimum of six feet.
  - b. Bike path (two way) must be a minimum of eight feet.
  - c. Bike lane must be a minimum of five feet.
  - d. Shared use trail must be a minimum of ten feet.

3. Linkages to neighborhood destinations must be provided, including to public transportation and public facilities.
4. Facilities must comply with the Master Plan for Bikeways, and with County path and trail specifications.
5. Surfaces other than asphalt may be considered.
6. Resting areas should be provided.

#### **K. Swimming, Aquatic Facility**

An indoor or outdoor swimming pool or other aquatic facility that allows for recreational and lap swimming.

1. Outdoor pool deck must be 50 feet from any residential building and 30 feet from any curb.
2. Shade and evergreen trees must be used to define any outdoor pool area.
3. Pool must conform to Montgomery County Health Department standards.

#### **L. Natural Trail/Path**

A path that provides access and opportunities to interact with nature such as woodlands, wetlands, ponds and creeks.

1. A minimum length of one mile must be provided.
2. Minimum width must be five feet.
3. Trail should be designed to minimize erosion.
4. Pervious surfaces such as crushed stone are encouraged.
5. Must conform to Environmental Protection Department guidelines for environmental management and must be designed to maximize protection and function of the natural features.
6. Resting areas should be provided.

#### **M. Public Park**

A substantial area of natural reserve such as a woodland, wetland or pond, where access is possible without the provision of formal paths.

1. Area must be a minimum of 200 square feet per residential unit.
2. Minimum width must be 50 feet.

3. Must be accessible from a public street or common land.
4. Must be cleared of man-made debris.
5. Portions of the area must be passable and walkable.

#### **N. Cultural Facility**

A museum, library, art gallery or theater.

1. A cultural facility must be located within ¼-mile.

#### **O. Urban Plaza**

An open, paved or hardscaped facility.

1. Area must be a minimum of 2,500 square feet.
2. Minimum width must be 25 feet.
3. Surface must be permeable.

#### **P. Basic Services**

A series of retail and service facilities, including but not limited to a post office, bank, health club or gym, eating & drinking establishment, retail sales establishment, personal service establishment or animal services establishment.

1. A minimum of ten basic services establishments must be located within ¼-mile.

#### **Q. Community Gym/Health Facility**

A small gymnasium and health facility.

1. Area must be a minimum of 50 feet by 80 feet.
2. For every 350 residential units, the following equipment must be provided:
  - a. Six weight training stations; and
  - b. Three aerobic stations (treadmill, stair climber, stationary bike or similar)

#### **R. Community Room**

A multipurpose facility serving recreational needs of the community.

1. Area must be a minimum of 1,200 square feet for up to 200 dwelling units.  
An additional 500 square feet must be provided for every additional 100 dwelling units.
2. May include a meeting room, game room, craft /club room or party room.

#### **S. Community Garden**

A garden plot for the use of residents.

1. Area must be a minimum of 1,000 square feet and at least 25 square feet per residential unit must be provided.
2. Setbacks must be 10 feet from any building and 20 feet from any curb.
3. Full sun should be provided.
4. A water connection must be provided.-
5. A tool shed should be considered for large plots.

## Div. 7.5. Landscaping & Lighting

### Sec. 7.5.1. Intent

The purpose of this Division is to regulate the quantity, size, location and installation of landscaping and outdoor lighting on private property. The regulations are intended to protect the public safety, health, morals, comfort and welfare; to preserve the value of property; to preserve and strengthen the ambiance and character of the various communities; to improve water quality and hydrology; to obstruct objectionable views and noise, and to reduce light pollution and glare.

### Sec. 7.5.2. Applicability

The requirements of this section apply where open space is required under Div. 7.3, where parking facilities with ten or more parking spaces are constructed or improved (see Div. 7.2), and where screening or buffering are required.

### Sec. 7.5.3. General Landscaping Requirements

#### A. General

1. The Director of Permitting Services may not issue a permanent certificate of occupancy until all trees and plant material have been placed in accordance with the requirements of this Division.
2. A temporary certificate of occupancy may be issued for a period of up to six months under circumstances that would affect the planting of the site, or until the proper planting season is reached to complete the landscaping requirements.
3. All landscaping must be installed in accordance with accepted standards of the American Standard for Nursery Stock, latest edition, as published by the American Association of Nurserymen.
4. Plant material must be true to name, variety and size and must conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.
5. All mature plant sizes must be based on the Manual of Woody Landscape Plants, Stipes Publishing, latest edition.

#### B. Landscaping Elements

##### 1. Canopy Trees

###### a. Defined

A large deciduous tree, typically 40 to 70 feet tall at maturity, with a spread (canopy) of at least 30 feet. Canopy trees typically have only a single trunk.

###### b. Size at Time of Planting

All canopy trees within open space areas, buffers and surface parking lots must have a minimum caliper of 2.5 inches or a minimum height of 14 feet at the time of planting.

##### 2. Understory Trees

###### a. Defined

A small deciduous tree, typically less than 30 feet tall at maturity. Many understory trees have multiple trunks.

###### b. Size at Time of Planting

- i. All single trunk understory trees within open space areas, buffers and surface parking lots must have a minimum caliper of 2.5 inches or a minimum height of 10 feet at the time of planting.
- ii. All multi-trunk understory trees within open space areas, buffers and surface parking lots must have a minimum of three main stems, each with a minimum caliper of 1.5 inches per stem, or a minimum height of 10 feet, at the time of planting.

##### 3. Evergreen Trees

###### a. Defined

An evergreen tree, typically more than 40 feet tall at maturity.

###### b. Size at Time of Planting

All evergreen trees within open space areas, buffers and surface parking lots must be a minimum of eight feet in height at the time of planting, measured from the top of the root ball to the tip of the highest branch.

#### 4. Shrubs

##### a. Defined

- i. Large shrubs must be of a species that will reach a minimum height of eight feet.
- ii. Medium shrubs must be of a species that will reach a minimum height of four feet.
- iii. Small shrubs must be of a species that will reach a minimum height of two feet.

##### b. Size at Time of Planting

- i. Large shrubs within open space areas, buffers and surface parking lots must be a minimum of five gallon container or balled and burlapped.
- ii. Medium shrubs within open space areas, buffers and surface parking lots must be a minimum of three gallon container or balled and burlapped.
- iii. Small shrubs within open space areas, buffers and surface parking lots must be a minimum of one gallon container.

#### 5. Fences and Walls

- a. No fence or wall may be more than nine feet in height. A fence or wall in any front setback must not exceed four feet in height.
- b. No wall or fence may be located within any required drainage, utility or similar easement.
- c. Deer fencing is exempt from the height restrictions of this paragraph in:
  - i. All agricultural zones;
  - ii. The rear and side yards of all non-agricultural zones unless the lot or tract adjoins a national historical park; and
  - iii. The rear and side yards of all non-agricultural zones if the lot or tract adjoins a national historical park and the deer fence is located at least 100 feet from the national historical park boundary.

#### C. Landscaping Maintenance

##### 1. Responsibility

The responsibility for maintenance of all landscape and planting areas remains with the owner, his or her successors, heirs, assignees or any consenting grantee.

##### 2. Maintenance

- a. All plant materials must be maintained in an attractive and healthy condition. Maintenance includes, but is not limited to, watering, mulching, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
- b. Necessary pruning and trimming must occur in accordance with the American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance – Standards Practices (Pruning), and must not be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures that cause irreparable harm to the natural form of the tree.
- c. Dead or diseased plant materials must be removed. Replacement plant materials must be provided for any required plants that die or are removed for any reason.
- d. Landscape structural features such as walls, fences, berms or water features must be maintained in a structurally safe and attractive condition.

##### 3. Failure to Maintain

- a. In the event that the owner of a landscaped area fails to maintain the area according to the standards of this Section, the County reserves the right to recover the cost of enforcement, including reasonable attorney fees.
- b. The County may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the landscaped area to take maintenance action. The cost of such maintenance will be charged to the party having the primary responsibility for maintenance of the landscaped area.

## D. Tree Protection

### 1. Tree Protection During Construction

- Existing trees to remain on the site as required planting or tree canopy must be protected from vehicular movement and material storage over their roots during construction. An undisturbed area with a porous surface must be reserved below the dripline of each tree or group of trees.
- Trees designated for protection must be completely enclosed by a temporary fence. Fencing must be in place prior to any clearing or site work. Fencing must remain in place until all construction has been completed.

### 2. Root Protection Zone

- A root protection zone, defined by an average radius extending outward from the trunk of the tree a distance of one linear foot for each inch (DBH), must be established around the trunk of each tree preserved or planted.
- No cutting, filling, trenching, root disturbance, soil disturbance or construction impacts may occur closer to the trunk than one-half the root protection zone radius. In parking areas where approved alternative materials and methods are used, construction may be as close as five feet from the root flares on one side of the tree.
- The root protection zone may be shifted and clustered as long as there is no construction closer to the trunk than one-half the root protection zone radius. The construction of sidewalks is allowed in the root protection zone as long as excavation does not exceed three inches.
- The area contained within a root protection zone required under this paragraph must be left in a previous condition after construction and development are completed.

## Sec. 7.5.4. General Lighting Requirements

### A. Design Requirements

#### 1. Fixture (Luminaire)

In order to direct light downward and minimize the amount of light spill, all lighting fixtures must be full or partial cutoff fixtures.

#### 2. Fixture Height

Lighting fixtures may be a maximum of 30 feet in height within surface parking areas and may be a maximum of 15 feet in height within non-vehicular pedestrian areas measured at finished grade. Light fixtures located within 50 feet of the property line of any ground floor residential use may not exceed 15 feet in height.



#### 3. Light Source (Lamp)

Only incandescent, fluorescent, light-emitting diode (LED), metal halide, or color-corrected high-pressure sodium may be used. The Director of Permitting Services may approve alternate light sources based on new technology.

#### 4. Limit Lighting to Periods of Activity

The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility between different land uses.

## B. Lighting Types

### 1. Security Lighting

[Address here or in Building Code ?]

- a. Building-mounted security light fixtures such as wall packs may not project above the fascia or roof line of the building and must be shielded.
- b. Security fixtures, including but not limited to floodlights and wall packs, may not face ground floor residential uses.
- c. Security fixtures may not be substituted for parking area or walkway lighting and must be restricted to loading, storage, service and similar locations.

### 2. Accent Lighting

Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture must be located, aimed or shielded to minimize light spill and glare.

### 3. Canopy Area Lighting

All development that incorporates a canopy area over fuel sales, automated teller machines or similar facilities must use a cutoff fixture with a lens cover flush with the bottom surface of the canopy or recessed within the canopy.

### 4. Residential Entrances

All entrances to residential buildings or mixed use buildings with a residential component housing more than four units must be adequately lighted to ensure the safety of persons and the security of the building.

### 5. Outdoor Recreation Lighting

Lighting for outdoor recreation fields must be arranged to prevent direct glare onto any public or private property or streets.

### 6. Excessive Illumination

- a. Lighting may not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of either drivers or pedestrians.

- b. Outdoor lighting provided for a conditional use must be directed, shielded or screened to ensure the maximum illumination level at any property line abutting a detached residential zone is no greater than 0.1 footcandle. Where this provision is in conflict with any other provision of this Code allowing greater light trespass, this provision will control.

### Sec. 7.5.5. Alternative Compliance

- A. The Director of Permitting Services may approve an alternative method of compliance with the requirements of this Div. 7.5 where site conditions or design criteria prove extensively limiting to the success of the project and the alternative method meets or exceeds the quality of the landscaping and lighting required under this Division.
- B. Site conditions that may be considered extensively limiting include, but are not limited to:
1. Irregularly-shaped sites;
  2. Properties abutting major roadways on multiple frontages;
  3. Retained buildings or other site elements.
- C. Justification for the alternative method must be submitted to illustrate the intent of the regulations will be satisfied and environmental quality will be enhanced.

### Sec. 7.5.6. Open Space Landscaping & Lighting

#### A. Summary of Required Open Space Landscaping

The following table summarizes the open space landscaping requirements.

Open Space Type	Farm Crops	Ornamental Planting	Permeable Area (min)	Tree Canopy (min)
Rural Open Space	Allowed	Not Allowed	90%	50% when not used for agriculture
Common Outdoor Area	Allowed	Allowed for community and recreation facilities	80%	20%
Public Use Space	Allowed in publicly accessible community garden	Allowed	10%	10%
Green Area	--	Allowed	50%	25%



**B. Open Space Landscaping Requirements**

**1. General**

Open space landscaping and lighting should be programmed into the site design in order to protect environmentally sensitive areas and address the needs of the proposed community for passive and active recreation.

**2. Farm Crops**

Farm crops allowed in open space include all crop farming uses defined in **Sec. 3.2.6.** and are subject to the applicable use standards for each zone.

**3. Ornamental Planting**

Ornamental planting includes non-native species that thrive in Montgomery County. While all landscaping is encouraged to contain native species only, ornamental planting with non-native plants is allowed in some open space types. Ornamental planting must not include species listed on the Maryland Department of Natural resources invasive plant species list.

**4. Permeable Area**

The intent of permeable area is to provide some portion of each open space type that is not covered with impervious surfaces. All permeable area must be pervious, open to the sky, and covered with live plant materials or mulch. Permeable area also includes water bodies, bio-retention areas and other ESD stormwater facilities.

**5. Tree Canopy**

Tree canopy in rural open space is intended to mimic the natural environment once present on the site. In other types of open space, tree canopy is intended to provide shade and relief from the heat island effect of paved areas.

**6. Plant Distance from Paved Surface**

All shrubs and trees must be located a minimum of 30 inches from any paved surface.

**C. Summary of Open Space Lighting**

The following table summarizes the open space lighting requirements.

Open Space Type	Fixture Type	Use Restriction	Illumination at Property Line (max)
Rural Open Space	Not allowed	--	--
Common Outdoor Area	Full or Partial Cut-Off	Allowed only for recreation facilities	0.1 fc
Public Use Space	Full or Partial Cut-Off	None	0.5 fc abutting nonresidential 0.1 fc abutting residential
Green Area	Full or Partial Cut-Off	None	0.5 fc abutting nonresidential 0.1 fc abutting residential
Recreation Facility, Residential Amenity Space	Full or Partial Cut-Off	None	0.5 fc abutting nonresidential 0.1 fc abutting residential

fc = footcandle

## Sec. 7.5.7. Parking Lot Landscaping & Lighting

### A. Applicability

This Section applies to any surface parking lot with 10 or more spaces and to any structured parking facility.

### B. Surface Parking Area Requirements

#### 1. Landscaped Area

- a. A landscaped area of comprising a minimum of five percent of the total area of the surface parking lot must be provided in islands of not less than 150 contiguous square feet each. Where possible, existing trees should be protected and incorporated into the design of surface parking areas.
- b. A maximum of 20 parking spaces may be designed between islands.
- c. Permeable area may be used for stormwater management ESD facilities.

#### 2. Tree Canopy

Surface parking areas must maintain a minimum tree canopy of 25 percent.

#### 3. Perimeter Planting

##### a. Abutting Residential Property

- i. A perimeter planting area abutting residential property must be a minimum of ten feet wide.
- ii. Each perimeter planting area must contain a hedge, fence or wall a minimum of six feet high.
- iii. Canopy trees planted must be planted every 30 feet on center in the perimeter planting area.
- iv. Two understory trees must be planted for every canopy tree in the perimeter planting area.

##### b. Abutting Non-Residential Property or Right-of-Way

- i. A perimeter planting area abutting residential property must be a minimum of six feet wide.

- ii. Each perimeter planting area must contain a hedge or low wall a minimum of three feet high.
- iii. Canopy trees planted must be planted every 30 feet on center in the perimeter planting area.

#### 4. Lighting

Surface parking lot lighting must meet the standards of [Sec. 7.6.3.](#), General Lighting Requirements.

### C. Structured Parking Requirements

1. Green (living) walls are required along 50 percent of the ground floor of any garage wall facing a right-of-way, residential property or open space.
2. Illumination of top deck (roof) must meet the standards of [Sec. 7.6.3.](#), General Lighting Requirements, except that lighting fixtures within 30 feet of the deck perimeter must not exceed 15 feet in height and no fixture located on structured parking may exceed 30 feet in height.

## Sec. 7.5.8. Buffering & Screening

### A. Applicability

This Section applies to construction of any townhouse, apartment/condo, mixed use building or general building type in an AC, RR, RC, RNC, RE, RLD or RMD zone that is not improved with an existing commercial, industrial or utility use.

### B. Buffering and Screening Specifications

#### 1. Location

Buffering and screening may be placed within any setback required in Article 59-4. Where the required setback is less than the dimensions established for the building types below, the required setback dimensions in this Section apply.

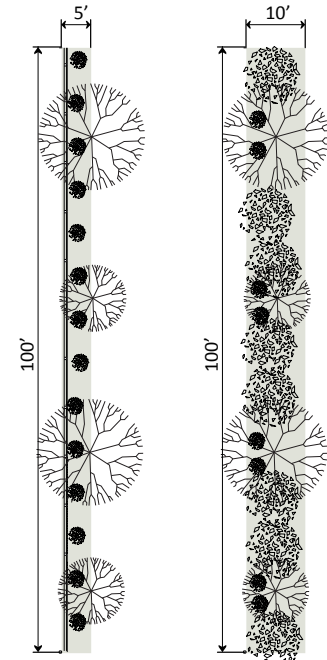
#### 2. Berms

Berms must contain a rounded crown suitable for planting, and a stabilized side slope of no greater than 40 percent. Berms may meander and be discontinuous provided the screening intent of this Section is met.

### C. Buffering and Screening Requirements by Building Type

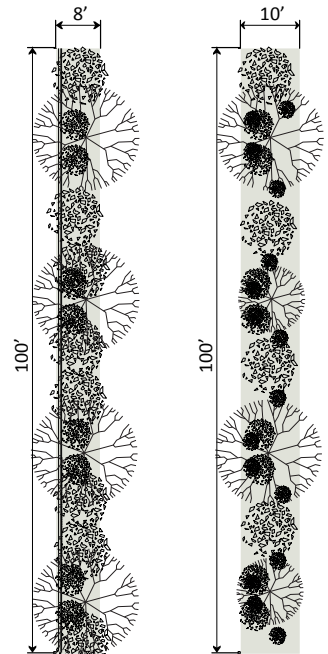
1. Buffering and screening is based on the proposed building type. The minimum requirements for each building type are set out below; however, additional planting is allowed.
2. Plant materials are specified per 100 lineal feet of buffer. Any fractional requirements must be rounded up to the next higher whole number.
3. The applicant may choose between Option A and Option B depending on site characteristics.

## 4. Townhouse



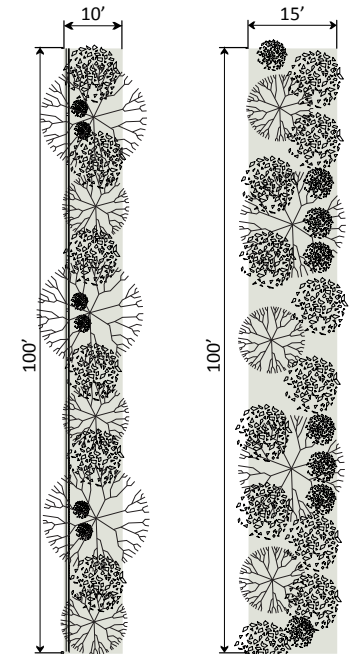
	Option A	Option B
<b>Dimensions</b>		
Width (min)	5'	10'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	2	2
Shrubs (minimum per 100')		
Large	--	8
Medium	--	--
Small	16	8
Wall, Fence or Berm	4' fence or wall	--

5. Apartment/Condo Up to 60 Feet in Height



	Option A	Option B
<b>Dimensions</b>		
Depth (min)	8'	10'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	4	2
Understory or Evergreen	--	2
Shrubs (minimum per 100')		
Large	8	4
Medium	8	8
Small	--	8
Wall, Fence or Berm	4' fence or wall	--

6. Apartment/Condo Over 60 Feet in Height



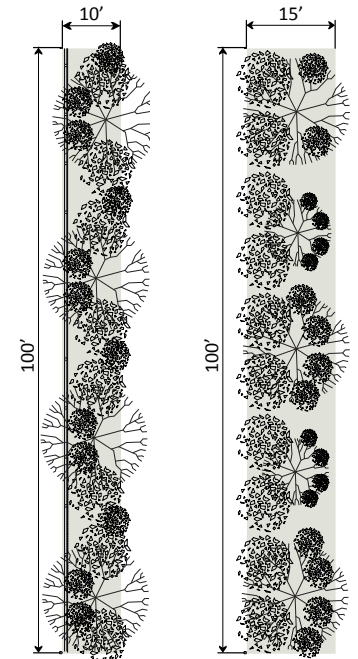
	Option A	Option B
<b>Dimensions</b>		
Depth (min)	10'	15'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	3	2
Understory or Evergreen	3	3
Shrubs (minimum per 100')		
Large	6	11
Medium	--	8
Small	6	--
Wall, Fence or Berm	4' fence or wall	--

7. Mixed Use Building Up to 40 Feet in Height



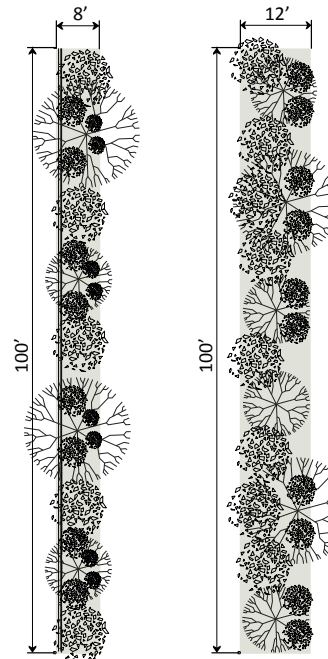
	Option A	Option B
<b>Dimensions</b>		
Depth (min)	8'	12'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	2	4
Shrubs (minimum per 100')		
Large	6	8
Medium	8	12
Small	8	--
Wall, Fence or Berm	4' fence or wall	--

8. Mixed Use Building Over 40 Feet in Height



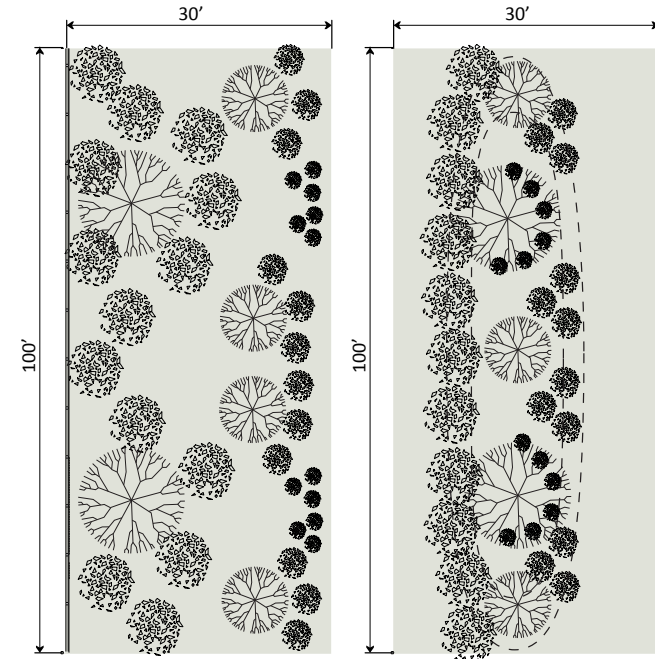
	Option A	Option B
<b>Dimensions</b>		
Depth (min)	10'	15'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	4	3
Understory or Evergreen	--	2
Shrubs (minimum per 100')		
Large	8	10
Medium	12	10
Small	--	12
Wall, Fence or Berm	6' fence or wall	--

9. General Building with Non-Industrial Use, Community Building



	Option A	Option B
<b>Dimensions</b>		
Depth (min)	8'	12'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	2	4
Shrubs (minimum per 100')		
Large	6	8
Medium	8	12
Small	8	--
Wall, Fence or Berm	4' fence or wall	--

10. General Building with Industrial Use



	Option A	Option B
<b>Dimensions</b>		
Depth (min)	30'	30'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	4	3
Shrubs (minimum per 100')		
Large	14	11
Medium	12	12
Small	12	12
Wall, Fence or Berm	6' fence or wall	6' berm

## Div. 7.6. Signs

### Sec. 7.6.1. Purpose and Intent

#### A. Purpose & Intent

The purpose of this Division is to regulate the size, location, height and construction of all signs placed for public view. The regulations are intended to protect the public safety, health, morals, comfort and welfare; to preserve the value of property; to preserve and strengthen the ambiance and character of the various communities; and, where applicable, to implement the recommendations of an urban renewal plan adopted under Chapter 56. It is the intent of this Article to:

1. Encourage the effective use of signs;
2. Maintain and enhance the aesthetic environment of the County while avoiding visual clutter;
3. Promote the use of signs to identify buildings and geographic areas;
4. Improve pedestrian and vehicle traffic safety;
5. Promote the compatibility of signs with the surrounding land uses;
6. Promote the economic development and marketing of businesses located within an approved urban renewal area;
7. Provide increased flexibility in the number, size, location, design and operating characteristics of signs for optional method development in an approved urban renewal area; and
8. Implement the recommendations of an approved urban renewal plan.

### Sec. 7.6.2. Applicability

- A. A permit must be obtained under this Division when a sign is constructed, erected, moved, enlarged, illuminated, or substantially altered, except for signs covered by [Sec. 7.7.12](#). Temporary Signs, [Sec. 7.7.11](#). Limited Duration Signs and [Sec. 7.7.3](#). Exempt Signs.
- B. A sign must be maintained in good repair and in a safe condition. Routine maintenance does not require a permit. Routine maintenance includes painting, cleaning, changing copy where permitted, or changing copy in compliance with a sign concept plan.

- C. Any sign not listed in this Article or which does not conform to the requirements in this Article must obtain a variance from the Department of Permitting Services.

### Sec. 7.6.3. Exempt Signs

The following signs are exempt from the requirements of this Division:

- A. The following signs on private property do not require a permit and are exempt from the requirements of this Division when the area of the sign is two square feet or less:
  1. A sign on private property customarily associated with residential living or decoration.
  2. A sign that is part of a mailbox or newspaper tube and conforms with government regulations.
  3. A sign warning the public about trespass, danger, or safety considerations.
- B. A sign legally affixed to a bus shelter or transit center information kiosk pursuant to an approved franchise agreement.
- C. The following signs do not require a permit and are exempt from the size, placement and number requirements of this Division, but must comply with the prohibitions contained in [Sec. 7.7.4](#). Prohibited Signs.
  1. A sign which is not visible beyond the property lines of the property where the sign is located.
  2. A sign used by a government agency or utility company erected by, or on the order of, a public officer or utility official in the performance of its official duties such as controlling traffic, identifying streets, warning of danger or providing information.
  3. Any sign required to be displayed by law or regulation.
  4. A flag which is displayed on a flagpole.
  5. A sign that is cut into the masonry surface or constructed of bronze or other durable material and made an integral part of the structure like a cornerstone, memorial, plaque or historical marker.
  6. A sign that is an integral part of a dispensing mechanism, like a beverage machine, newspaper rack or gasoline pump.

7. Any adornments or seasonal decorations.
- D. A sign or inflatable device that is located in an urban renewal area that is within an arts and entertainment district; promotes an entertainment event conducted by an entity located within the urban renewal area of an arts and entertainment district; is erected for no longer than thirty days; and includes more than 1,500 square feet of surface area, is exempt from the following:
1. The prohibition on animal forms in [Sec. 7.7.4. Prohibited Signs](#);
  2. The size, height and area limitations in this Division;
  3. The prohibition on roof signs in [Sec. 7.7.4. Prohibited Signs](#); and
  4. The prohibition on signs in the public right-of-way in [Sec. 7.7.4. Prohibited Signs](#), if constructed 20 feet or more above the public right-of-way.

#### **Sec. 7.6.4. Prohibited Signs**

Any sign not authorized in this Division is prohibited. The following signs are specifically prohibited and may not be erected or retained. The Sign Review Board may not grant a variance permitting their erection, installation, or maintenance. A prohibited sign erected after December 8, 1997, must be removed within 24 hours of notification by the Permitting Services Director that the sign must be removed.

##### **A. Obscene Sign**

A sign may not contain obscene statements, words or depictions that are construed to offend public morals or decency.

##### **B. Roof Sign**

Except if approved as part of a sign concept plan for an optional method development project within an urban renewal area, a sign may not be painted on the roof of a building, or supported by poles, uprights or braces extending from or attached to the roof of a building, or project above the roof of a building. A wall sign is not a roof sign, and for the purposes of this Division a roof surface constructed at an angle of within 15 degrees of vertical is regarded as wall space. Screening that encloses equipment like heating, ventilating and air conditioning units, elevator shafts, and stairs located on a roof also are considered wall space.

##### **C. Obstructive Sign**

A sign may not be placed in a location that obstructs the view of traffic signs, traffic signals, oncoming traffic, pedestrians, or in any way interferes with the placement or function of any traffic control device as determined by the appropriate transportation jurisdiction.

##### **D. Unsafe Sign**

Any sign determined by the Permitting Services Director to create a safety hazard due to structural or electrical conditions, or by reason of inadequate maintenance, may not be erected or retained. A sign that has become unsafe after erection must be repaired to meet safety requirements or removed within 30 days of notice of the unsafe condition.

##### **E. Moved by the Wind**

Except if approved as part of a sign concept plan for an optional method development project within an urban renewal area, a sign in the form of a banner, pennant, streamer, ribbon, spinner, balloon, string of lights or other device that will move in the wind or moved manually may not be placed on a lot or parcel, except as provided in [Sec. 7.7.3. Exempt Signs](#).

##### **F. Sign in the Public Right-of-Way**

A sign may not be placed in the public right-of-way, except under the following conditions.

1. Any sign erected by a government agency or utility company in the performance of its public duties.
2. Any sign erected by the appropriate transportation jurisdiction in its right-of-way.
3. Any permanent sign expressly allowed to be located in the public right-of-way in this Division, where:
  - a. The sign is approved by the Sign Review Board; and
  - b. The appropriate transportation jurisdiction issues a permit after approving the structural adequacy, physical location, sight distance, pedestrian access and other safety characteristics of the sign.
4. A limited duration sign that satisfies the requirements of this Division.



5. A sign approved as part of a sign concept plan for an optional method development project within an urban renewal area.

**G. Sign Attached to the Property of Others**

A sign may not be attached or affixed to a structure or property such as a fence, wall, antenna, other sign, tree or other vegetation, or to any public structure such as a utility pole, without permission of the owner.

**H. Abandoned or Obsolete Sign**

A permanent sign, including the structural supports and electrical connections, that was legally erected as a location sign, but the building has not been used for six months or more, is considered abandoned. A sign at a seasonal site is considered abandoned or obsolete only if the site remains unused for 12 months.

**I. Off-Site Sign**

Off-site signs are prohibited.

**Sec. 7.6.5. Measurements**

The following standards are used to measure the area of a sign regulated by this Division.

**A. Generally**

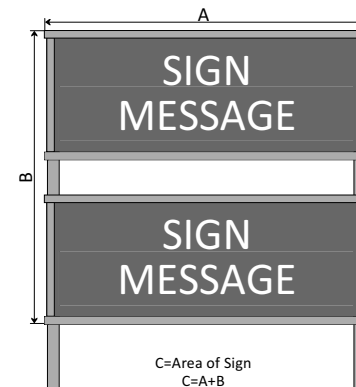
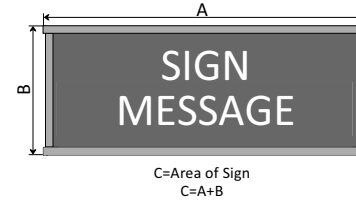
The sign area is the entire portion of the sign that can be enclosed within a single continuous rectangle. The area includes the extreme limits of the letters, figures, designs and illumination, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed.

**B. Supports**

The structure which supports a sign is not included in measuring the sign area unless the structure is designated and used as an integral part of the display. A support having a perimeter larger than four feet at the widest point, is an integral part of the display.

**C. Multiple Sections**

The area of a sign that consists of more than one section includes the space between the sections, plus the measurement of the sections of the sign.



### D. Multiple Planes

The area of a sign with more than one face or plane, including a three dimensional sign, is measured as follows:

#### 1. Generally

All sides of a sign that can be seen at any one time from one vantage point outside the property line of the site where the sign is located are included in the computation of sign area. [Same as 3-D sign? Consolidate?]

#### 2. Parallel Faces

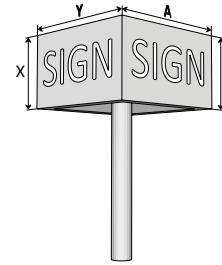
Only the larger of two sides is measured if the sides are double faced or back to back. The two planes must be parallel and less than two feet apart. For parallel signs two feet or greater apart, the sum of all the planes or sides will be used in the computation of the sign area.

#### 3. "V" Shaped

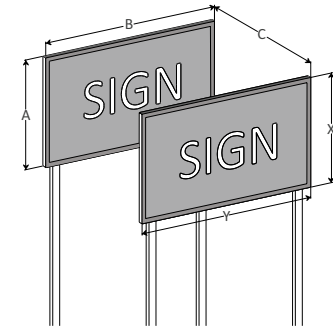
The area of a two sided sign constructed in the form of a "V" is calculated by the same method as parallel faces if the angle of the "V" is less than 30 degrees and the distance between the sides does not exceed five feet at any point. If the angle is equal to or greater than 30 degrees or the distance between the sides is greater than five feet, the sum of all the planes will be used in the computation of the sign area unless the applicant demonstrates that only one side of the sign will be visible from any single vantage point outside the property line of the site.

#### 4. Three Dimensional

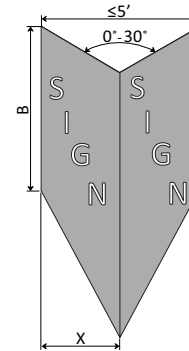
Where three dimensional signs are used, the area of the sign is the total surface area of the sides that can be seen from a single vantage point outside the property lines of the site where the sign is located. [Same as general measurement]



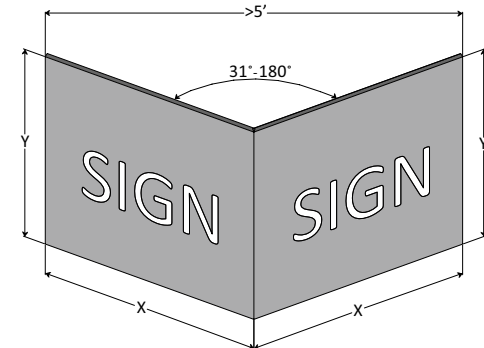
Sign Area =  $X \cdot Y + A \cdot B$



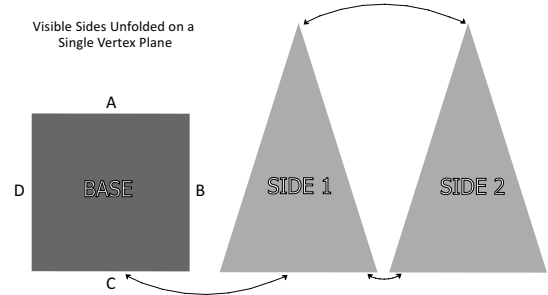
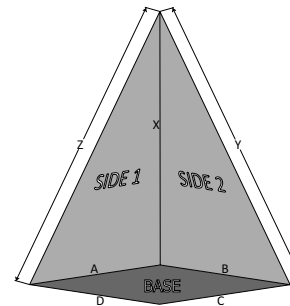
Sign Area =  $A \cdot B$  if  $C < 2'$   
Sign Area =  $A \cdot B + X \cdot Y$  if  $C \geq 2'$



Sign Area = One Face



Sign Area = Total of Both Faces



Sign Area = Side 1 + Side 2 + Base Areas

### Sec. 7.6.6. Permanent Signs, In General

Permanent signs are those which are intended to remain posted indefinitely. A permanent sign must obtain a permit and may require a building permit or electrical permit due to its physical characteristics.

#### A. Sign Area

1. Unless otherwise provided in this Division, the total sign area of all permanent signs on any lot or parcel must not exceed the maximum sign area allocated for the zone in which the sign is located.
2. Any sign on a lot or parcel within 150 feet of a residential use must not exceed a sign area of 100 square feet.

#### B. Sign Placement

1. Setbacks are measured from the portion of the sign nearest to the property line. [GRAPHIC]
2. Height is measured from the portion of the sign which is vertically the farthest from the ground. [GRAPHIC]
3. Unless otherwise provided in this Division, no portion of a sign must:
  - a. Be erected in a manner that places the top of the sign more than 26 feet above the ground, except for a location sign erected in conformance with Sec. 7.7.3.D.;
  - b. Extend outside the property upon which it is erected, except for properties with no building setback, or as provided in Sec. 7.7.9.A.3. for canopy signs; and
  - c. Obstruct any building aperture, such as a window, door, ventilation opening or fire prevention device.

#### C. Building and Electrical Permits

A permanent sign erected under this Division must comply with the building and construction requirements of Chapter 8 and the electrical requirements of Chapter 17.

#### D. Color

1. A sign must not use any color combination that may be confused with a traffic sign or signal.
2. In order for the sign back or non-display side of a sign to be excluded from consideration as sign area, it must be a single neutral color where visible from outside the property lines of the site.

#### E. Illumination

When illumination of a sign is permitted, it must comply with each of the following restrictions:

1. An electrical permit must be obtained in accordance with Chapter 17;
2. Sign illumination must use an enclosed lamp design or indirect lighting from a shielded source in a manner that prevents glare from beyond the property line;
3. A sign must not be illuminated in a pattern or lighting combination that resembles a traffic signal;
4. A sign must not contain or be illuminated by flashing, revolving or intermittent lights, or lights of changing intensity; and
5. Any sign on a lot or parcel within 150 feet of a residential use must be illuminated only during the hours the entity is open for public business, unless the applicant demonstrates that the sign is located so that no adverse impact will affect the residential use.

#### F. Structural Limitations

A sign must comply with each of the following structural requirements.

1. A sign must not be shaped like a traffic sign or traffic signal, or use wording similar to traffic signals, or interfere with traffic safety.
2. A sign must not be shaped to resemble any human or animal form, but must conform to a geometric shape. [Reconsider this?]
3. A sign must not be wind activated.
4. A sign must not have moving parts.
5. Signs that have characters which are changed manually or electronically must not be changed more than once each day. This includes a sign that

gives the appearance or illusion of movement for a written or printed message.

## G. Historic Preservation Area

A sign erected in an historic preservation area must comply with the following criteria:

1. The Director must verify that the historic site or area is designated in the Montgomery County Master Plan for Historic Preservation.
2. Before considering a sign permit application, the Director must verify that the applicant has received a historic area work permit under the provisions of Chapter 24A.
3. The Director must consider the following information in issuing a sign permit:
  - a. Size, shape, color, lettering, and location of the sign;
  - b. Compatibility of the sign with the surrounding property, other signs in the area, and the historic nature of the area; and,
  - c. the approval of the Historic Preservation Commission. No sign permit may be issued unless the applicant has received a historic area work permit from the Historic Preservation Commission.

## H. Permanent Sign Standards By Zone

In addition to the general design elements and limitations, the following requirements apply in the zones specified. Any permanent sign not listed as allowed in a specific zone or which does not conform to the requirements listed in this Section or the applicable zone must obtain a variance from the Department of Permitting Services.

### Sec. 7.6.7. Agricultural & Rural Zones

#### A. Base Sign Area

The total area of all permanent signs in the rural or agricultural zone must not exceed 200 square feet, excluding the additional area allowed by other provisions of this Division.

#### 1. Freestanding Sign

- a. One freestanding sign may be erected at each building or driveway entrance.
- b. The sign area must not exceed 40 square feet.
- c. The sign must be set back at least 10 feet from the property line.
- d. The sign must not exceed 10 feet in height.
- e. No illumination is allowed.

#### 2. Wall Sign

- a. One wall sign is allowed.
- b. The sign area must not exceed 40 square feet.
- c. The sign must not be placed more than 26 feet above the ground.
- d. No illumination is allowed.

## B. Additional Sign Area

#### 1. Entrance Sign

In addition to the 200 square feet of total sign area, an additional location sign is allowed for a lot or parcel larger than five acres, provided that it meets the following requirements:

- a. One entrance sign is allowed at each entrance to the lot or parcel.
- b. The sign area must not exceed 40 square feet.
- c. The sign must be set back at least 10 feet from the property line.
- d. The sign must not exceed 26 feet in height.
- e. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

### Sec. 7.6.8. Residential Zones

#### A. Base Sign Area

The total area of all permanent signs in a residential zone must not exceed two square feet, unless additional area is permitted pursuant to this Division.

**1. Freestanding Sign**

- a. One freestanding sign is allowed.
- b. The sign must be set back at least five feet from the property line.
- c. The sign must not exceed five feet in height.
- d. No illumination is allowed.

**2. Wall Sign**

- a. One wall sign is allowed.
- b. The sign must not be placed more than five feet above the ground.
- c. No illumination is allowed.

**B. Additional Sign Area**

**1. Subdivision and Multifamily Development Location Sign**

Additional sign area is allowed for a permanent location sign erected at any entrance to a subdivision or multifamily development provided that the sign is a ground sign or wall sign located at an entrance to the subdivision or building.

- a. Two signs are allowed for each entrance.
- b. The sign area must not exceed 40 square feet per sign.
- c. If the driveway entrance to the subdivision or development is located in the right-of-way, a revocable permit issued jointly by the Sign Review Board and the appropriate transportation jurisdiction must be obtained to erect the sign.
- d. The sign must not exceed 26 feet in height.
- e. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

**2. Place of Assembly Location Sign**

Additional sign area is allowed for a permanent location sign for any place of assembly. The sign must be a ground sign or a wall sign located at an entrance to the building or driveway.

- a. Two signs are allowed at each entrance.
- b. The sign area must not exceed 40 square feet.

- c. The sign must be set back at least five feet from the property line, or, if the driveway entrance to the subdivision is located in the right-of-way, a revocable permit issued jointly by the Sign Review Board and the appropriate transportation jurisdiction must be obtained to erect the sign.
  - i. The sign must not exceed 26 feet in height.
  - ii. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

## Sec. 7.6.9. CR, E and Industrial Zones

### A. Base Sign Area

The total area of all permanent signs in a commercial or industrial zone must not exceed 800 square feet, excluding the additional area allowed by other provisions of this Division, without submitting a sign concept plan to the Director. The maximum sign area for an individual sign in these zones is 200 square feet.

#### 1. Freestanding Sign

- a. One sign is allowed at each customer entrance to the building or driveway.
- b. The maximum sign area for a lot or parcel is two square feet for each linear foot of frontage.
  - i. Where a lot or parcel has frontage on more than one street, signs may be erected facing each street, or may be erected at a location which allows it to be seen along each street on which the site has frontage.
  - ii. For a lot that has less than 50 feet of frontage, the sign area is based on the length of the lot line closest to the street toward which the sign is to be oriented. The applicant is restricted to using only one street and the property line closest to that street.
- c. A sign must be set back at least  $\frac{1}{4}$  of the distance required for the building restriction setback as determined by the Zoning ordinance for the zone.
- d. The sign must not exceed the height of the tallest building on the same premises as the sign, and must not exceed 26 feet above the ground.
- e. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

#### 2. Wall Sign

- a. One sign is allowed for each customer entrance. A customer entrance includes, but is not limited to, a direct outside entrance to a shop or store, and a direct outside entrance to an enclosed mall or shopping center.
- b. The maximum sign area is two square feet for each linear foot of building frontage. A shop or store with an outside entrance is considered to have

its own building frontage, which is the front width of the portion of the building occupied for that use. A dimension must not be counted more than once as a building frontage.

- c. No sign or supporting structure of a flat wall sign may extend more than 12 inches from the wall.
- d. A projecting wall sign may project 42 inches from the building, but not closer than 8 feet to a curb line. The sign may not project over a public right-of-way except where there is no building setback.
- e. The sign may not exceed 26 feet in height and must meet the following standards:
  - i. The sign may not extend above any portion of the roof or be placed upon any roof surface;
  - ii. A sign that projects over a public right-of-way or public ingress or egress must have a minimum clearance above the ground of 10 feet for a sign that projects over a pedestrian walkway and 18 feet for a sign that projects over a street or driveway.
- f. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

#### 3. Canopy Sign

- a. The maximum canopy sign area is two square feet for each linear foot of building frontage, not to exceed 200 square feet. Excluding lighting internal to the canopy which has the sole purpose of lighting the customer area for service or safety, the sign area of an illuminated canopy sign is calculated as the total illuminated surface area that can be seen at any one time from one vantage point outside the property lines of the property where the sign is located.
- b. The location of a canopy sign is determined by the building permit requirements for the canopy. If no building permit is required, the location requirements are the same as that of a freestanding sign.
- c. The height of the sign is determined by the building permit requirements for the canopy and must not exceed 26 feet in height. If no building permit is required, the height limits are the same as those of a projecting wall sign.

- d. A canopy sign that includes only the name of the business, the address or the official logo of the occupant is a location sign.
- e. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

## B. Additional Sign Area

### 1. Location Sign

Additional sign area is allowed for a permanent location sign erected at an entrance to a building or a development provided that the sign is a ground sign or flat wall sign located at the entrance. The sign must meet the following requirements:

- a. A sign may be placed on each face of the building that has building frontage and at each customer entrance to the building and parking area.
- b. The sign area may not exceed 100 square feet for each sign.
- c. The location is the same as provided generally for the zone based on the type of sign. A location sign erected as a ground sign must meet the setback restrictions for a freestanding sign, and a location sign erected as a wall sign must comply with the requirements for a wall sign.
- d. The sign may be placed on a wall more than 26 feet from the ground provided that it is at least 10 feet below the eave or parapet and at least 10 feet from the corner of the building.
- e. An entrance sign that is a freestanding location sign must not be placed within 100 feet of another freestanding sign. A wall location sign at an entrance must not be placed within 30 feet of another wall sign.
- f. The sign may be illuminated (see [Sec. 7.7.6.E.](#)).

### 2. Freestanding Sign for Sites Larger than Five Acres

Additional sign area is allowed for a freestanding sign erected at any driveway entrance to an industrial or commercial center that is larger than five acres. The sign must meet the following requirements:

- a. Two signs per customer entrance are allowed.
- b. The sign area must not exceed 200 square feet per sign.

- c. A sign must be set back at least  $\frac{1}{4}$  of the distance required for the building restriction setback as determined by the Zoning ordinance for the zone.
- d. A sign may not exceed 26 feet in height.
- e. Each sign or pair of signs must be placed at least 200 feet from another sign or pair of signs.
- f. The sign may be illuminated (see [Sec. 7.7.6.E.](#))

## Sec. 7.6.10. Urban Renewal Areas

- A. Any permanent sign located in an approved urban renewal area as part of an optional method development project need not conform to the Design Elements and Limitations of this Division where the Sign Review Board approves the sign as part of a sign concept plan.
- B. Before approving any sign concept plan under this Section, the Sign Review Board must hold a public hearing on the sign concept plan in the Urban Renewal Area, after giving 30 days notice and verifying that the applicant has complied with all applicable variance notice requirements.

## Sec. 7.6.11. Limited Duration Signs

### A. Permit Requirements

- 1. A permit is not required for a limited duration sign on private property. A permit application must be filed for each sign to be placed in the public right-of-way.
- 2. When a permit is required, a limited duration sign is subject to the following provisions:
  - a. The sign must not be constructed in a manner that requires a building or electrical permit.
  - b. Each sign approved by a permit must display and have affixed to the sign information in a format as required by the Director, including the date of expiration of the permit.
  - c. A permit is issued for one year and may be renewed annually.
  - d. A limited duration sign is allowed in any zone.

- e. A limited duration sign may be relocated upon approval by the Director.

## B. Permit Applications

1. One sign is allowed per permit up to a maximum of four permits per applicant. The Director may consider each business location as a separate applicant, however the sign placement may not create a proliferation of signs in that right-of-way, and the applicant may not have the ability to use a permanent sign in lieu of a limited duration sign. Multiple signs that are similar will not receive a permit for the same location within the right-of-way.
2. An application for a limitation duration sign permit must include:
  - a. A description of the sign indicating the number, size, shape, dimensions, and colors of the signs, and the time and day of the week during which the sign will be displayed;
  - b. A drawing of the site or a schematic of the area showing the proposed location of the sign in relation to nearby buildings and streets; and
  - c. Other information required by the Director to ensure compliance with this Division and other Sections of the Code.

## C. General Requirements for Limited Duration Signs on Private Property

1. The number of signs, area and placement restrictions allowed are the same as for a temporary sign in the zone in which the sign is erected. However, in residential zones, the total sign area of limited duration signs must not exceed 10 square feet.
2. Any sign erected on private property must have the written permission of the property owner.

## D. Requirements for Limited Duration Sign in the Public Right-of-Way

1. The sign area for each sign may not exceed five square feet.
2. No sign may be placed on a paved section of the right-of-way, such as a sidewalk, bikeway, driveway apron, emergency lane or any part of the roadway.
3. The sign must be placed at least 50 feet from any driveway, entrance, traffic control sign or traffic control signal, and at least five feet from any other limited duration sign within the public right-of-way.
4. The sign must be placed at least 100 feet from a street intersection.

5. The nearest edge of a sign must be a minimum of two feet from a curb or, if no curb exists, a minimum of six feet from the edge of the roadway or street.
6. The sign may not be placed on a median strip or highway divider. If the Permitting Services Director determines that a previously approved location could be a safety risk, the Director may provide assistance in finding a replacement site.
7. The maximum height of the sign is 30 inches above the ground.
8. The sign must have its own means of support which is affixed to the ground. The sign installer or permit holder is responsible for complying with utility restrictions for excavating or driving a support into the ground.
9. The signs must be erected either only on weekends and National Holidays; or for no more than fourteen consecutive days during any six-month period.

## Sec. 7.6.12. Temporary Signs

### A. Generally

A permit is not required for a temporary sign and there is no limit to the number of temporary signs that may be displayed.

1. The sign area of a temporary sign is determined by the zone in which the sign is placed, and is in addition to the area allowed for a permanent sign or a limited duration sign. All other aspects of the sign, such as location and height, must conform to the standards for a permanent sign in the zone.
2. The date of erection of a temporary sign must be written in indelible ink on the lower right corner of the sign. The absence of this information makes the sign a permanent or limited duration sign and subject to the applicable provisions of this Division.

### B. Requirements by Zone

The following requirements apply in the zones specified:

#### 1. Agricultural & Rural Zones

The area of each temporary sign may not exceed 40 square feet and the total sign area must not exceed 100 square feet.



## 2. Residential Zones

Total sign area may not exceed 10 square feet. However, the total sign area at any place of assembly may not exceed 50 square feet.

## 3. CR, E and Industrial Zones

- a. The maximum sign area of each sign is 50 square feet and the total sign area may not exceed 100 square feet.
- b. Temporary window signs are subject to the following additional requirements:
  - i. The total area of temporary window signs may not exceed 20 percent of the window glass area for each side of the building, minus the area of any permanent window signs.
  - ii. Signs may be placed in any window provided they are in conformance with the general rules of sign placement stated in **Sec. 7.7.6.B.**
  - iii. The sign may be illuminated.

## Div. 7.7. Outdoor Storage & Display

### Sec. 7.7.1. Intent

The intent of this Division is to regulate the size, location, height and screening of all outdoor storage and display. The regulations are intended to protect the public safety, health and welfare; to preserve the value of property; and to preserve and strengthen the ambiance and character of the various communities.

### Sec. 7.7.2. Applicability

- A. The requirements of this Division apply to any site where merchandise, material or equipment is stored outside of a completely enclosed building.
- B. Where merchandise, material or equipment is stored outside of a completely enclosed building in an Agricultural & Rural zone and the storage area lies more than 100 feet from any street right-of-way or property line, the provisions of this Division do not apply.
- C. Where allowed, the outdoor sale, lease or rental of motor vehicles and heavy equipment as part of a properly permitted use are not subject to the provisions of this Division.

### Sec. 7.7.3. Design Standards

#### A. Outdoor Display

##### 1. Defined

- a. Outdoor display of products actively available for sale. The outdoor placement of propane gas storage racks, ice storage bins, soft drink or similar vending machines is considered outdoor display.
- b. Outdoor display does not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers (see outdoor storage).

##### 2. Standards

Outdoor display is permitted with any nonresidential use following approval of a site plan or conditional use plan illustrating the extent of the permitted area for outdoor display. The area for outdoor display must meet the standards below.

- a. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day. Propane gas storage racks, ice storage bins, soft drink or similar vending machines may remain outside overnight.
- b. Outdoor display may not impair the ability of pedestrians to use the sidewalk or parking areas.

#### B. Outdoor Storage

##### 1. Limited Outdoor Storage

###### a. Defined

Limited outdoor storage includes, but is not limited to:

- i. Overnight outdoor storage of vehicles awaiting repair;
- ii. Outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;
- iii. Outdoor sales area for building supplies, garden supplies or plants;
- iv. Outdoor storage of fleet vehicles; and
- v. Outdoor storage of vehicles, boats, recreational vehicles or other similar vehicles at a storage facility.

###### b. Standards

Limited outdoor storage is permitted where an industrial use is allowed, and following approval of a site plan or conditional use plan illustrating the extent of the permitted area for limited outdoor storage.

##### 2. General Outdoor Storage

###### a. Defined

General outdoor storage includes, but is not limited to, materials associated with industrial uses such as equipment, lumber, pipe, steel, salvage or recycled materials.

**b. Standards**

General outdoor storage is only permitted following approval of a site plan or conditional use plan illustrating the extent of the permitted area for general outdoor storage, and provided it meets the standards below.

- i. The property must front on and have direct access to a road built to primary or higher standards.
- ii. The minimum area of the property must be five acres if abutting a residential zone.
- iii. The minimum setback from any property line must be 50 feet.
- iv. Screening of inventory and equipment except where the use abuts or confronts industrially-zoned property must follow the buffering and screening requirements of [Sec. 7.5.9](#).

ADD TO DEFINITIONS:

"Outparcel"

"Permeable Area"

"Primary Parking Benefit District"





