

CHAPTER 59
MONTGOMERY COUNTY ZONING ORDINANCE
[PLANNING BOARD]
PHED COMMITTEE DRAFT

Key to Text Edits

Green text indicates changes made by the PHED committee

Blue text indicates plain language edits, corrections, and clarifications

[Text deleted from the draft has brackets]

Text added to the draft is underlined

DECEMBER 16 [MAY 2], 2013

[Use of the Zoning Ordinance

1. Coordination with Other Chapters

- A. The use of structures and land within Montgomery County must satisfy all other applicable provisions as well as this Chapter, whether or not such other provisions are specifically referenced in the Chapter. Reference to other chapters or provisions of the Montgomery County Code is for the convenience of the reader; the lack of a cross-reference does not exempt a property, building, structure, or use from other requirements.
- B. If a requirement adopted by this Chapter imposes a higher standard than those required under another statute or provision, the requirement adopted under this Chapter controls. If the other statute or provision imposes a higher standard, that statute or provision controls.

2. Chapter Organization

- A. Article 59-1., **General Zoning Ordinance Provisions** establishes the legal framework and purpose of this Chapter; describes what properties and land use elements are controlled by this Chapter; addresses how annexed properties are treated; how coordination with other provisions is governed; how tables, illustrations, and examples are to be interpreted; and defines certain terms used in this Chapter.
- B. Article 59-2., **Zones**, establishes the various zones used by the County to implement land use policy; the intent of each zone; and how zoning maps are recorded and interpreted.
- C. Article 59-3., **Uses and Use Standards**, provides a Use Table for all zones; defines each use; and specifies any use-specific standards in addition to the zone standards and requirements, and general requirements.
- D. Article 59-4., **Euclidean Zone Requirements: General and Standard Method**, establishes the allowed development methods; defines how standards are measured and what exceptions are allowed; and establishes the development standards and requirements for each Euclidean zone.
- E. Article 59-5., **Floating Zone Requirements**, establishes the development standards and requirements for each Floating zone.

- F. Article 59-6., **Optional Method Requirements**, establishes the development requirements and standards for all optional method development, including development with Moderately Priced Dwelling Units, Cluster Development, TDRs, and development requiring public benefits in the Commercial/Residential and Employment zones.
- G. Article 59-7., **General Development Requirements**, establishes the applicability, standards, and requirements for site access; parking, queuing, and loading; open space; recreation facilities; landscaping and outdoor lighting; outdoor storage and display; and signs.
- H. Article 59-8., **Administration and Procedures**, establishes the application requirements necessary to comply with this Chapter and the related submittal requirements; review and approval authorities for such applications; decision-making requirements; how approvals received before this Chapter became effective are treated; how nonconforming sites, designs, uses, and structures are treated; and how this Chapter is enforced.
- I. Article 59-9., **Zones Retained from Previous Ordinance**, establishes zones that were applied by local map amendment before this Zoning Ordinance was adopted; may be mapped on the zoning map, but may not be requested by any property owner under a Local Map Amendment; and may not be applied to any additional property in a master plan adopted after [date of adoption].

3. Step-By-Step Use of the Chapter

This section describes in general terms, and for the benefit of the reader, how to use the Chapter. It is not exhaustive, and may not contain all of the steps, information, or references necessary to make or evaluate a development application or to implement this Chapter.

A. To Determine the Zone

1. Obtain a scaled, certified copy of a property's zoning map from the Montgomery County Planning Department to ensure that zoning information is accurate and reliable. Take note of any Overlay zones that apply.
2. Take note of the zoning for abutting and confronting properties because this may affect land use classifications, development standards, and other

requirements. In particular, if a property is in a Commercial/Residential, Employment, Industrial, or Floating zone and is abutting property in an Agricultural, Rural Residential, or Residential Detached zone, limits on use, increases in setbacks, height restrictions, and other limits may be imposed; and

3. Refer to Article 59-2 to find the intent of the zone because some approvals require an applicant to show that an application meets the intent of the zone.

B. To Identify the Allowed Uses and Applicable Use Standards

1. Refer to the Use Table in Article 59-3 to determine which uses are allowed in the zone and ensure that the desired use meets the definition in that Article.
2. Consider a Floating zone that allows the use if the desired use is prohibited in the current zone. In this case, the requirements for a Floating zone under Article 59-5 and the procedures for a Local Map Amendment under Sec. 8.2.1 will apply.
3. A use identified as limited ("L") or conditional ("C") must satisfy additional standards or review. All conditional uses must be approved by the Hearing Examiner or Board of Appeals, as indicated. Some limited uses will require a site plan under Sec. 8.3.4.

C. To Review the Building Types Allowed by the Zone

1. Sec. 4.1.4 identifies which building types are allowed in the zone.
2. Only uses allowed in the zone may be approved for any given building type, which must also be allowed in the zone: the building type name does not imply any particular use as defined by this Chapter.
3. If the desired building type is prohibited in the zone, the applicant may wish to pursue a Floating zone that allows the building type. In this case, the requirements for a Floating zone under Article 59-5 and the procedures for a Local Map Amendment under Sec. 8.2.1 will apply.

D. To Determine the Development Method

1. There are 2 types of development allowed in this Chapter: standard method and optional method. In most cases, standard method development allows

a base density and has set standards and requirements. Optional method typically allows more flexibility in building types, density, height, and standards and requirements, and may require the provision of public amenities and benefits and entails additional public review.

2. Refer to the applicable Division in Article 59-4 or Article 59-6 to determine the development thresholds for standard and optional method development.

E. To Determine the Applicable Zone Requirements

1. Under standard method development, the zone requirements, including lot size, lot width, setbacks, coverage, height, etc., are contained in Article 59-4 for Euclidean zones.
2. Under optional method development, the zone requirements, including public amenity and benefit requirements, are contained in Article 59-6.
3. The zone requirements for a Floating zone are contained in Article 59-5.

F. To Identify the General Development Requirements

1. Development must comply with the general development requirements established in Article 59-7, as specified in that Article.
2. General development requirements include standards for site access; parking, queuing, and loading; open space; landscaping and lighting; outdoor storage and display; and signage. Each Division or Section of Article 59-7 includes the intent or applicability of the provisions and should be reviewed to ensure compliance.
3. If any applicant cannot comply with a provision in Article 59-7, or wishes to pursue an alternative, the mechanism for pursuing alternative compliance is indicated.

G. To Determine Review Procedures

1. Article 59-8 identifies what types of approvals are required and who performs the review.
2. Div. 8.1 identifies what types of approvals are required depending on the zone and method of development.
3. For each applicable approval, the application requirements, submittal

requirements, necessary findings, and other pertinent information are provided. The intake and review bodies are also enumerated. These agencies should be the first point of contact to ensure correct interpretation of the steps required and compliance with the requirements for development of any structure or land in the County.

H. Ensure Proper Interpretation

1. Refer to Div. 1.4. for the rules of interpretation and defined terms.
2. If a meaning, calculation, or measurement is unclear, a written interpretation may be obtained from DPS.]

PAGE INTENTIONALLY BLANK

TABLE OF CONTENTS

ARTICLE 59-1. GENERAL ZONING ORDINANCE [CODE] PROVISIONS

DIVISION 1.1. IN GENERAL

SECTION 1.1.1. CITATION 1 – 2

SECTION 1.1.2. REPEAL OF EXISTING ZONING ORDINANCE..... 1 – 2

SECTION 1.1.3. SEVERABILITY 1 – 2

DIVISION 1.2. PURPOSE

SECTION 1.2.1. PURPOSE OF CHAPTER 59.....1 – 3

DIVISION 1.3. APPLICABILITY

SECTION 1.3.1. APPLICABILITY 1 – 4

SECTION 1.3.2. NONAPPLICABILITY TO CERTAIN MUNICIPALITIES 1 – 4

SECTION 1.3.3. ANNEXATIONS 1 – 4

DIVISION 1.4. DEFINED TERMS

SECTION 1.4.1. RULES OF INTERPRETATION 1 – 5

SECTION 1.4.2. SPECIFIC TERMS AND PHRASES DEFINED..... 1 – 5

ARTICLE 59-2. ZONES

DIVISION 2.1. ZONES ESTABLISHED

SECTION 2.1.1. REQUIREMENTS FOR ALL ZONES 2 – 2

SECTION 2.1.2. [REGULATIONS FOR ESTABLISHMENT OF ZONES] ZONING CATEGORIES 2 – 2

SECTION 2.1.3. AGRICULTURAL ZONE..... 2 – 2

SECTION 2.1.4. RURAL RESIDENTIAL ZONES..... 2 – 3

SECTION 2.1.5. RESIDENTIAL ZONES..... 2 – 3

SECTION 2.1.6. COMMERCIAL/RESIDENTIAL ZONES..... 2 – 4

SECTION 2.1.7. EMPLOYMENT ZONES..... 2 – 6

SECTION 2.1.8. INDUSTRIAL ZONES 2 – 8

SECTION 2.1.9. OVERLAY ZONES 2 – 9 [8]

SECTION 2.1.10. FLOATING ZONES..... 2 – 12 [11]

DIVISION 2.2. ZONING MAP

SECTION 2.2.1. ZONING MAPS..... 2 – 15 [13]

SECTION 2.2.2. LOCATION AND BOUNDARIES OF ZONES 2 – 15 [13]

SECTION 2.2.3. ZONE BOUNDARY INTERPRETATION 2 – 16 [13]

SECTION 2.2.4. ZONING AND DEVELOPMENT WITHIN RIGHTS-OF-WAY 2 – 16 [14]

SECTION 2.2.5. ZONES RETAINED FROM PREVIOUS ORDINANCE 2 – 17 [15]

ARTICLE 59-3. USES AND USE STANDARDS

DIVISION 3.1. USE TABLE

SECTION 3.1.1. KEY TO USE TABLE 3 – 3

SECTION 3.1.2. USE CLASSIFICATIONS..... 3 – 3

SECTION 3.1.3. USES LISTED AS ACCESSORY 3 – 4

SECTION 3.1.4. TEMPORARY USES 3 – 4

SECTION 3.1.5. TRANSFERABLE DEVELOPMENT RIGHTS..... 3 – 5

SECTION 3.1.6. USE TABLE 3 – 7 [6]

DIVISION 3.2. AGRICULTURAL USES

SECTION 3.2.1. AGRICULTURAL AUCTION FACILITY..... 3 – 14 [13]

SECTION 3.2.2. AGRICULTURAL PROCESSING 3 – 14 [13]

SECTION 3.2.3. COMMUNITY GARDEN 3 – 14 [13]

SECTION 3.2.4. EQUESTRIAN FACILITY 3 – 15 [14]

SECTION 3.2.5. FARM SUPPLY OR MACHINERY SALES, STORAGE, AND SERVICE..... 3 – 16 [15]

SECTION 3.2.6. FARMING 3 – 17 [16]

SECTION 3.2.7. NURSERY 3 – 17 [16]

SECTION 3.2.8. SLAUGHTERHOUSE 3 – 18 [17]

SECTION 3.2.9. URBAN FARMING 3 – 18 [17]

SECTION 3.2.10. WINERY 3 – [19](#) [17]
 SECTION 3.2.11. ACCESSORY AGRICULTURAL USES..... 3 – [19](#) [18]
 SECTION 3.2.12. TEMPORARY AGRICULTURAL USES..... 3 – [21](#)[19]

DIVISION 3.3. RESIDENTIAL USES

SECTION 3.3.1. HOUSEHOLD LIVING..... 3 – [22](#) [20]
 SECTION 3.3.2. GROUP LIVING..... 3 – [23](#) [21]
 SECTION 3.3.3. ACCESSORY RESIDENTIAL USES 3 – [27](#) [25]

DIVISION 3.4. CIVIC AND INSTITUTIONAL USES

SECTION 3.4.1. AMBULANCE, RESCUE SQUAD (PRIVATE)..... 3 – [37](#) [35]
 SECTION 3.4.2. CHARITABLE, PHILANTHROPIC INSTITUTION..... 3 – [37](#) [35]
 SECTION 3.4.3. CULTURAL INSTITUTION 3 – [38](#) [36]
 SECTION 3.4.4. DAY CARE FACILITY..... 3 – [39](#) [37]
 SECTION 3.4.5. EDUCATIONAL INSTITUTION (PRIVATE) 3 – [41](#) [38]
 SECTION 3.4.6. HOSPITAL 3 – [42](#) [40]
 SECTION 3.4.7. PLAYGROUND, OUTDOOR AREA (PRIVATE) 3 – [43](#) [41]
 SECTION 3.4.8. PRIVATE CLUB, SERVICE ORGANIZATION..... 3 – [43](#) [41]
 SECTION 3.4.9. PUBLIC USE (EXCEPT UTILITIES)..... 3 – [44](#) [41]
 SECTION 3.4.10. RELIGIOUS ASSEMBLY 3 – [44](#) [41]
 SECTION 3.4.11. SWIMMING POOL (COMMUNITY)..... 3 – [44](#) [42]

DIVISION 3.5. COMMERCIAL USES

SECTION 3.5.1. ANIMAL SERVICES..... 3 – [45](#) [43]
 SECTION 3.5.2. COMMUNICATION FACILITY..... 3 – [47](#) [45]
 SECTION 3.5.3. EATING AND DRINKING..... 3 – [51](#) [49]
 SECTION 3.5.4. FUNERAL AND INTERMENT SERVICES 3 – [52](#) [49]
 SECTION 3.5.5. LANDSCAPE CONTRACTOR..... 3 – [53](#) [51]
 SECTION 3.5.6. LODGING 3 – [54](#) [51]
 SECTION 3.5.7. MEDICAL AND DENTAL 3 – [55](#) [52]

SECTION 3.5.8. OFFICE AND PROFESSIONAL 3 – [56](#) [53]
 SECTION 3.5.9. PARKING 3 – [57](#) [54]
 SECTION 3.5.10. RECREATION AND ENTERTAINMENT..... 3 – [58](#) [55]
 SECTION 3.5.11. RETAIL SALES AND SERVICE 3 – [62](#) [59]
 SECTION 3.5.12. VEHICLE/EQUIPMENT SALES AND RENTAL..... 3 – [65](#) [61]
 SECTION 3.5.13. VEHICLE SERVICE 3 – [67](#) [62]
 SECTION 3.5.14. ACCESSORY COMMERCIAL USES 3 – [69](#) [65]
 SECTION 3.5.15. TEMPORARY COMMERCIAL USES 3 – [72](#) [67]

DIVISION 3.6. INDUSTRIAL USES

SECTION 3.6.1. ANIMAL RESEARCH FACILITY..... 3 – [74](#) [69]
 SECTION 3.6.2. CONTRACTOR STORAGE YARD 3 – [74](#) [69]
 SECTION 3.6.3. DRY CLEANING FACILITY 3 – [74](#) [69]
 SECTION 3.6.4. MANUFACTURING AND PRODUCTION 3 – [74](#) [69]
 SECTION 3.6.5. MINING, EXCAVATION 3 – [75](#) [70]
 SECTION 3.6.6. TRANSPORTATION 3 – [76](#) [71]
 SECTION 3.6.7. UTILITIES 3 – [79](#) [73]
 SECTION 3.6.8. WAREHOUSE..... 3 – [80](#) [74]
 SECTION 3.6.9. WASTE-RELATED..... 3 – [81](#) [75]

DIVISION 3.7. MISCELLANEOUS USES

SECTION 3.7.1. NONCOMMERCIAL KENNEL 3 – [83](#) [78]
 SECTION 3.7.2. SOLAR COLLECTION SYSTEM..... 3 – [83](#) [78]
 SECTION 3.7.3. WILDLIFE, GAME PRESERVE, AND OTHER CONSERVATION
 AREAS 3 – [83](#) [78]
 SECTION 3.7.4. ACCESSORY MISCELLANEOUS USES 3 – [84](#) [79]

ARTICLE 59-4. EUCLIDEAN ZONE [REGULATIONS] REQUIREMENTS: IN GENERAL AND STANDARD METHOD

DIVISION 4.1. RULES FOR ALL ZONES

SECTION 4.1.1. DEVELOPMENT OPTIONS 4 – 3

SECTION 4.1.2. COMPLIANCE REQUIRED 4 – 3

SECTION 4.1.3. BUILDING TYPES IN THE AGRICULTURAL, RURAL RESIDENTIAL, AND RESIDENTIAL ZONES 4 – 4

SECTION 4.1.4. BUILDING TYPES ALLOWED BY ZONE IN THE AGRICULTURAL, RURAL RESIDENTIAL, AND RESIDENTIAL ZONES 4 – 5

SECTION 4.1.5. BUILDING TYPES IN THE COMMERCIAL/RESIDENTIAL, EMPLOYMENT, AND INDUSTRIAL ZONES 4 – 6

SECTION 4.1.6. BUILDING TYPES ALLOWED BY ZONE IN THE COMMERCIAL/RESIDENTIAL, EMPLOYMENT, AND INDUSTRIAL ZONES 4 – 7

SECTION 4.1.7. MEASUREMENT AND EXCEPTIONS 4 – 8 [6]

SECTION 4.1.8. COMPATIBILITY REQUIREMENTS 4 – 13 [11]

DIVISION 4.2. AGRICULTURAL ZONE

SECTION 4.2.1. METHODS OF DEVELOPMENT 4 – 15 [12]

SECTION 4.2.2. GENERAL REQUIREMENTS 4 – 15 [12]

SECTION 4.2.3. SPECIAL REQUIREMENTS FOR THE TRANSFER OF DENSITY 4 – 15 [12]

SECTION 4.2.4. SPECIAL REQUIREMENTS FOR CHILD LOTS 4 – 15 [12]

SECTION 4.2.5. AR ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 18 [14]

DIVISION 4.3. RURAL RESIDENTIAL ZONES

SECTION 4.3.1. METHODS OF DEVELOPMENT 4 – 20 [16]

SECTION 4.3.2. GENERAL REQUIREMENTS 4 – 20 [16]

SECTION 4.3.3. R ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 21 [17]

SECTION 4.3.4. RC ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 22 [18]

SECTION 4.3.5. RNC ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 24 [19]

DIVISION 4.4. RESIDENTIAL ZONES

SECTION 4.4.1. METHODS OF DEVELOPMENT 4 – 26 [21]

SECTION 4.4.2. GENERAL REQUIREMENTS 4 – 26 [21]

SECTION 4.4.3. RESIDENTIAL INFILL COMPATIBILITY 4 – 27 [22]

SECTION 4.4.4. RE-2 AND RE-2C ZONES, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 28 [23]

SECTION 4.4.5. RE-1 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 29 [24]

SECTION 4.4.6. R-200 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 30 [25]

SECTION 4.4.7. R-90 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 32 [26]

SECTION 4.4.8. R-60 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 33 [27]

SECTION 4.4.9. R-40 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 35 [28]

SECTION 4.4.10. TLD ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 37 [30]

SECTION 4.4.11. TMD ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 39 [32]

SECTION 4.4.12. THD ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 41 [34]

SECTION 4.4.13. R-30 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 43 [36]

SECTION 4.4.14. R-20 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 45 [38]

SECTION 4.4.15. R-10 ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 47 [40]

DIVISION 4.5. COMMERCIAL/RESIDENTIAL ZONES

SECTION 4.5.1. DENSITY AND HEIGHT ALLOCATION 4 – 49 [42]

SECTION 4.5.2. METHODS OF DEVELOPMENT 4 – 49 [42]

SECTION 4.5.3. BUILDING TYPES 4 – 50 [42]

SECTION 4.5.4. CRN, CRT, AND CR ZONES, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 51 [43]

DIVISION 4.6. EMPLOYMENT ZONES

SECTION 4.6.1. DENSITY AND HEIGHT ALLOCATION 4 – 54 [46]
 SECTION 4.6.2. METHODS OF DEVELOPMENT 4 – 54 [46]
 SECTION 4.6.3. BUILDING TYPES 4 – 55 [46]
 SECTION 4.6.4. GR AND NR ZONES, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 56 [47]
 SECTION 4.6.5. LSC ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 59 [50]
 SECTION 4.6.6. EOF ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 63 [54]

DIVISION 4.7. INDUSTRIAL ZONES

SECTION 4.7.1. DENSITY AND HEIGHT ALLOCATION 4 – 67 [58]
 SECTION 4.7.2. METHODS OF DEVELOPMENT 4 – 67 [58]
 SECTION 4.7.3. BUILDING TYPES 4 – 67 [58]
 SECTION 4.7.4. IL AND IM ZONES, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 68 [59]
 SECTION 4.7.5. IH ZONE, STANDARD METHOD DEVELOPMENT STANDARDS 4 – 69 [60]

DIVISION 4.8. OVERLAY ZONES

SECTION 4.8.1. IN GENERAL 4 – 70 [61]
 [SECTION 4.8.2. COMMERCIAL PRESERVATION (CP) OVERLAY ZONE 4 – 61
 SECTION 4.8.3. INDUSTRIAL MIXED USE (IMU) OVERLAY ZONE 4 – 66
 SECTION 4.8.4. NEIGHBORHOOD PROTECTION (NP) OVERLAY ZONE 4 – 67
 SECTION 4.8.5. SPECIAL PROTECTION AREA (SPA) OVERLAY ZONE 4 – 74
 SECTION 4.8.6. TRANSFERABLE DEVELOPMENT RIGHTS (TDR) OVERLAY ZONE 4 – 76

SECTION 4.8.7. GERMANTOWN TRANSIT MIXED USE (GTMU) OVERLAY ZONE 4 – 77]
 SECTION 4.8.2. BURTONSVILLE EMPLOYMENT AREA (BEA) OVERLAY ZONE... 4 – 86
SECTION 4.8.3. CHEVY CHASE NEIGHBORHOOD RETAIL (CCNR) OVERLAY ZONE..... 4 – 88
SECTION 4.8.4. COMMUNITY-SERVING RETAIL (CSR) OVERLAY ZONE..... 4 – 89
SECTION 4.8.5. FENTON VILLAGE (FV) OVERLAY ZONE..... 4 – 89
SECTION 4.8.6. GARRETT PARK (GP) OVERLAY ZONE 4 – 91
SECTION 4.8.7. GERMANTOWN TRANSIT MIXED USE (GTMU) OVERLAY ZONE.4 - 92
SECTION 4.8.8. REGIONAL SHOPPING CENTER (RSC) OVERLAY ZONE.....4 - 92
SECTION 4.8.9. RIPLEY/ SOUTH SILVER SPRING (RSS) OVERLAY ZONE.....4 - 93
SECTION 4.8.10. RURAL VILLAGE CENTER (RVC) OVERLAY ZONE4 - 94
SECTION 4.8.11. SANDY SPRING/ ASHTON RURAL VILLAGE (SSA) OVERLAY ZONE4 - 96
SECTION 4.8.12. TAKOMA PARK/ EAST SILVER SPRING COMMERCIAL REVITALIZATION (TPSS) OVERLAY ZONE.....4 - 98
SECTION 4.8.13. TRANSFERABLE DEVELOPMENT RIGHTS (TDR) OVERLAY ZONE4 - 99
SECTION 4.8.14. TWINBROOK (TB) OVERLAY ZONE4 - 99
SECTION 4.8.15. UPPER PAINT BRANCH (UPB) OVERLAY ZONE 4 - 100
SECTION 4.8.16. UPPER ROCK CREEK (URC) OVERLAY ZONE 4 - 101

ARTICLE 59-5. FLOATING ZONE [REGULATIONS] REQUIREMENTS

DIVISION 5.1. IN GENERAL

SECTION 5.1.1. ZONE CATEGORIES 5 – 2
 SECTION 5.1.2. [PURPOSES] APPLICABILITY 5 – 2
 SECTION 5.1.3. [APPLICABILITY AND]APPROVAL [REQUIRED]..... 5 – [2]4
 SECTION 5.1.4. SPECIAL PROVISIONS FOR PROPERTIES [ZONED] IN A ZONE UNDER ARTICLE 59-9 5 – [3]4

DIVISION 5.2. RESIDENTIAL FLOATING ZONES

SECTION 5.2.1. ZONES..... 5 – [4] 5
 SECTION 5.2.2. [LAND USES]PURPOSE 5 – [4] 5
 SECTION 5.2.[2]3. LAND USES..... 5 – [4] 5
 SECTION 5.2.[3]4. BUILDING TYPES..... 5 – [4] 6
 SECTION 5.2.[4]5. DEVELOPMENT STANDARDS..... 5 – [5] 6

DIVISION 5.3. COMMERCIAL/RESIDENTIAL FLOATING ZONES

SECTION 5.3.1. ZONES 5 – [7] 8
 SECTION 5.3.2. [LAND USES] PURPOSE 5 – [7] 8
 SECTION 5.3.[2]3. LAND USES 5 – [7] 8
 SECTION 5.3.[3]4. BUILDING TYPES ALLOWED..... 5 – [7] 8
 SECTION 5.3.[4]5. DEVELOPMENT STANDARDS 5 – [7] 8

DIVISION 5.4. EMPLOYMENT FLOATING ZONES

SECTION 5.4.1. ZONES..... 5 – [9] 10
 SECTION 5.4.2. [LAND USES] PURPOSE..... 5 – [9] 10
 SECTION 5.4.[2]3. LAND USES..... 5 – [9] 10
 SECTION 5.4.[3]4. BUILDING TYPES ALLOWED 5 – [9] 10
 SECTION 5.4.[4]5. DEVELOPMENT STANDARDS..... 5 – [9] 10

DIVISION 5.5. INDUSTRIAL FLOATING ZONES

SECTION 5.5.1. ZONES..... 5 – [11] 12
 SECTION 5.5.2. [LAND USES] PURPOSE..... 5 – [11] 12
 SECTION 5.5.[2]3. LAND USES..... 5 – [11] 12
 SECTION 5.5.[3]4. BUILDING TYPES ALLOWED 5 – [11] 12
 SECTION 5.5.[4]5. DEVELOPMENT STANDARDS..... 5 – [11] 12

**ARTICLE 59-6. OPTIONAL METHOD [REGULATIONS]
REQUIREMENTS**

DIVISION 6.1. MPDU DEVELOPMENT IN RURAL RESIDENTIAL AND RESIDENTIAL ZONES

SECTION 6.1.1. GENERAL REQUIREMENTS 6 – 2
 SECTION 6.1.2. GENERAL SITE AND BUILDING TYPE MIX 6 – 4
 SECTION 6.1.3. DETACHED HOUSE..... 6 – 5
 SECTION 6.1.4. DUPLEX..... 6 – 6
 SECTION 6.1.5. TOWNHOUSE..... 6 – 7
 SECTION 6.1.6. APARTMENT[/CONDO] 6 – 8

DIVISION 6.2. CLUSTER DEVELOPMENT IN RURAL RESIDENTIAL AND RESIDENTIAL ZONES

SECTION 6.2.1. GENERAL REQUIREMENTS 6 – 9
 SECTION 6.2.2. DEVELOPMENT STANDARDS 6 – 9
 SECTION 6.2.3. GENERAL SITE, BUILDING TYPE MIX, AND HEIGHT
 STANDARDS 6 – 11
 SECTION 6.2.4. DETACHED HOUSE AND DUPLEX 6 – 12
 SECTION 6.2.5. TOWNHOUSE 6 – 13

DIVISION 6.3. TRANSFERABLE DEVELOPMENT RIGHTS (TDR) OVERLAY

SECTION 6.3.1. IN GENERAL 6 – 14
SECTION 6.3.2. RURAL RESIDENTIAL AND RESIDENTIAL ZONES..... 6 – 15
SECTION 6.3.3. COMMERCIAL/ RESIDENTIAL AND EMPLOYMENT ZONES 6 – 16

DIVISION 6.4. COMMERCIAL/RESIDENTIAL ZONES

SECTION 6.4.1. GENERAL REQUIREMENTS 6 – [17] 18
 SECTION 6.4.2. DEVELOPMENT STANDARDS..... 6 – [17] 18

DIVISION 6.5. EMPLOYMENT ZONES

SECTION 6.5.1. GENERAL REQUIREMENTS 6 – [20](#) [18]
 SECTION 6.5.2. DEVELOPMENT STANDARDS 6 – [20](#) [18]

DIVISION 6.6. OPTIONAL METHOD PUBLIC BENEFITS

SECTION 6.6.1. GENERAL PROVISIONS 6 – [22](#) [20]
 SECTION 6.6.2. PUBLIC BENEFIT OVERVIEW 6 – [22](#) [20]
 SECTION 6.6.3. PUBLIC BENEFIT DESCRIPTIONS AND CRITERIA 6 – [23](#) [21]

**ARTICLE 59-7. GENERAL DEVELOPMENT [REGULATIONS]
REQUIREMENTS**

DIVISION 7.1. SITE ACCESS

SECTION 7.1.1. INTENT 7 – 3
 SECTION 7.1.2. APPLICABILITY 7 – 3
 SECTION 7.1.3. GENERAL ACCESS REQUIREMENTS 7 – 3
 SECTION 7.1.4. DRIVEWAY ACCESS 7 – 3
[\[SECTION 7.1.5. ALTERNATIVE COMPLIANCE 7 – 3\]](#)

DIVISION 7.2. PARKING, QUEUING, AND LOADING

SECTION 7.2.1. INTENT 7 – 4
 SECTION 7.2.2. APPLICABILITY 7 – 4
 SECTION 7.2.3. CALCULATION OF REQUIRED PARKING 7 – 4
 SECTION 7.2.4. PARKING REQUIREMENTS 7 – [8](#) [6]
 SECTION 7.2.5. VEHICLE PARKING DESIGN STANDARDS 7 – [14](#) [12]
 SECTION 7.2.6. BICYCLE PARKING DESIGN STANDARDS 7 – [17](#) [14]
 SECTION 7.2.7. QUEUING DESIGN STANDARDS 7 – [19](#) [16]
 SECTION 7.2.8. LOADING DESIGN STANDARDS 7 – [19](#) [16]
 SECTION 7.2.9. PARKING LOT LANDSCAPING AND OUTDOOR LIGHTING.... 7 – [20](#) [17]
[\[SECTION 7.2.10. ALTERNATIVE COMPLIANCE 7 – 18\]](#)

DIVISION 7.3. OPEN SPACE AND RECREATION

SECTION 7.3.1. INTENT 7 – [22](#) [19]
 SECTION 7.3.2. APPLICABILITY 7 – [22](#) [19]
 SECTION 7.3.3. ALLOWED AND PROHIBITED FEATURES IN OPEN SPACE 7 – [22](#) [19]
 SECTION 7.3.4. RURAL OPEN SPACE 7 – [23](#) [20]
 SECTION 7.3.5. COMMON OPEN SPACE 7 – [25](#) [22]
 SECTION 7.3.6. PUBLIC OPEN SPACE 7 – [26](#) [23]
 SECTION 7.3.7. AMENITY OPEN SPACE 7 – [27](#) [23]
 SECTION 7.3.8. OPEN SPACE LANDSCAPING AND OUTDOOR LIGHTING. 7 – [27](#) [24]
 SECTION 7.3.9. RECREATION FACILITIES 7 – [28](#) [24]
[\[SECTION 7.3.10 ALTERNATIVE COMPLIANCE 7 – 24\]](#)

[DIVISION 7.4. COMPATIBILITY STANDARDS

SECTION 7.4.1. INTENT 7 – 25
 SECTION 7.4.2. APPLICABILITY 7 – 25
 SECTION 7.4.3. SETBACK STANDARDS 7 – 25
 SECTION 7.4.4. HEIGHT RESTRICTIONS 7 – 26
 SECTION 7.4.5. SCREENING REQUIREMENTS 7 – 26
 SECTION 7.4.6. ALTERNATIVE COMPLIANCE 7 – 30]

DIVISION ~~7.4.~~ [7.5.] GENERAL LANDSCAPING AND OUTDOOR LIGHTING

SECTION ~~7.4.1.~~ [7.5.1.] INTENT 7 – [35](#) [31]
 SECTION ~~7.4.2.~~ [7.5.2.] APPLICABILITY 7 – [35](#) [31]
 SECTION ~~7.4.3.~~ [7.5.3.] GENERAL LANDSCAPING REQUIREMENTS 7 – [35](#) [31]
 SECTION ~~7.4.4.~~ [7.5.4.] GENERAL OUTDOOR LIGHTING REQUIREMENTS... 7 – [37](#) [33]
[\[SECTION 7.5.5. ALTERNATIVE COMPLIANCE 7 – 34\]](#)

DIVISION 7.5. SCREENING REQUIREMENTS

SECTION 7.5.1. INTENT7-39

SECTION 7.5.2. APPLICABILITY.....7-39

SECTION 7.5.3. SCREENING REQUIREMENTS7-39

DIVISION 7.6. OUTDOOR DISPLAY AND STORAGE

SECTION 7.6.1. INTENT7-43 [35]

SECTION 7.6.2. APPLICABILITY.....7-43 [35]

SECTION 7.6.3. DESIGN STANDARDS7-43 [35]

[SECTION 7.6.4. ALTERNATIVE COMPLIANCE 7-36]

DIVISION 7.7. SIGNS

SECTION 7.7.1. INTENT.....7-45 [37]

SECTION 7.7.2. APPLICABILITY7-45 [37]

SECTION 7.7.3. EXEMPT SIGNS.....7-45 [37]

SECTION 7.7.4. PROHIBITED SIGNS.....7-46 [38]

SECTION 7.7.5. MEASUREMENTS7-47 [39]

SECTION 7.7.6. PERMANENT SIGNS, IN GENERAL7-49 [41]

SECTION 7.7.7. AGRICULTURAL AND RURAL RESIDENTIAL ZONES.....7-51 [42]

SECTION 7.7.8. RESIDENTIAL ZONES7-51 [42]

SECTION 7.7.9. COMMERCIAL/RESIDENTIAL, EMPLOYMENT, AND INDUSTRIAL ZONES.....7-52 [43]

SECTION 7.7.10. URBAN RENEWAL AREAS7-54 [45]

SECTION 7.7.11. LIMITED DURATION SIGNS.....7-54 [45]

SECTION 7.7.12. TEMPORARY SIGNS7-55 [46]

DIVISION 7.8. ALTERNATIVE COMPLIANCE

SECTION 7.8.1. ALTERNATIVE METHOD OF COMPLIANCE7-56

ARTICLE 59-8. ADMINISTRATION AND PROCEDURES

DIVISION 8.1. REVIEW AUTHORITY AND APPROVALS REQUIRED

SECTION 8.1.1. IN GENERAL.....8-2

SECTION 8.1.2. OVERVIEW OF REVIEW AND APPROVAL AUTHORITY.....8-2

SECTION 8.1.3. OVERVIEW OF APPROVALS REQUIRED.....8-3

DIVISION 8.2. DISTRICT COUNCIL APPROVALS

SECTION 8.2.1. LOCAL MAP AMENDMENT.....8-4

SECTION 8.2.2. CORRECTIVE MAP AMENDMENT.....8-9 [8]

SECTION 8.2.3. SECTIONAL AND DISTRICT MAP AMENDMENT.....8-10 [9]

SECTION 8.2.4. ZONING TEXT AMENDMENT.....8-11 [10]

DIVISION 8.3. REGULATORY APPROVALS

SECTION 8.3.1. CONDITIONAL USE8-13 [12]

SECTION 8.3.2. VARIANCE.....8-22 [18]

SECTION 8.3.3. SKETCH PLAN8-24 [20]

SECTION 8.3.4. SITE PLAN.....8-27 [22]

DIVISION 8.4. ADMINISTRATIVE APPROVALS

SECTION 8.4.1. BUILDING PERMIT.....8-34 [29]

SECTION 8.4.2. USE-AND-OCCUPANCY AND TEMPORARY USE PERMITS ...8-35 [30]

SECTION 8.4.3. SIGN PERMIT.....8-35 [31]

SECTION 8.4.4. SIGN [PERMIT] VARIANCE.....8-37 [32]

[SECTION 8.4.5. SIGN INSTALLER LICENSE.....8-33]

[SECTION 8.4.6. ADMINISTRATIVE ZONING DISTRICT LINE ADJUSTMENT8-35]

DIVISION 8.5 NOTICE STANDARDS

SECTION 8.5.1. NOTICE REQUIRED.....8-41 [36]

SECTION 8.5.2. NOTICE SPECIFICATIONS.....8-42 [37]

DIVISION 8.6. SPECIAL PROVISIONS

SECTION 8.6.1. BOARD OF APPEALS.....8 - ~~45~~ [40]
SECTION 8.6.2. HEARING EXAMINER.....8 - ~~45~~ [40]
SECTION 8.6.3. PLANNING BOARD.....8 - ~~46~~ [41]
SECTION 8.6.4. SIGN REVIEW BOARD.....8 - ~~47~~ [42]
SECTION 8.6.5. FEES.....8 - ~~47~~ [42]

DIVISION 8.7. EXEMPTIONS AND NONCONFORMITIES

SECTION 8.7.1. EXEMPTIONS.....8 - ~~49~~ [44]
SECTION 8.7.2. NONCONFORMING USE [NONCONFORMING USES AND
STRUCTURES].....8 - ~~54~~ [47]

DIVISION 8.8. VIOLATIONS, PENALTIES, AND ENFORCEMENT

SECTION 8.8.1. GENERALLY.....8 - ~~58~~ [51]

ARTICLE 59-9. ZONES RETAINED FROM PREVIOUS ORDINANCE

DIVISION 9.1. IN GENERAL

SECTION 9.1.1. APPLICABILITY 9 - 2
SECTION 9.1.2. MODIFICATION OF ZONES 9 - 2

DIVISION 9.2. RESIDENTIAL FLOATING ZONES

SECTION 9.2.1. ZONES ESTABLISHED 9 - 3
SECTION 9.2.2. PURPOSE AND INTENT 9 - 3
SECTION 9.2.3. [USES] USE TABLE FOR THE RT AND R-H ZONES 9 - 4
SECTION 9.2.4. [R-T] RT ZONE REQUIREMENTS AND DEVELOPMENT
STANDARDS 9 - 7
SECTION 9.2.5. R-H ZONE REQUIREMENTS AND DEVELOPMENT STANDARDS... 9 - 9

DIVISION 9.3. PLANNED DEVELOPMENT ZONES

SECTION 9.3.1. ZONES ESTABLISHED9 - 11
SECTION 9.3.2. PD ZONE9 - 11
SECTION 9.3.3. [TS] ~~T-S~~ ZONE 9 - ~~18~~ [17]
SECTION 9.3.4. PNZ ZONE..... 9 - ~~21~~ [20]
SECTION 9.3.5. PRC ZONE9 - ~~23~~ [22]
SECTION 9.3.6. PCC ZONE9 - ~~27~~ [25]