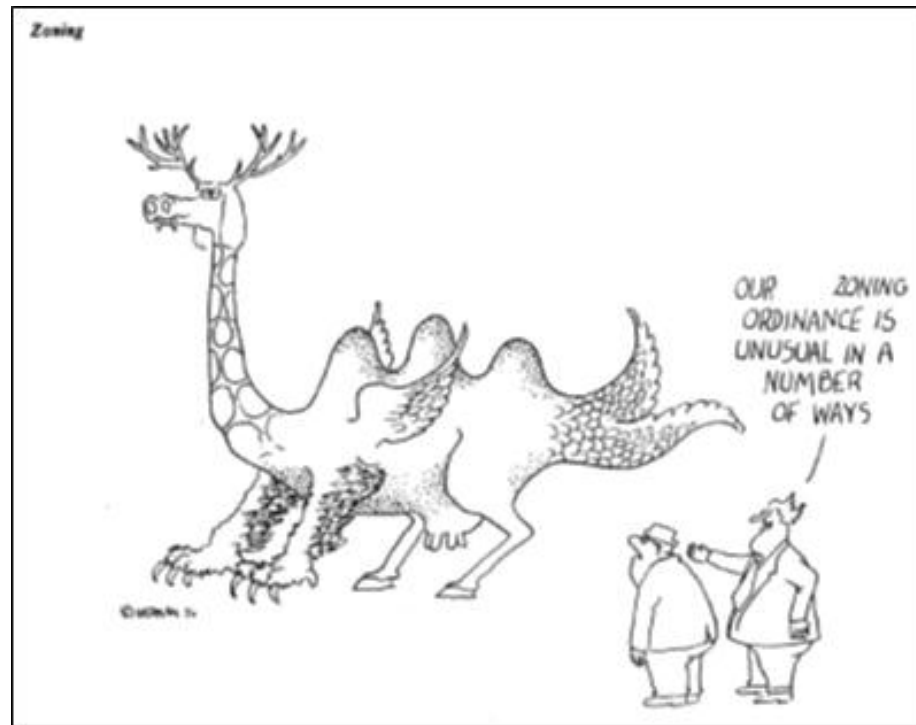
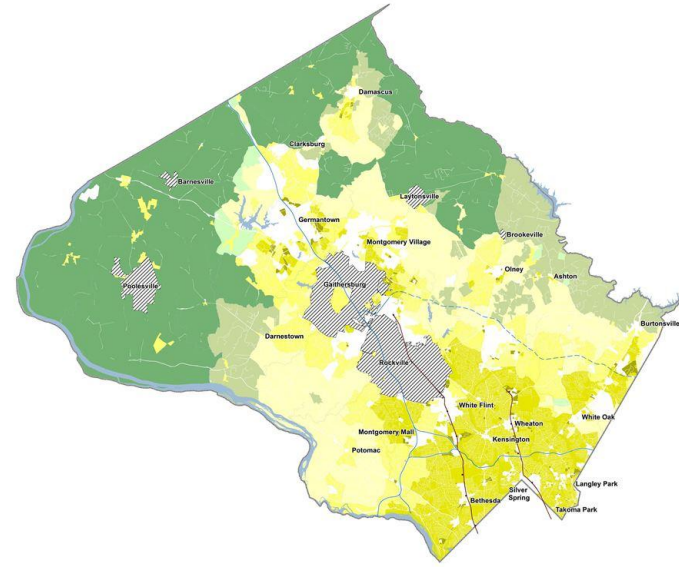


Zoning Code Training



Highlights

- New code was adopted on March 5 & DMA was adopted on July 15. Both become effective on **October 30**.
- **ZTA 14-09** was approved Sept 30 and updates, clarifies, and corrects errors in the new code
- Key changes after October 30
 - **C/R** zones replace all mixed-use zones, H-M, some commercial zones
 - **Employment** zones replace most commercial and office zones, I-3
 - **Industrial** zones replace most industrial zones, RS
 - Official zoning map in **GIS**



Organization

Article 59-1: Definitions

Article 59-2: Zones Established

Article 59-3: Uses and Use Standards

Article 59-4: Development Standards

Article 59-5: Floating Zones

Article 59-6: Parking, Loading, Lighting, Landscaping

Article 59-7: Administration and Procedures

Article 59-8: R-T, RH, PD, T-S, PNZ, PRC, PCC zones

* See [Use of the Zoning Ordinance](#) for a step-by-step guide



Article 59-1. Definitions

- Definitions for **all uses** are referenced in this Article, but defined in Article 59-3.
- Definitions for many **measurements** are also referenced here, but defined in Article 59-4.
- **New** or **modified** definitions of note
 - Abutting: properties that share a property line or easement
 - Adjacent: properties that are close/ nearby, but not required to share a common boundary
 - Confronting: properties across right-of-way with m.p. width of less than 80'
 - Household: replaces 'family' from old code
 - Impervious Surface: identical to Chapter 19
 - Parcel: a contiguous area of land that is described by deed or plat recorded in the land records.
 - Permeable Area: opposite of Impervious Surface
 - Property: one or more tracts that are under common control, operation, or ownership



Article 59-2. Zones and Zoning Map

Zone Categories

- **Agricultural** zone: AR
- **Rural Residential** zones: R, RC, RNC
- **Residential** zones
 - Residential **Detached** zones: RE-2, RE-2C, RE-1, R-200, R-90, R-60, R-40
 - **NEW** Residential **Townhouse** zones: TLD, TMD, THD
 - Residential **Multi-Unit** zones: R-30, R-20, R-10
- **Commercial/ Residential** zones: CRN, CRT, CR
- **Employment** zones: GR, NR, LSC, EOF
- **Industrial** zones: IL, IM, IH
- **Overlay** zones
- **Floating** zones



Article 59-3. Uses and Use Standards

Highlights

- One use table
- Permitted (P), Limited (L), and Conditional (C) Uses
- Major use consolidation & simplification (refer to use translation tables on the web to see how an old use has been classified in the new code)
- Agricultural and Residential zones are substantially the same
- Employment zones allow up to 30% residential development
- Industrial zones no longer allow residential uses, but they do allow some retail/service, restaurant, and recreation/entertainment uses



Article 59-3. Uses and Use Standards

Use Table

USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential			Residential												Commercial/Residential			Employment				Industrial				
						Residential Detached								Residential Townhouse			Residential Multi-Unit												
			AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM	IH
DAY CARE FACILITY	3.4.4																												
Family Day Care (Up to 8 Persons)	3.4.4.C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Group Day Care (9 - 12 Persons)	3.4.4.D	L	L	L	L	L	L	L	L	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	
Day Care Center (13 - 30 Persons)	3.4.4.E	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	
Day Care Center (Over 30 Persons)	3.4.4.F	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	L	L	P	P	P	P	P	P	P	P	P	
Educational Institution (Private)	3.4.5		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	L	P	P	P	P	P	P	P	L	L		
Hospital	3.4.6					C	C	C	C	C	C	C	C	C	C	C	C		L	P	C		P	C	C	C	C		
Playground, Outdoor Area (Private)	3.4.7			P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Private Club, Service Organization	3.4.8	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	L	P	P	L		P	L	L	L			
Public Use (Except Utilities)	3.4.9	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Religious Assembly	3.4.10	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Swimming Pool (Community)	3.4.11		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C							C					
COMMERCIAL																													
ANIMAL SERVICES	3.5.1																												
Animal Boarding and Care	3.5.1.B	C	C	C	C	C	C	C	C									C	C	C	L	C			L	L			
Veterinary Office/Hospital	3.5.1.C	C	C	C	C	C	C	C	C	C								L	L	L	L	L	L		L	L			
COMMUNICATION FACILITY	3.5.2																												
Cable Communications System	3.5.2.A	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	



Article 59-3. Uses and Use Standards

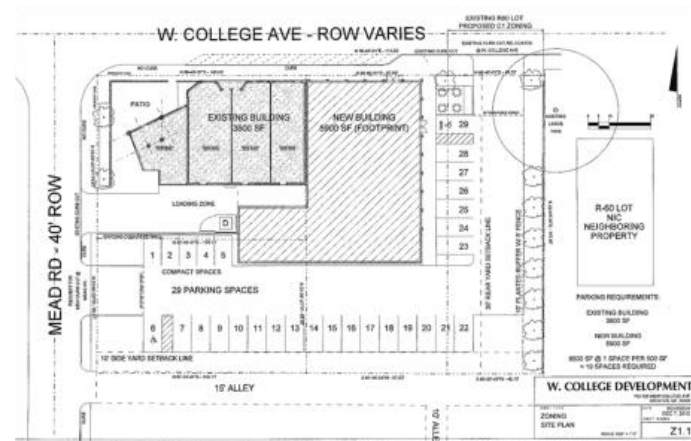
- **Permitted** use (P) = allowed by right
- **Limited** use (L) = permitted subject to **use standards**
 - Footnotes from old code
 - Change from limited use in old code (C/R zones)
 - Use standards may include **site plan** requirement (often based on abutting and/or confronting zone)
- **Conditional** use (C)= special exception
 - Approval = Conditional use standards in 59-3 + general development requirements from Article 59-6 + standards for all conditional uses 59-7 (more restrictive standards trump)



Article 59-4. Development Standards (Euclidean zones)

Highlights

- Building Types
- Measurements/ Form Standards
- Height and Setback Compatibility Provisions
- Mapped Height and Density for C/R, Employment and Industrial zones
- FAR Averaging in C/R, Employment and Industrial zones
- More incentives for MPDUs in Optional Method CRT, CR, EOF and LSC

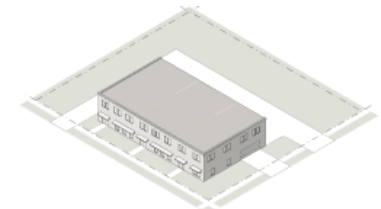


Article 59-4. Development Standards (Euclidean zones)

Building Types

C. CRN, CRT, and CR Zones, Standard Method Development Standards

1. Site	Detached House	Duplex - Side	Duplex - Over	Townhouse	Apartment	Multi Use	General
Open Space (min)							
Open space, site ≤ 10,000 SF	n/a	n/a	n/a	20%	0%	0%	0%
Open space, site > 10,000 SF	n/a	n/a	n/a	20%	10%	10%	10%
Specifications for all Open Space							
a.	In a development with townhouse, apartment, multi use, or general building types, open space is calculated on the area of the site minus any area for detached house and duplex lots.						
b.	Open space for the townhouse building type is common open space (see Section 6.3.5), and for other building types is public open space (see Section 6.3.6).						
2. Lot and Density							
Lot (min)							
Lot area	1,000 SF	1,000 SF	500 SF	800 SF	n/a	n/a	n/a
Lot width at front building line	25'	25'	12.5'	12'	n/a	n/a	n/a
Lot width at front lot line	10'	10'	10'	n/a	n/a	n/a	n/a
Density (max)							
CRN Density, FAR	mapped						
CRT Density, FAR	The lesser of: mapped FAR or the greater of 10,000 SF or 1.0 FAR						
CR Density, FAR	The lesser of: mapped FAR or the greater of 10,000 SF or 0.5 FAR						
Specification for Density							
a.	An historic resource recommended in the applicable master plan to be preserved and reused, which does not occupy more than 10% of the gross floor area, is excluded from the FAR calculation.						
Coverage (max)							
Lot	90%	90%	90%	90%	n/a	n/a	n/a



Article 59-4. Development Standards (Euclidean zones)

Measurements



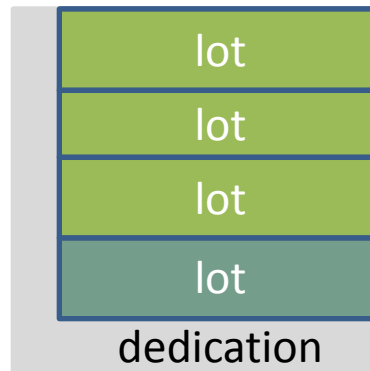
Tract

Includes proposed and existing rights-of-way, lots, parcels, and other dedications. Doesn't include land conveyed to gov'n't for more than nominal consideration.



Site

Includes all existing and proposed lots and parcels. Does not include proposed/previous dedications and rights-of-way.



Lot

Described by a plat recorded in land records & can be issued a building permit.

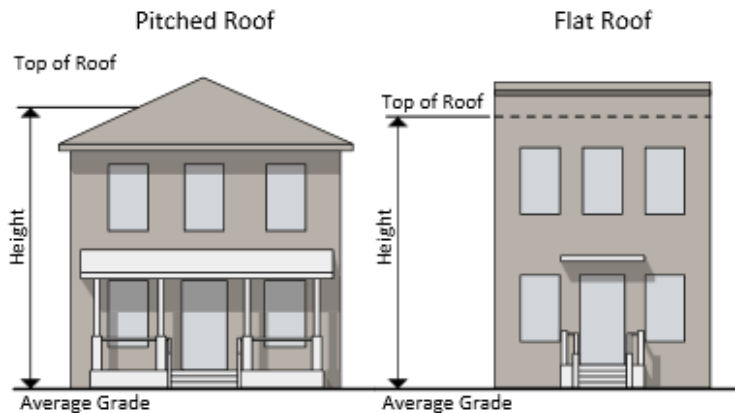


Article 59-4. Development Standards (Euclidean zones)

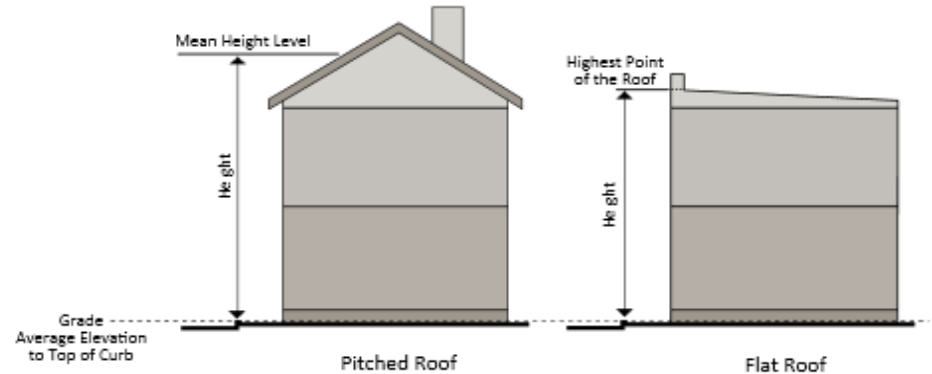
Measurements

Building Height-

Ag, Rural Res & Res zones



C/R, Emp. & Indus. zones



In **all** Ag, Rural Res, and Res zones, height is now measured from average grade, regardless of how far the building is setback from the street. Building height may **not be increased by terrace height**.

Height measured from the **level of approved curb grade**, instead of the level of approved street grade opposite the middle of the front of the building.

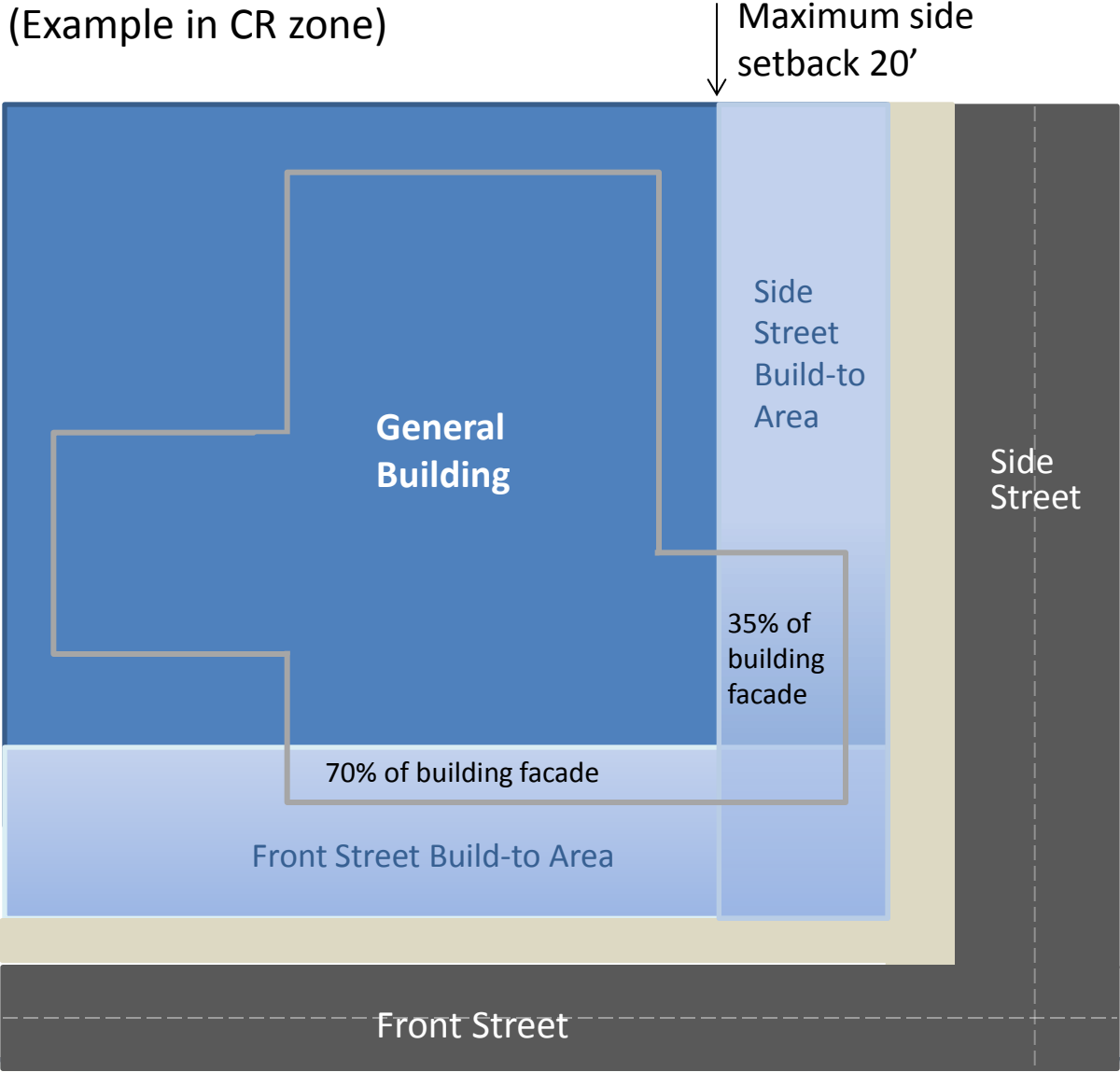
****Stories are no longer a component of height measurement**



Article 59-4. Development Standards (Euclidean zones)

Measurements

Build-to Area (Example in CR zone)



Article 59-4. Development Standards (Euclidean zones)

Measurements

Forms standards* for standard method C/R, LSC, and EOF zones

- **Building orientation**
 - Entrance must face street or open space
 - Maximum spacing of entrances for certain building types
- **Transparency, for Walls Facing a Street or Open Space**
 - Minimum percentage of windows and doors that must cover façade
 - Maximum area of blank wall allowed

* Always required for C/R standard method, only required for LSC and EOF when development fronts on a business street or a build-to line is recommended in the m.p.



Article 59-4. Development Standards (Euclidean zones)

Compatibility Requirements

Setback Compatibility

Applies to properties in :
Res. Multi-Unit, C/R, Emp. & Indus. zones



with an apartment, multi use, or general building



that abuts property in an Ag., Rural Res., or Res. zone that is vacant, or has an ag. or res. use

Height Compatibility

Applies to properties in :
C/R, Emp., Indus. & Floating zones



with any building type



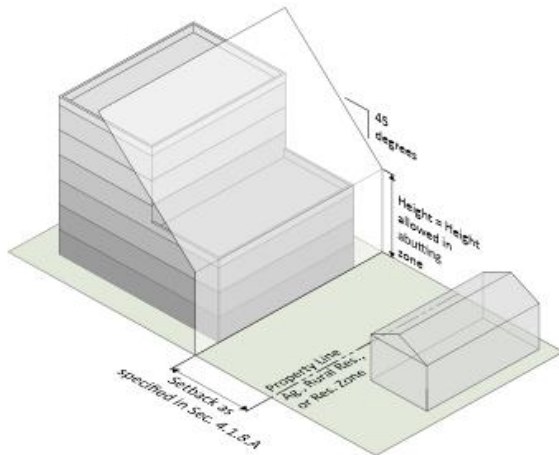
that abuts or confronts property in an Ag., Rural Res. or Res. Townhouse or Res. Detached zone that is vacant, or has an ag. or res. use



Article 59-4. Development Standards (Euclidean zones)

Compatibility Requirements – abutting vs confronting

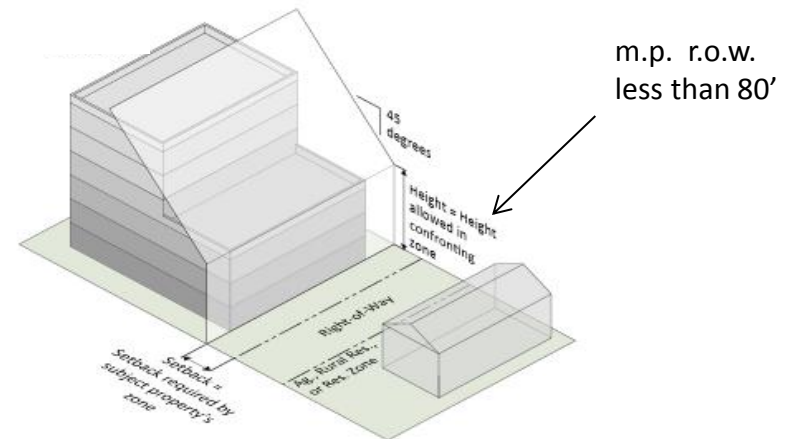
Abutting Ag, Rural Res, or Res zone



Height= Same height (at setback line) as detached house in abutting zone. May be increased 1ft in height for every 1ft in setback.

Side/ Rear Setback= Usually 1.5 x detached house setback in abutting zone

Confronting Ag, Rural Res, or Res zone



Height= Same height (at front or side street setback line) as detached house in confronting zone. May be increased 1ft in height for every 1ft in setback.

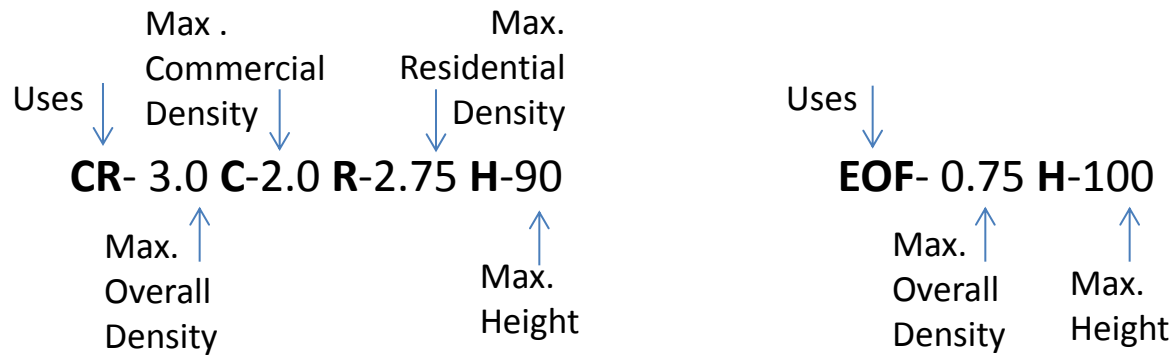
Setback= Not modified by the Compatibility Requirements

Note: This slide is generalized; it works in conjunction with the previous slide on applicability of Compatibility Requirements.



Article 59-4. Development Standards (Euclidean zones)

Mapped Height and Density for C/R, Employment, and Industrial zones



Each zone has a specified height and density range

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

Zone	Total FAR (max)	Height (max)
GR	0.5 to 2.5	25' to 120'
NR	0.25 to 1.5	25' to 50'
LSC	0.5 to 2.5	35' to 200'
EOF	0.5 to 4.0	35' to 200'

Zone	Total FAR (max)	Height (max)
IL	0.25 to 1.5	25' to 50'
IM	0.25 to 2.5	25' to 120'
IH	0.5 to 4.0	35' to 200'



Article 59-4. Development Standards (Euclidean zones)

“T” Provisions

- Zones remapped through the DMA to **CR**, **CRT**, **LSC**, and **EOF** zones may be mapped with “T” following zone formula (CR- 1.5 C-1.0 R-1.5 H-60 T)
- “T” designation preserves certain provisions from the old code*:
 - **MPDU density bonus** allowed under Chapter 25A
 - **Height bonuses** in CBD zones for workforce housing and MPDUs above 12.5%
 - **Height and density bonus** in LSC zones for workforce housing
 - Ability to **transfer density** to a property that abuts or confronts a Residential zone in a designated CBD, as allowed in CBD zones (except density transfer areas)
- “T” also allows properties in C/R zones to **increase the height on a portion of the building** if the average height is at or below the maximum height allowed
- Utilizing the “T” provisions requires site plan approval



Article 59-4. Development Standards (Euclidean zones)

MPDU Public Benefit Points + Bonuses

- **12 points** for every 1% of MPDUs > 12.5%
- **2 extra points** for every 1% of 2 bedroom MPDUs not otherwise required
- **5 extra points** for every 1% of 3 bedroom MPDUs
- Projects providing $\geq 15\%$ MPDUs may satisfy **fewer benefit categories**

Zones **with** “T”

- Density bonus for projects with > 12.5% MPDUs under **Chapter 25A**



Zones **without** “T”

- Projects with > 12.5% MPDUs may exceed **height limit** to provide MPDUs
- For projects with > 12.5% and < 15% MPDUs, the **GFA for MPDUs above 12.5%** is exempt from FAR calculation
- For projects with $\geq 15\%$ MPDUs, **GFA for all MPDUs** is exempt from FAR calculation



Article 59-4. Development Standards (Euclidean zones)

Standard & Optional Method in C/R and Employment zones

- CRN, NR, and GR allow **only standard method** (site plan may be required)
- Unless mapped at a lower density, CRT and CR zones allow **standard method** up to:

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



Examples

CRT Zone

- 0.75 FAR and 11,000 SF= standard method
- 1.25 FAR and 9,000 SF= standard method
- 1.25 FAR and 11,000 SF = **optional** method

CR Zone

- 0.25 FAR and 11,000 sf= standard method
- 0.6 FAR and 9,000 sf= standard method
- 0.6 FAR and 11,000 SF= **optional** method



Article 59-4. Development Standards (Euclidean zones)

FAR Averaging

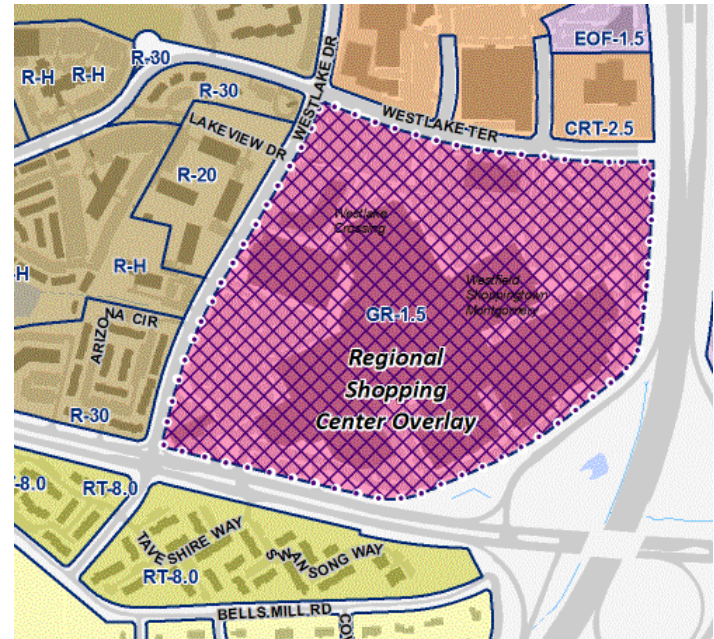
- Similar to **density averaging** in CBD zones
- Allowed in **C/R, Employment, and Industrial** zones
- Site plan approval/ Optional method required
- Must be recorded in the land records
- Density cannot be transferred to a property that abuts or confronts an Ag, Rural Res. Or Res. zone that is vacant or has an agricultural or residential use
- **Non-contiguous** properties may FAR Average if:
 - they are in a **CRT, CR, LSC, EOF, IL** or **IM** zone
 - the properties are within **¼ mile** of each other, or in a designated m.p. density transfer area
 - Public benefit points are **exceeded by 50%** in projects in the CRT, CR, LSC or EOF zone



Article 59-4. Development Standards (Euclidean zones)

Overlay Zones

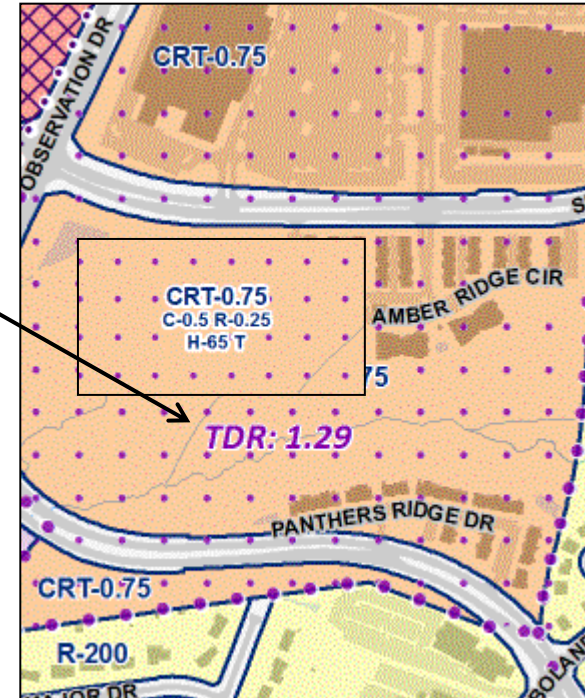
- Most Overlays from old code were retained
- Changed the name of the Neighborhood Retail Overlay zone to the Community- serving Retail (CSR) Overlay
- New Overlays retain provisions from old code
 - Transferable Development Rights (TDR)
 - Germantown Transit Mixed Use (GTMU)
 - Regional Shopping Center (RSC)
 - Twinbrook (TB)



Article 59-4. Development Standards (Euclidean zones)

Transferable Development Rights (TDRs)

- Old TDR zones are now in a **TDR Overlay zone**
- The **maximum residential density** allowed on each lot, with the **purchase of TDRs**, is shown on the zoning map.
- In Commercial/ Residential zones within a TDR Overlay zone, each TDR purchased equals **1 public benefit point**. Up to 20 points are available.



Example of TDR calculation

- Applicant requests 1.20 Residential FAR
- $1.20 - 0.25 = 0.95$ (Residential FAR purchased with TDRs)
- $0.95 \times 43,560 = 41,382$ (Residential sq ft purchased with TDRs)
- $41,382 / 2,400 = 17.24$ (# TDRs required per acre to achieve 1.20 res. FAR)



Article 59-4. Development Standards (Euclidean zones)

Building Lot Termination (BLTs)

- A BLT is an easement that helps preserves land in the AR zone for agriculture
- Purchase is required for all optional method projects in CR and LSC; optional public benefit in CRT and EOF
- The purchase of 1 BLT equals 9 public benefit points



Article 59-5. Floating Zones

Highlights

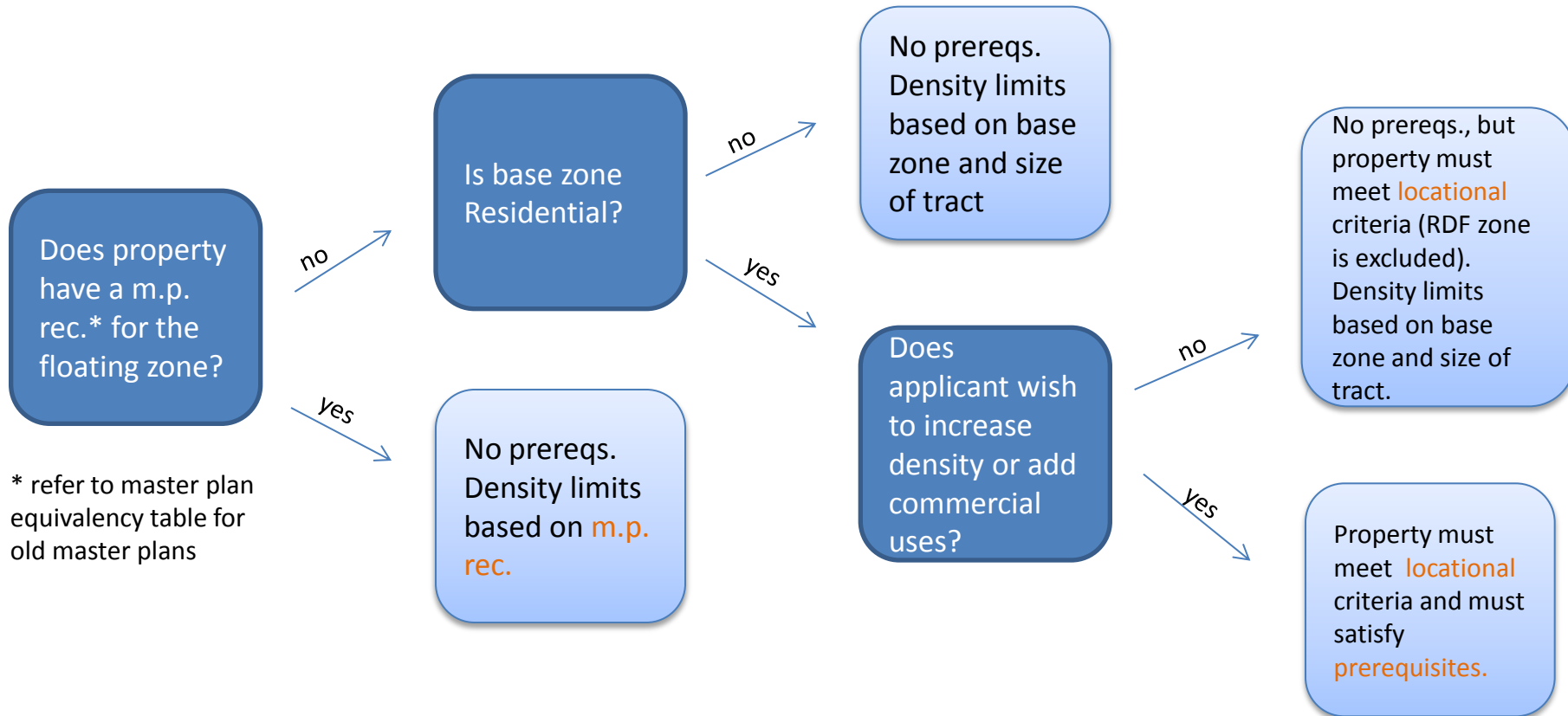
- Floating zones are completely new
- 4 categories
 - **Residential** (Detached, Townhouse, Apartment)
 - **Commercial/Residential** (CRN, CRT, CR)
 - **Employment** (General Retail, Neighborhood Retail, Employment Office, and LSC)
 - **Industrial** (Light, Moderate)
- Designed for flexibility and context sensitivity
- Will be mapped with an 'F' following zone name (e.g. **CRTF**-1.0 C-0.25 R-0.75 H-50)



Article 59-5. Floating Zones

Context Sensitive Floating Zones

Applicability based on **existing zone**, **location** and (sometimes) **prerequisites**



Article 59-5. Floating Zones

Density- C/R Floating Zones



Density Allowed

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



Article 59-6. General Development Requirements

Highlights

- Revamped parking (vehicle and bicycle) requirements
- Modified landscaping and screening requirements
- Clarified open space requirements
- Alternative compliance



Article 59-6. General Development Requirements

Calculation of Required Vehicle Parking

- **On-street parking spaces** in a right-of-way can count towards the minimum number of required spaces in some circumstances
- **Car-share spaces** must be provided for parking facilities with 50+ spaces
- **Parking lot districts (PLDs)**
 - Have a maximum number of spaces allowed
 - Applicants can still pay into PLD in lieu of minimum space requirement
- **Reduced parking areas** are areas outside of PLDs that are:
 - In CR, CRT, LSC, EOF or equivalent Floating zone **or**
 - In CRN, NR, GR, or equivalent Floating zone within 1 mile of a transit station/ stop.
 - May exceed maximum if parking is shared
 - May **not** buy out of minimum requirement



Article 59-6. General Development Requirements

Vehicle Parking Requirements

USE or USE GROUP	Metric	AGRICULTURAL, RURAL RESIDENTIAL, RESIDENTIAL, AND INDUSTRIAL ZONES Baseline Minimum	COMMERCIAL/RESIDENTIAL AND EMPLOYMENT ZONES		
			Within a Parking Lot District or Reduced Parking Area		Outside a Parking Lot District or Reduced Parking Area
			Baseline Minimum	Baseline Maximum	Baseline Minimum
LODGING					
Bed and Breakfast Hotel, Motel	Guest Room (in addition to any residential spaces) plus,	1.00	0.33	1.00	0.50
	1,000 SF of Meeting Room, Dining	--	2.00	10.00	6.00
MEDICAL AND DENTAL					
Clinic Medical, Dental Laboratory	1,000 SF of GFA	4.00	In CRN, NR zones: 2.00 In CRT, CR, GR, EOF, LSC zones: 1.00	4.00	4.00
OFFICE AND PROFESSIONAL					
Life Sciences Office Research and Development	1,000 SF of GFA	2.80	2.00	3.00	2.25
RECREATION AND ENTERTAINMENT					
Adult Entertainment Campground	1,000 SF of GFA	10.00	1.00	5.00	2.50
Conference Center	OR: Every Seat/Guest Space	0.25	0.25	1.25	0.25
Golf Course, Country Club	OR: Each Campsite	1.00	1.00	5.00	1.00
Health Clubs and Facilities Recreation and Entertainment Facility Shooting Range	OR: Each Court	2.00	2.00	5.00	2.00
RETAIL SALES AND SERVICE					
Combination Retail Retail/Service Establishment Rural Antique Shop Rural Country Market	1,000 SF of Gross Leasable Area	5.00	3.50	6.00	5.00

Parking maximum cannot be exceeded in PLD, may be exceeded in Reduced Parking Area if shared.



Article 59-6. General Development Requirements

Adjustments to Vehicle Parking Requirements

- Modified adjustments for restricted housing types (MPDUS, Senior housing)
- New adjustments for:
 - car share spaces located near an entrance
 - unbundled residential spaces
 - federal tenants
 - NADMS percentage goals
 - carpool/ vanpool spaces
 - bike share facilities
 - changing facilities in excess of requirement
- Adjustments may reduce parking requirements by 50%



Article 59-6. General Development Requirements

Bicycle Parking Requirements

C. Bicycle Parking Spaces

USE or USE GROUP	Metric	AGRICULTURAL, RURAL RESIDENTIAL, RESIDENTIAL, AND INDUSTRIAL ZONES		COMMERCIAL/RESIDENTIAL AND EMPLOYMENT ZONES	
		Minimum (Maximum)	% Long-Term	Minimum (Maximum)	% Long-Term
RESIDENTIAL					
HOUSEHOLD LIVING					
Multi-Unit Living	Dwelling Unit (20+ Units Only)	0.35 (100 max)	95%	0.50 (100 max)	95%
GROUP LIVING					
Dormitory					
Independent Living Facility for Seniors or Persons with Disabilities	Dwelling Unit (20+ Units Only)	0.25 (50 max)	95%	0.25 (50 max)	95%
Personal Living Quarters					
Residential Care Facility					
CIVIC AND INSTITUTIONAL					
Charitable, Philanthropic Institution	5,000 SF of GFA	1.00 (5 max)	85%	1.00 (5 max)	85%
Cultural Institution	10,000 SF of GFA	0.50 (10 max)	15%	1.00 (10 max)	15%
DAY CARE FACILITY					
Group Day Care					
Day Care Center	5,000 SF of GFA	1.00 (5 max)	85%	1.00 (5 max)	85%
Educational Institution (Private)	5,000 SF of GFA	1.00 (50 max)	15%	1.00 (50 max)	15%
Hospital	25,000 SF of GFA	1.00 (50 max)	85%	1.00 (50 max)	85%
Private Club, Service Organization	10,000 SF of GFA	0.50 (10 max)	15%	1.00 (10 max)	15%
Swimming Pool (Community)	5,000 SF of GFA	1.00 (25 max)	15%	0.50 (25 max)	15%
COMMERCIAL					
EATING AND DRINKING					
Restaurant	10,000 SF of GFA	1.00 (10 max)	15%	1.00 (10 max)	15%
LODGING					
Hotel, Motel	10 Guest Rooms	--	--	1.00 (25 max)	100%
MEDICAL AND DENTAL					
Clinic					
Medical, Dental Laboratory	5,000 SF of GFA	0.50 (25 max)	85%	1.00 (25 max)	85%



Article 59-6. General Development Requirements

Parking lot landscaping

- **Conditional uses** requiring 3-9 spaces and property abuts Ag, Rural Res, or Res (vacant/ res use)
 - Perimeter planting
- Surface parking lot with **10 or more** spaces
 - Landscaped islands must be 100' each and cover 5% of lot
 - 25% tree canopy coverage (after 20 years)
 - Perimeter planting
- Structured parking
 - **Green wall or public art** along 50% of ground floor when facing r.o.w, residential property, or open space



Article 59-6. General Development Requirements

Open space

Zone	Division References for Amount of Open Space Required	Rural Open Space	Common Open Space	Public Open Space	Amenity Open Space
RC	4.3.	CD			
RNC	4.3	All	MPDU		
RE-2C, RE-1, R-200, R-90, R-60, R-40	4.4		MPDU or CD		
TLD, TMD, THD	4.4		T or MPDU		
R-30, R-20, R-10	4.4		T, A, or MPDU		
CRN, CRT, CR, LSC	4.5		T	A, MU, or G	
GR, NR, EOF, IL, IM, IH	4.6 or 4.7		T		A, MU, or G

For Floating zones, open space is required under the equivalent Euclidean zone that determines uses.

KEY: All = All development
 MPDU = Optional method MPDU Development
 A = Apartment Building Type
 G = General Building Type
 CD = Optional method Cluster Development
 T = Townhouse Building Type
 MU = Multi Use Building Type
 Blank Cell = Not required



Rural Open Space: Land managed as farmland or in a natural state.

Common Open Space: Outdoor area intended for recreational use by residents and their visitors.

Public Open Space: Space devoted to public use or enjoyment that attracts public appreciation due to its location and amenities.

Amenity Open Space: Outdoor area providing recreational and natural amenities for the use and enjoyment of employees and visitors.

A. Allowed Features

The following table summarizes the allowed features in each type of open space:

Feature	Rural Open Space	Common Open Space	Public Open Space	Amenity Open Space
Conservation area or land trust for natural, archeological or historical resources	A	A	x	x
Open space such as a lawn, garden, ornamental planting area, patio, walk and pathway	x	A	A	A
Open space such as a plaza, promenade, arcade, urban park, or town square	x	x	A	A
Pedestrian or non-motorized multipurpose trail	A	A	A	A
Natural resource-based recreation	A	A	A	A



Article 59-6. General Development Requirements

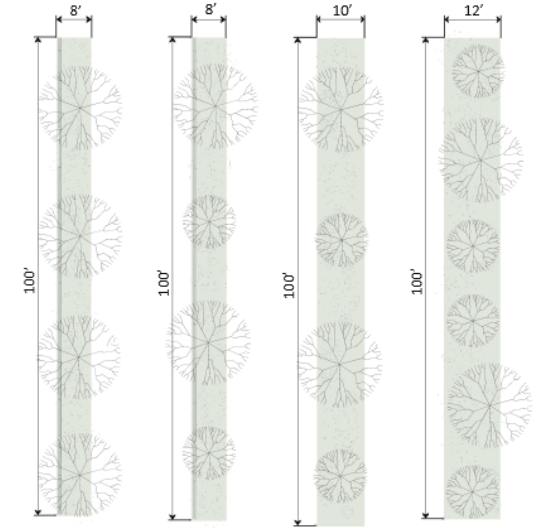
Screening

- Only required for **standard method** development
- Applicability based on zone, abutting zone & building type:

Building Type	Abutting Zone		
	Agricultural, Rural Residential, Residential Detached	Residential Townhouse	Residential Multi-Unit
Townhouse	Y	N	N
Apartment or Multi Use Building	Y	Y	N
General Building, with a non-Industrial use	Y	Y	N
General Building, with an Industrial use	Y	Y	Y

KEY: Y = Screening required N = Screening not required

- Screening may also be required for **conditional uses** in other building types



5. Apartment Building Up to 60 Feet in Height or Multi Use Building Up to 40 Feet in Height

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



Article 59-6. General Development Requirements

Alternative Compliance

- Deciding body can approve an alternative to any requirement of Article 59-6 (except Div. 6.7. Signs) if it finds that **unique site or development constraints** exist
- The alternative design must:
 - Satisfy the intent of the applicable Division
 - Modify the functional results the minimum amount necessary
 - Provide necessary mitigation
 - Be in the public interest

vs. Variance

- Must be **approved by BOA**



Article 59-7. Administration and Procedures

Highlights

- Clear deadlines and timeframes
- Opportunities for public testimony are the same
- Plans are designed to contain cumulative submittal requirements and findings to reduce redundancy



Article 59-7. Administration and Procedures

Local Map Amendment

- Application checked for completeness at **Planning Department** before final submission to H.E.
- Modified **application requirements & findings** for approval to focus on bigger picture issues
- Amendment to a floating zone plan that increases density or height, adds uses, decreases a setback, or changes a binding element requires the **same approval process as an original application**
- Other types of amendments may be approved by P.B. at site plan
- For floating zones mapped prior to DMA, **binding elements** still apply, but development plan amendments are allowed under the old code



Article 59-7. Administration and Procedures

Conditional Use

- Application checked for completeness at **Planning Department** before final submission to H.E.
- Site plan not required for that portion of the site covered by conditional use plan (unless it is part of an optional method development with a sketch plan, it is required by the use standards, or if required by the H.E. or B.O.A.)
- **Decision by H.E.;** BOA may grant request for oral arguments after H.E. decision

Variance

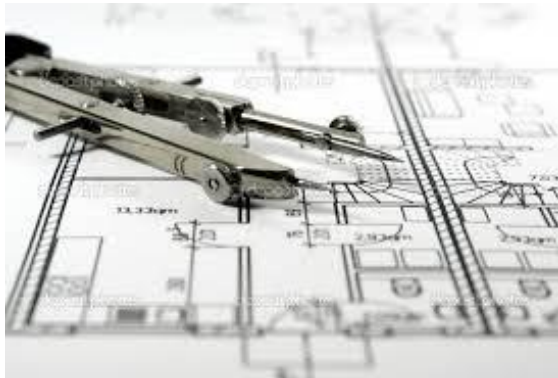
- Modified approval criteria to:
 - Allow property owners to construct buildings and structures that maintain traditional patterns
 - Further protect environmentally sensitive areas
 - Allow legally nonconforming or historic structures to be reused



Article 59-7. Administration and Procedures

Sketch Plan

- Required for optional method in **CRT, CR, EOF and LSC** zones
- Additional application requirements, including a site map showing existing buildings, structures, circulation routes, etc. within 500 ft of perimeter boundary
- Valid for **36 months** after the date of sending of resolution (longer validity period may be established by resolution).



Article 59-7. Administration and Procedures

Site Plan

- Required for **optional method** in all zones
- May be required for standard method depending on use standards, adjacent zoning, gross floor area, number of units, and/or building height (see chart)
- Submittal requirements include **concurrent review** of forest conservation, stormwater management, and traffic issues rather than requiring pre-approval.
- PB hearing within **120 days** after application is accepted.
- Findings include requirements for substantial **conformance with master plans** and applicable guidelines.
- Certified site plan must be approved within **24 months** after P.B. approval.



Article 59-7. Administration and Procedures

Site Plan- standard method

Subject Property's Zone	Proposed Use	Proposed Intensity (units, gross floor area in SF, or building height in feet)	Abutting or Confronting Property's Zone (determined by base zone, not Overlay zone)	Site Plan Required
Agricultural, Rural Residential, or Residential Detached	Permitted	Any	Any	No
	Limited	Any	Any	Yes, if required for the use under Article 59-3 ; otherwise, site plan requirement follows the Permitted use requirement for same zone in this table.
Residential Townhouse or Residential Multi-Unit	Permitted	< 20 units and ≤ 40'	Any	No
		≥ 20 units or > 40'	Any	Yes
	Limited	< 20 units and ≤ 40'	Any	Yes, if required for the use under Article 59-3 ; otherwise, site plan requirement follows the Permitted use requirement for same zone in this table.
		≥ 20 units or > 40'	Any	Yes
Commercial/Residential or Employment	Permitted	< 10,000 SF and ≤ 40'	Any	No
		≥ 10,000 SF or > 40'	Agricultural, Rural Residential, Residential, or Residential Floating	Yes
	Limited	Any	All other zones	No
Industrial	Permitted	Any	Agricultural, Rural Residential, Residential, or Residential Floating	Yes
		> 40'	Commercial/Residential, Employment, Commercial/Residential Floating, or Employment Floating	Yes
		Any	Industrial or Industrial Floating	No
	Limited	Any	Any	Yes, if required for the use under Article 59-3 ; otherwise, site plan requirement follows the Permitted use requirement for same zone in this table.
Overlay	Any	Any	Any	If required by the applicable Overlay zone under Article 59-4 or if required by the underlying zone.



Article 59-7. Administration and Procedures

Plan Review Schedule- Sketch Plan & Site Plan

- Planning Board must adopt one annually
- Schedule sets dates for:
 - Application distribution to DRC
 - Initial staff and agency comments
 - DRC meeting
 - Resubmittal of plans addressing DRC comments
 - Final staff and agency recommendations and conditions
 - Public Hearing



Article 59-7. Administration and Procedures

Grandfathering

- Structure or site design deemed “conforming” (Sec. 7.7.1.A.1)
 - May be continued, renovated, repaired, or reconstructed
 - Structure or site design must have been **lawful** to be grandfathered
- 25 years to amend grandfathered plans (Sec. 7.7.1.C.1)
 - In CR, employment, and industrial zones, expansions limited to the **lesser of 10% or 30,000 square feet**
 - Only Δ required to comply with current zoning (Sec. 7.7.1.C.2)
- Existing uses deemed “conforming” (Sec. 7.7.1.A.2)
 - **May not expand**
 - Abandoned if ceased for six months -- ZTA 14-09 puts a finer point on it (Sec. 7.7.1.A.10)
 - Use proposed in pending application is protected (Sec. 7.7.1.A.1)



Article 59-7. Administration and Procedures

Grandfathering

- Residential lots and parcels – largely unchanged
 - Existing platted residential lot is buildable even if it doesn't meet street frontage and lot size requirements
 - Pre-1958 parcel that is unchanged qualifies for a building permit
- Great grandfathering
- Securing grandfathered treatment
 - Plan acceptance before October 30, 2014 and timely pursuit required



Article 59-8. Zones Retained From Previous Ordinance

Highlights

- RT, RH, PD, T-S, PNZ, PRC & PCC zones
- Zones still mapped, but **may not be used in future** master plans or LMAs
- Equivalency table for floating zones recommended in existing master plans



Helpful Documents

Use 1st Link in Quick Links

- Use of the Zoning Ordinance
- Old Code to New Code Section Cross Reference
- Old Code to New Code Parking Comparison Spreadsheet
- Old Code to New Code Comparison Document
- Use Comparison Spreadsheets
- Fact Sheets

Staff is updating:

- CR Incentive Density Guidelines

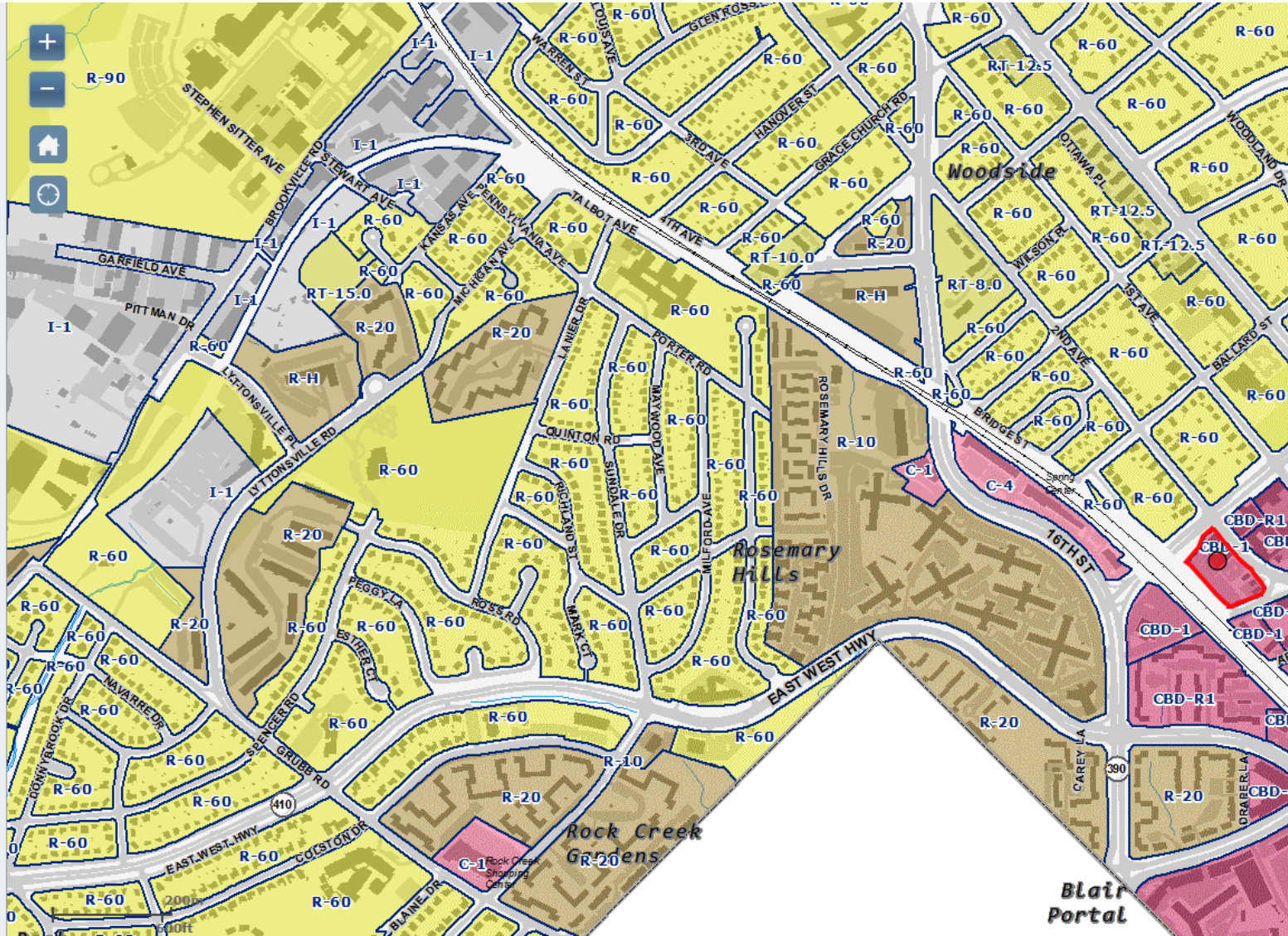


The screenshot shows the MontgomeryPlanning.org website. The header includes the logo and navigation links: HOME, ABOUT, PARTICIPATE, RESOURCES, and ADVISORS. The main content area features a large graphic with the text 'ZONING MONTGOMERY' and an illustration of a suburban neighborhood with a car, a bicycle, and a train. Below the graphic, there is a section titled 'The Zoning Rewrite Project' with a sub-header 'Planners have rewritten the zoning code to modernize antiquated, redundant zoning regulations, and to create new tools that will help achieve goals in community plans. The new zoning code and zoning map have been adopted by County Council and will become effective on October 30, 2014.' This is followed by a 'Latest News' section with three bullet points. On the right side, there is a 'Quick Links' box containing several links: 'New! New Code Companion Documents', 'FAQs', 'Council & PHED Review', 'Fact Sheets', 'Master Plan Analysis', 'Affordable Housing Presentation', 'Adopted CR Zones', and 'Sign up for email updates'.



New Zoning Map

Property Info	
Location:	Latitude: 38.9972 Longitude: -77.0343
CCT #:	03714190
Address:	9616 SECOND AVE SILVER SPRING, 20910
Legal Description:	PAR A WOODSIDE
Landuse:	Vacant
Zoning Info	
Zone:	CBD-1
Overlay Zone:	N/A
DR Overlay:	N/A
Other Legislative Districts	
Legislative District:	1
Marking District:	Silver Spring
Urban District:	SILVER SPRING
Central Business District:	Silver Spring
Special Protection Area:	N/A
Enterprise Zone:	N/A
Arts & Entertainment District:	N/A
Special Tax District:	N/A
Bike/Pedestrian Priority Area:	Silver Spring CBD
Urban Renewal Area:	N/A
Metro Station Policy Area:	Silver Spring CBD
Priority Funding Area:	Yes



Questions?

