

**MARC Rail Communities Master Plan**

Boyd's zoning elements for review

January 19, 2017, Boyd's Civic Association meeting

We welcome comments, questions and feedback on the zoning recommendations that are currently under consideration.

As some BCA members may be aware, the County comprehensively amended the zoning code in October 2014. Part of the zoning in Boyd's stayed the same, and part changed, generally to a standard conversion zone that was being used county-wide. Broad zoning changes are not recommended, but tailoring the zones and densities more closely to Boyd's is suggested. The two most significant changes are:

- A new zone is being considered along the south side of Barnesville Road from Clarksburg Road to the Boyd's Post Office. Currently, this area is zoned NR, R-200 and RE-1. The CRN 0.25, C-0.25, R-0.25 is being considered which would allow these properties to be used for either residential or commercial purposes.
- The Rural Village Center Overlay zone is being considered especially for the historic district because it allows for reduced setbacks, matching the historic pattern of Boyd's, and it allows septic easements in some circumstances.

| Existing zones                      | Zones under consideration  | Comments  |
|-------------------------------------|--|---|
| R-200 – residential                 | R-200 – residential or CRN-0.25, C-0.25, R-025 H-45, and RVC – rural village center overlay            | Residential use with 20,000 s.f. minimum lot size or 0.25 FAR commercial or residential, and a maximum height of 45' and overlay to allow reduced setbacks and septic easements, and limits some uses |
| RE-1 – residential estate – 1       | RE-1 – residential estate – 1 or CRN-0.25, C-0.25, R-025 H-45, with RVC – rural village center overlay | Residential use with 1 acre minimum lot size or 0.25 FAR commercial or residential, and a maximum height of 45' and overlay to allow reduced setbacks and septic easements, and limits some uses      |
| RE-2 – residential estate – 2       | RE-2 – residential estate – 2  | 2 acre minimum residential properties   |
| R – rural                           | R – rural  | 5 acre minimum rural residential properties   |
| NR-0.75, H-45 – neighborhood retail | CRN 0.25, C-0.25, R-0.25, H-45 – commercial residential neighborhood                                   | 0.25 FAR commercial or residential, and a maximum height of 45',  |

| Existing zones                     | Zones under consideration              | Comments  |
|------------------------------------|--|---|
|                                    | and RVC – rural village center overlay | and overlay to allow reduced setbacks and septic easements, with some use limitations |
| IM-2.5, H-50 – moderate industrial | IM-0.25, H-50 - moderate industrial    | Adjust to an appropriate density for well and septic service                          |
| T-S – town sector                  | RE-1, RE-2                             | parkland; zone being removed from zoning code   |
|                                    | RVC – rural village center overlay     | allows reduced setbacks and septic easements, and limits some uses                    |

**Online resources:**

- The zoning map for the county is available online here: <http://mcatlas.org/zoning/>.
- A side-by-side comparison of the 2014 rezoning is online here: <http://montgomeryplanning.org/resources/zoning-2014-district-map-amendment/>
- The entire text of the zoning ordinance is available online here: [http://www.amlegal.com/codes/client/montgomery-county\\_md/](http://www.amlegal.com/codes/client/montgomery-county_md/) . The online version includes links to related sections, which may make reviews easier to follow.

## Use Table

Key:

P = Permitted Use

L = Limited Use

C = Conditional Use

Blank Cell = Use Not Allowed

- See also restrictions listed in the Rural Village Overlay Zone

| USE OR USE GROUP                                   | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|--|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|  |                           | R                 | Residential Detached |      |       |                         |            |            |
|  |                           |                   | RE-2                 | RE-1 | R-200 | CRN                     | NR         | IM         |
| <b>AGRICULTURAL</b>                                |                           |                   |                      |      |       |                         |            |            |
| Agricultural Auction Facility                      | 3.2.1                     |                   |                      |      |       |                         |            |            |
| Agricultural Processing                            | 3.2.2                     | C                 |                      |      |       |                         |            | P          |
| Community Garden                                   | 3.2.3                     | L                 | L                    | L    | L     | L                       | L          | L          |
| Equestrian Facility                                | 3.2.4                     | L/C               | C                    | C    | C     |                         |            |            |
| Farm Supply, Machinery Sales, Storage, and Service | 3.2.5                     |                   |                      |      |       |                         | L          | P          |
| Farming  | 3.2.6                     | P                 | P                    | P    | P     |                         |            |            |
| Nursery  | 3.2.7                     |                   |                      |      |       |                         |            |            |
| Nursery (Retail)                                   | 3.2.7.A                   | C                 | C                    | C    | C     |                         | P          | L          |
| Nursery (Wholesale)                                | 3.2.7.B                   | C                 | C                    | C    | C     |                         |            | P          |
| Slaughterhouse                                     | 3.2.8                     | C                 |                      |      |       |                         |            |            |
| Urban Farming                                      | 3.2.9                     |                   |                      |      |       | L                       | L          | L          |
| Winery   | 3.2.10                    | L/C               |                      |      |       |                         |            |            |
| Accessory Agricultural Uses                        | 3.2.11                    |                   |                      |      |       |                         |            |            |
| Farm Airstrip, Helistop                            | 3.2.11.A                  |                   |                      |      |       |                         |            |            |
| Farm Market, On-site                               | 3.2.11.B                  | L                 | L                    | L    | L     | L                       | L          | L          |
| Temporary Agricultural Uses                        | 3.2.12                    |                   |                      |      |       |                         |            |            |
| Agricultural Vending                               | 3.2.12.A                  |                   | L                    | L    | L     | L                       | L          | L          |
| Seasonal Outdoor Sales                             | 3.2.12.B                  | L                 | L                    | L    | L     | L                       | L          | L          |
| <b>RESIDENTIAL</b>                                 |                           |                   |                      |      |       |                         |            |            |
| Household Living                                   | 3.3.1                     |                   |                      |      |       |                         |            |            |
| Single-Unit Living                                 | 3.3.1.B                   | P                 | P                    | P    | P     | P                       | L          |            |
| Two-Unit Living                                    | 3.3.1.C                   |                   |                      | L    | L     | P                       | L          |            |
| Townhouse Living                                   | 3.3.1.D                   |                   |                      | L/C  | L/C   | P                       | L          |            |
| Multi-Unit Living                                  | 3.3.1.E                   |                   |                      |      |       | P                       | L          |            |
| Group Living                                       | 3.3.2                     |                   |                      |      |       |                         |            |            |
| Dormitory  | 3.3.2.B                   |                   |                      |      |       |                         |            |            |

| USE OR USE GROUP   | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|--|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|  |                           | R                 | Residential Detached |      |       |                         |            |            |
|  |                           |                   | RE-2                 | RE-1 | R-200 | CRN                     | NR         | IM         |
| Independent Living Facility for Seniors or Persons with Disabilities | 3.3.2.C                   | C                 | C                    | C    | C     | L                       | L          |            |
| Personal Living Quarters (Up to 50 Individual Living Units)          | 3.3.2.D                   |                   |                      |      |       | L                       | L          |            |
| Personal Living Quarters (Over 50 Individual Living Units)           | 3.3.2.D                   |                   |                      |      |       | C                       | C          |            |
| Residential Care Facility (Up to 8 Persons)                          | 3.3.2.E                   | P                 | P                    | P    | P     | P                       | P          |            |
| Residential Care Facility (9 - 16 Persons)                           | 3.3.2.E                   | C                 | C                    | C    | C     | L                       | L          |            |
| Residential Care Facility (Over 16 Persons)                          | 3.3.2.E                   | C                 | C                    | C    | C     | L                       |            |            |
| Accessory Residential Uses   | 3.3.3                     |                   |                      |      |       |                         |            |            |
| Attached Accessory Apartment   | 3.3.3.B                   | L/C               | L/C                  | L/C  | L/C   |                         |            |            |
| Detached Accessory Apartment   | 3.3.3.C                   | C                 | L/C                  | L/C  |       |                         |            |            |
| Dwelling for Caretaker/ Watchkeeper                                  | 3.3.3.D                   |                   |                      |      |       |                         |            | P          |
| Farm Tenant Dwelling   | 3.3.3.E                   | L                 | L                    | L    | L     |                         |            |            |
| Guest House  | 3.3.3.F                   | L                 | L                    | L    |       |                         |            |            |
| Home Health Practitioner (Low Impact)                                | 3.3.3.G                   | L                 | L                    | L    | L     | L                       | L          |            |
| Home Health Practitioner (Major Impact)                              | 3.3.3.G                   | C                 | C                    | C    | C     | C                       | C          |            |
| Home Occupation (No Impact)  | 3.3.3.H                   | L                 | L                    | L    | L     | L                       | L          |            |
| Home Occupation (Low Impact)   | 3.3.3.H                   | L                 | L                    | L    | L     | L                       | L          |            |
| Home Occupation (Major Impact)                                       | 3.3.3.H                   | C                 | C                    | C    | C     | C                       | C          |            |
| <b>CIVIC AND INSTITUTIONAL</b>                                       |                           |                   |                      |      |       |                         |            |            |
| Ambulance, Rescue Squad (Private)                                    | 3.4.1                     |                   |                      |      |       |                         | P          | P          |
| Charitable, Philanthropic Institution                                | 3.4.2                     | C                 | C                    | C    | C     | P                       | C          |            |
| Cultural Institution   | 3.4.3                     |                   | P                    | P    | P     | L                       |            | P          |
| Day Care Facility  | 3.4.4                     |                   |                      |      |       |                         |            |            |
| Family Day Care (Up to 8 Persons)                                    | 3.4.4.C                   | P                 | P                    | P    | P     | P                       | P          | P          |

| USE OR USE GROUP                       | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|--|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|  |                           | R                 | Residential Detached |      |       | CRN                     | NR         | IM         |
|  |                           |                   | RE-2                 | RE-1 | R-200 |                         |            |            |
| Group Day Care (9 - 12 Persons)        | 3.4.4.D                   | L                 | L                    | L    | L     | P                       | P          | P          |
| Day Care Center (13 - 30 Persons)      | 3.4.4.E                   | C                 | C                    | C    | C     | P                       | P          | P          |
| Day Care Center (Over 30 Persons)      | 3.4.4.F                   | C                 | C                    | C    | C     | L                       | P          | P          |
| Educational Institution (Private)      | 3.4.5                     | C                 | C                    | C    | C     | L                       | P          | L          |
| Hospital                               | 3.4.6                     |                   | C                    | C    | C     |                         |            | C          |
| Playground, Outdoor Area (Private)     | 3.4.7                     |                   | P                    | P    | P     | P                       | P          |            |
| Private Club, Service Organization     | 3.4.8                     | C                 | C                    | C    | C     | L                       |            | L          |
| Public Use (Except Utilities)          | 3.4.9                     | P                 | P                    | P    | P     | P                       | P          | P          |
| Religious Assembly                     | 3.4.10                    | P                 | P                    | P    | P     | P                       | P          | P          |
| Swimming Pool (Community)              | 3.4.11                    | C                 | C                    | C    | C     |                         |            |            |
| <b>COMMERCIAL</b>                      |                           |                   |                      |      |       |                         |            |            |
| Animal Services                        | 3.5.1                     |                   |                      |      |       |                         |            |            |
| Animal Boarding and Care               | 3.5.1.B                   | C                 | C                    | C    | C     | C                       | C          | L          |
| Veterinary Office/Hospital             | 3.5.1.C                   | C                 | C                    | C    | C     | L                       | L          | L          |
| Communication Facility                 | 3.5.2                     |                   |                      |      |       |                         |            |            |
| Cable Communications System            | 3.5.2.A                   | C                 | C                    | C    | C     | C                       | C          | C          |
| Media Broadcast Tower                  | 3.5.2.B                   | C                 | C                    | C    | C     |                         |            | C          |
| Telecommunications Tower               | 3.5.2.C                   | L/C               | C                    | C    | C     |                         | C          | L          |
| Eating and Drinking                    | 3.5.3                     |                   |                      |      |       |                         |            |            |
| Country Inn                            | 3.5.3.A                   | L/C               | L/C                  | L/C  | L/C   |                         |            |            |
| Restaurant                             | 3.5.3.B                   |                   |                      |      |       | L                       | P          | L          |
| Funeral and Interment Services         | 3.5.4                     |                   |                      |      |       |                         |            |            |
| Cemetery                               | 3.5.4.A                   | C                 | C                    |      |       |                         |            |            |
| Crematory                              | 3.5.4.B                   |                   |                      |      |       |                         |            |            |
| Funeral Home, Undertaker               | 3.5.4.C                   |                   | C                    | C    | C     |                         |            |            |
| Landscape Contractor                   | 3.5.5                     | C                 | C                    | C    | C     |                         |            | P          |
| Lodging                                | 3.5.6                     |                   |                      |      |       |                         |            |            |
| Bed and Breakfast                      | 3.5.6.B                   | L                 | L                    | L    | L     | L                       | L          |            |
| Hotel, Motel                           | 3.5.6                     |                   |                      |      |       |                         |            |            |
| Medical and Dental                     | 3.5.7                     |                   |                      |      |       |                         |            |            |
| Clinic (Up to 4 Medical Practitioners) | 3.5.7.A                   |                   |                      |      | C     | P                       | P          | P          |

| USE OR USE GROUP  | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|---|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|   |                           |                   | Residential Detached |      |       |                         |            |            |
|   |                           | R                 | RE-2                 | RE-1 | R-200 | CRN                     | NR         | IM         |
| Clinic (More than 4 Medical Practitioners)                                    | 3.5.7.B                   |                   |                      |      |       | L                       | C          | P          |
| Medical, Dental Laboratory  | 3.5.7.C                   |                   |                      |      |       |                         |            | P          |
| Office and Professional   | 3.5.8                     |                   |                      |      |       |                         |            |            |
| Life Sciences   | 3.5.8.A                   |                   |                      |      |       |                         |            |            |
| Office  | 3.5.8.B                   |                   |                      |      | C     | P                       | P          | L          |
| Research and Development  | 3.5.8.C                   |                   |                      |      |       |                         |            | P          |
| Parking   | 3.5.9                     |                   |                      |      |       |                         |            |            |
| Structured Parking  | 3.5.9.B                   |                   |                      |      |       |                         |            | P          |
| Surface Parking for Use Allowed in the Zone                                   | 3.5.9.C                   |                   | L                    | L    | L     | L                       | L          | L          |
| Surface Parking for Commercial Uses in an Historic District                   | 3.5.9.D                   | L                 | L                    | L    | L     |                         |            |            |
| Recreation and Entertainment  | 3.5.10                    |                   |                      |      |       |                         |            |            |
| Adult Entertainment   | 3.5.10.A                  |                   |                      |      |       |                         |            | L          |
| Campground  | 3.5.10.B                  | C                 |                      |      |       |                         |            |            |
| Conference Center   | 3.5.10.C                  |                   |                      |      |       |                         |            | C          |
| Golf Course, Country Club   | 3.5.10.D                  | C                 | C                    | C    | C     |                         |            |            |
| Health Clubs and Facilities   | 3.5.10.E                  |                   |                      |      |       | L                       | L          | P          |
| Recreation and Entertainment Facility, Indoor (Capacity up to 1,000 Persons)  | 3.5.10.F                  | C                 |                      |      |       | C                       | C          | P          |
| Recreation and Entertainment Facility, Outdoor (Capacity up to 1,000 Persons) | 3.5.10.G                  | C                 |                      |      | C     | C                       | C          | C          |
| Recreation and Entertainment Facility, Major (Capacity over 1,000 Persons)    | 3.5.10.H                  |                   |                      |      |       |                         | C          | C          |
| Shooting Range (Indoor)   | 3.5.10.I                  |                   |                      |      |       |                         |            | C          |
| Shooting Range (Outdoor)  | 3.5.10.J                  | C                 |                      |      |       |                         |            |            |
| Retail Sales and Service  | 3.5.11                    |                   |                      |      |       |                         |            |            |
| Combination Retail  | 3.5.11.A                  |                   |                      |      |       |                         | C          |            |
| Retail/Service Establishment (Up to 5,000 SF)                                 | 3.5.11.B                  |                   |                      |      |       | P                       | P          | L          |
| Retail/Service Establishment (5,001 - 15,000 SF)                              | 3.5.11.B                  |                   |                      |      |       | L                       | P          | L          |

| USE OR USE GROUP                                   | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|--|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|  |                           | R                 | Residential Detached |      |       |                         |            |            |
|  |                           |                   | RE-2                 | RE-1 | R-200 | CRN                     | NR         | IM         |
| Retail/Service Establishment (15,001 - 50,000 SF)  | 3.5.11.B                  |                   |                      |      |       | L                       | P          | L          |
| Retail/Service Establishment (50,001 - 85,000 SF)  | 3.5.11.B                  |                   |                      |      |       |                         | P          | L          |
| Retail/Service Establishment (85,001- 120,000 SF)  | 3.5.11.B                  |                   |                      |      |       |                         | L          | L          |
| Retail/Service Establishment (120,001 SF and Over) | 3.5.11.B                  |                   |                      |      |       |                         | C          | L          |
| Rural Antique Shop                                 | 3.5.11.C                  | C                 | C                    | C    | C     |                         |            |            |
| Rural Country Market                               | 3.5.11.D                  | C                 | C                    | C    | C     |                         |            |            |
| Vehicle/Equipment Sales and Rental                 | 3.5.12                    |                   |                      |      |       |                         |            |            |
| Heavy Vehicle Sales and Rental                     | 3.5.12.A                  |                   |                      |      |       |                         |            | P          |
| Light Vehicle Sales and Rental (Indoor)            | 3.5.12.B                  |                   |                      |      |       |                         |            | P          |
| Light Vehicle Sales and Rental (Outdoor)           | 3.5.12.C                  |                   |                      |      |       |                         | C          | P          |
| Vehicle Service                                    | 3.5.13                    |                   |                      |      |       |                         |            |            |
| Automobile Storage Lot                             | 3.5.13.A                  |                   |                      |      |       |                         |            |            |
| Car Wash   | 3.5.13.B                  |                   |                      |      |       |                         |            | L          |
| Filling Station                                    | 3.5.13.C                  |                   |                      |      |       |                         | C          | C          |
| Repair (Commercial Vehicle)                        | 3.5.13.D                  |                   |                      |      |       |                         |            | P          |
| Repair (Major)                                     | 3.5.13.E                  |                   |                      |      |       |                         |            | P          |
| Repair (Minor)                                     | 3.5.13.F                  |                   |                      |      |       |                         | C          | P          |
| Accessory Commercial Uses                          | 3.5.14                    |                   |                      |      |       |                         |            |            |
| Amateur Radio Facility (Up to 65 Feet in Height)   | 3.5.14.A                  | P                 | P                    | P    | P     | P                       | P          | P          |
| Amateur Radio Facility (Over 65 Feet in Height)    | 3.5.14.B                  | C                 | C                    | C    | C     | C                       | C          | C          |
| Antenna on Existing Structure                      | 3.5.14.C                  | L                 | L                    | L    | L     | L                       | L          | L          |
| Commercial Kitchen                                 | 3.5.14.D                  |                   |                      |      |       |                         |            |            |
| Drive-Thru   | 3.5.14.E                  |                   |                      |      |       |                         | L/C        | L/C        |
| Helistop   | 3.5.14.F                  |                   |                      |      |       |                         |            | C          |
| Lawn Maintenance Service                           | 3.5.14.G                  | L                 | L                    | L    | L     | L                       | L          |            |
| Live/Work Unit                                     | 3.5.14.H                  |                   |                      |      |       | P                       | P          |            |
| Temporary Commercial Uses                          | 3.5.15                    |                   |                      |      |       |                         |            |            |

| USE OR USE GROUP                                | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|---|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|   |                           | R                 | Residential Detached |      |       | CRN                     | NR         | IM         |
|   |                           |                   | RE-2                 | RE-1 | R-200 |                         |            |            |
| Construction Administration or Sales Office     | 3.5.15.A                  | L                 | L                    | L    | L     | L                       | L          | L          |
| Special Event Parking                           | 3.5.15.B                  |                   | L                    |      | L     |                         |            |            |
| Transitory Use                                  | 3.5.15.C                  | L                 | L                    | L    | L     | L                       | L          | L          |
| <b>INDUSTRIAL</b>                               |                           |                   |                      |      |       |                         |            |            |
| Animal Research Facility                        | 3.6.1                     |                   |                      |      |       |                         |            |            |
| Contractor Storage Yard                         | 3.6.2                     |                   |                      |      |       |                         |            | L          |
| Dry Cleaning Facility (Up to 3,000 SF)          | 3.6.3.A                   |                   |                      |      |       |                         | L          | P          |
| Dry Cleaning Facility (Over 3,000 SF)           | 3.6.3.B                   |                   |                      |      |       |                         |            | P          |
| Manufacturing and Production                    | 3.6.4                     |                   |                      |      |       |                         |            |            |
| Artisan Manufacturing and Production            | 3.6.4.A                   |                   |                      |      |       | P                       |            | P          |
| Heavy Manufacturing and Production              | 3.6.4.B                   |                   |                      |      |       |                         |            |            |
| Light Manufacturing and Production              | 3.6.4.C                   |                   |                      |      |       |                         |            | P          |
| Medical/Scientific Manufacturing and Production | 3.6.4.D                   |                   |                      |      |       |                         |            | P          |
| Mining, Excavation                              | 3.6.5                     | C                 |                      |      | L/C   |                         |            |            |
| Transportation                                  | 3.6.6                     |                   |                      |      |       |                         |            |            |
| Bus, Rail Terminal/Station                      | 3.6.6.A                   |                   |                      |      |       |                         | P          | P          |
| Helipad, Heliport                               | 3.6.6.B                   |                   |                      |      |       |                         |            | C          |
| Railroad Tracks                                 | 3.6.6.C                   | P                 | P                    | P    | P     | P                       | P          | P          |
| Taxi/Limo Facility                              | 3.6.6.D                   |                   |                      |      |       |                         | P          | P          |
| Utilities                                       | 3.6.7                     |                   |                      |      |       |                         |            |            |
| Distribution Line (Above Ground)                | 3.6.7.A                   | P                 | L                    | L    | L     |                         |            | P          |
| Distribution Line (Below Ground)                | 3.6.7.B                   | P                 | P                    | P    | P     | P                       | P          | P          |
| Pipeline (Above Ground)                         | 3.6.7.C                   | C                 | C                    | C    | C     | C                       |            | P          |
| Pipeline (Below Ground)                         | 3.6.7.D                   | P                 | P                    | P    | P     | P                       | P          | P          |
| Public Utility Structure                        | 3.6.7.E                   | C                 | C                    | C    | C     | C                       | C          | C          |
| Warehouse                                       | 3.6.8                     |                   |                      |      |       |                         |            |            |
| Freight Movement                                | 3.6.8.A                   |                   |                      |      |       |                         |            | P          |
| Hazardous Material Storage                      | 3.6.8.B                   |                   |                      |      |       |                         |            |            |
| Mineral Storage                                 | 3.6.8.C                   |                   |                      |      |       |                         |            | L          |



| USE OR USE GROUP                                      | Definitions and Standards | Rural Residential | Residential          |      |       | Commercial/ Residential | Employment | Industrial |
|---|---------------------------|-------------------|----------------------|------|-------|-------------------------|------------|------------|
|   |                           | R                 | Residential Detached |      |       | CRN                     | NR         | IM         |
|   |                           |                   | RE-2                 | RE-1 | R-200 |                         |            |            |
| Self-Storage  | 3.6.8.D                   |                   |                      |      |       |                         |            | P          |
| Storage Facility                                      | 3.6.8.E                   |                   |                      |      |       |                         |            | P          |
| Waste-Related   | 3.6.9                     |                   |                      |      |       |                         |            |            |
| Landfill, Incinerator, or Transfer Station            | 3.6.9.A                   |                   |                      |      |       |                         |            |            |
| Recycling Collection and Processing                   | 3.6.9.B                   |                   |                      |      |       |                         |            | L          |
| <b>MISCELLANEOUS</b>                                  |                           |                   |                      |      |       |                         |            |            |
| Noncommercial Kennel                                  | 3.7.1                     | P                 | P                    | P    | P     |                         |            |            |
| Solar Collection System                               | 3.7.2                     | L                 | L                    | L    | L     | L                       | L          | L          |
| Wildlife, Game Preserve, and Other Conservation Areas | 3.7.3                     | P                 |                      |      |       |                         |            |            |
| Accessory Miscellaneous Uses                          | 3.7.4                     |                   |                      |      |       |                         |            |            |
| Accessory Structures                                  | 3.7.4.A                   | L                 | L                    | L    | L     | P                       | P          | P          |
| Accessory Use   | 3.7.4.B                   | P                 | P                    | P    | P     | P                       | P          | P          |
| Security Pavilion                                     | 3.7.4.C                   | L                 | L                    | L    | L     |                         |            |            |

## Development Standards

### Rural Residential zones

#### Section 4.3.3. Rural Zone (R)

##### A. Intent Statement

The intent of the R zone is to preserve rural areas of the County for agriculture and other natural resource development, residential uses of a rural character, extensive recreational facilities, and protection of scenic and environmentally sensitive areas.

##### B. R Zone, Standard Method Development Standards

|  |         |
|--|---------|
| Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone  |         |
| 1. Lot and Density   |         |
| <b>Lot</b>   |         |
| Lot area (min)   | 5 acres |
| Lot width at front building line (min)   | 300'    |
| Lot width at front lot line (min)  | 25'     |
| <b>Density (max)</b>   |         |
| Density (units/acre)   | 1/5     |
| <b>Coverage (max)</b>  |         |
| Lot  | 10%     |
| Specification for Coverage   |         |
| a. On a lot or parcel where agricultural products are grown predominantly in greenhouses, a maximum lot coverage of 40% is permitted if: (1) any increase above 10% lot coverage consists entirely of greenhouses; and (2) a site plan is approved under Section <a href="#">7.3.4</a> . |         |
| 2. Placement   |         |
| <b>Principal Building Setbacks (min)</b>   |         |
| Front setback  | 50'     |
| Side street setback  | 50'     |
| Side setback   | 20'     |
| Rear setback   | 35'     |
| <b>Accessory Structure Setbacks (min)</b>  |         |
| Front setback  | 80'     |
| Side street setback  | 50'     |
| Side setback   | 15'     |
| Rear setback   | 15'     |
| Specifications for Accessory Structure Setbacks  |         |

|   |     |
|---|-----|
| a. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.                  |     |
| b. Any accessory structure on a lot or parcel abutting a national historical park must be set back a minimum of 200' from the national historical park unless the accessory structure is exempted under Section <a href="#">6.4.3.C.3</a> . |     |
| c. In addition to the front setback minimum, any accessory structure on a residential lot must be located behind the rear building line of the principal building.  |     |
| d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building. Buildings for an agricultural use are exempt from this size restriction.               |     |
| <b>3. Height</b>  |     |
| <b>Height (max)</b>   |     |
| Principal building  | 50' |
| Accessory structure   | 50' |
| <b>4. Form</b>  |     |
| <b>Allowed Building Elements</b>  |     |
| Gallery/Awning  | n/a |
| Porch/Stoop   | yes |
| Balcony   | yes |
| <b>5. Buildings used for Agriculture Associated with Farming</b>  |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>   |     |
| a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except a building used for agriculture is exempt from the height requirements under Section <a href="#">4.3.3.B.3</a> .    |     |

Residential Detached zones

Section 4.4.3. Historic Districts

In the Residential Detached zones, the minimum lot width at the front building line and setback requirements for a principal building or an accessory building or structure may be reduced if:

- A. the lot is located in an historic district designated on the Master Plan for Historic Preservation;
- B. the Planning Board finds in a site plan under Section [7.3.4](#) that the reductions serve the purpose of maintaining the historic development and building patterns as evidenced throughout the surrounding designated historic district; and
- C. the reduction is approved by the Historic Preservation Commission through the Historic Area Work Permit process Chapter 24 (24A-7).

Section 4.4.4. Residential Estate - 2 Zone (RE-2)

A. Intent Statement

The intent of the RE-2 zone is to provide designated areas of the County for large-lot residential uses. The predominant use is residential in a detached house.

B. RE-2 Zone, Standard Method Development Standards

| 1. Lot and Density  | Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone |   |
|---|---|---|
| Lot (min)   |   |   |
| Lot area  |   | 2 acres                                     |
| Lot width at front building line  |   | 150'  |
| Lot width at front lot line   |   | 25'   |
| Frontage on street or open space  |   | Required, except as exempt under Chapter 50 |
| Specification for Lot   |   |   |
| a. Lot width at the front building line and setback requirements may be reduced under Section <a href="#">4.4.3</a> . |   |   |
| Density (max)   |   |   |
| Density (units/acre)  |   | 1/2   |
| Coverage (max)  |   |   |
| Lot   |   | 25%   |
| 2. Placement  |   |   |
| Principal Building Setbacks (min)   |   |   |
| Front setback   |   | 50'   |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone                     |   | 50'   |

|  |     |
|--|-----|
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone   | 20' |
| Side setback   | 17' |
| Sum of side setbacks   | 35' |
| Rear setback   | 35' |
| <b>Accessory Structure Setbacks (min)</b>  |     |
| Front setback  | 80' |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone  | 50' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone   | 20' |
| Side setback   | 15' |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone   | 12' |
| Rear setback, if not otherwise addressed   | 10' |
| <b>Specifications for Accessory Structure Setbacks</b>   |     |
| a. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.   |     |
| b. Any accessory structure on a lot or parcel abutting a national historical park must be set back a minimum of 200' from the national historical park unless the accessory structure is exempted under Section <a href="#">6.4.3.C.3</a> .                            |     |
| c. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building.  |     |
| d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. Buildings for an agricultural use are exempt from this size restriction. |     |
| <b>3. Height</b>   |     |
| <b>Height (max)</b>  |     |
| Principal building   | 50' |
| Accessory structure  | 50' |
| <b>4. Form</b>   |     |
| <b>Allowed Building Elements</b>   |     |
| Gallery/Awning   | n/a |
| Porch/Stoop  | yes |
| Balcony  | yes |
| <b>5. Buildings used for Agriculture Associated with Farming</b>   |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>  |     |
| a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except a building used for agriculture is exempt from the height requirements under Section <a href="#">4.4.4.B.3</a> .                               |     |

## Section 4.4.6. Residential Estate - 1 Zone (RE-1)

### A. Intent Statement

The intent of the RE-1 zone is to provide designated areas of the County for large-lot residential uses. The predominant use is residential in a detached house.

**B. RE-1 Zone, Standard Method Development Standards**

|  |  |   |
|--|--|---|
| <b>1. Lot and Density</b>  | <b>Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone</b> |   |
| <b>Lot (min)</b>   |  |   |
| Lot area   |  | 40,000 SF                                   |
| Lot width at front building line   |  | 125'  |
| Lot width at front lot line  |  | 25'   |
| Frontage on street or open space   |  | Required, except as exempt under Chapter 50 |
| <b>Specification for Lot</b>   |  |   |
| a. Lot width at the front building line and setback requirements may be reduced under Section <a href="#">4.4.3</a> .  |  |   |
| <b>Density (max)</b>   |  |   |
| Density (units/acre)   |  | 1.09  |
| <b>Coverage (max)</b>  |  |   |
| Lot  |  | 15%   |
| <b>2. Placement</b>  |  |   |
| <b>Principal Building Setbacks (min)</b>   |  |   |
| Front setback  |  | 50'   |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone  |  | 50'   |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone   |  | 20'   |
| Side setback   |  | 17'   |
| Sum of side setbacks   |  | 35'   |
| Rear setback   |  | 35'   |
| <b>Accessory Structure Setbacks (min)</b>  |  |   |
| Front setback  |  | 80'   |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone  |  | 50'   |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone   |  | 20'   |
| Side setback   |  | 15'   |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone   |  | 12'   |
| Rear setback, if not otherwise addressed   |  | 10'   |
| <b>Specifications for Accessory Structure Setbacks</b>   |  |   |
| a. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot. |  |   |

|  |     |
|--|-----|
| b. Any accessory structure on a lot or parcel abutting a national historical park must be set back a minimum of 200' from the national historical park unless the accessory structure is exempted under Section <a href="#">6.4.3.C.3</a> .                            |     |
| c. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building.  |     |
| d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. Buildings for an agricultural use are exempt from this size restriction. |     |
| <b>3. Height</b>   |     |
| <b>Height (max)</b>  |     |
| Principal building   | 50' |
| Accessory structure  | 50' |
| <b>4. Form</b>   |     |
| <b>Allowed Building Elements</b>   |     |
| Gallery/Awning   | n/a |
| Porch/Stoop  | yes |
| Balcony  | yes |
| <b>5. Buildings used for Agriculture Associated with Farming</b>   |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>  |     |
| a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except a building used for agriculture is exempt from the height requirements under Section <a href="#">4.4.6.B.3</a> .                               |     |

**Section 4.4.7. Residential - 200 Zone (R-200)**

**A. Intent Statement**

The intent of the R-200 zone is to provide designated areas of the County for residential uses with a minimum lot size of 20,000 square feet. The predominant use is residential in a detached house.

**B. R-200 Zone, Standard Method Development Standards**

|                                  |  |
|----------------------------------|--|
| <b>1. Lot and Density</b>        | <b>Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone</b> |
| <b>Lot (min)</b>                 |  |
| Lot area                         | 20,000 SF  |
| Lot width at front building line | 100'   |
| Lot width at front lot line      | 25'  |
| Frontage on street or open space | Required, except as exempt under Chapter 50  |
| <b>Density (max)</b>             |  |
| Density (units/acre)             | 2.18   |
| <b>Coverage (max)</b>            |  |
| Lot                              | 25%  |

| Specification for Lot and Density  |     |
|--|-----|
| a. Lot width at the front building line and setback requirements may be reduced under Section <a href="#">4.4.3</a> .  |     |
| b. Development with a detached house building type may have to satisfy Section <a href="#">4.4.1.B</a> , Residential Infill Compatibility.   |     |
| 2. Placement   |     |
| Principal Building Setbacks (min)  |     |
| Front setback  | 40' |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone  | 40' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone   | 15' |
| Side setback   | 12' |
| Sum of side setbacks   | 25' |
| Rear setback   | 30' |
| Specification for Principal Building Setbacks  |     |
| a. Development may have to satisfy Section <a href="#">4.4.1.A</a> , Established Building Line.  |     |
| Accessory Structure Setbacks (min)   |     |
| Front setback  | 65' |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone  | 40' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone   | 15' |
| Side setback   | 12' |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone   | 12' |
| Rear setback, if not otherwise addressed   | 7'  |
| Specification for Accessory Structure Setbacks   |     |
| a. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building.  |     |
| b. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. Buildings for an agricultural use are exempt from this size restriction. |     |
| c. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.   |     |
| 3. Height  |     |
| Height (max)   |     |
| Principal building   |     |
| Measured to highest point of any roof  |     |
| If lot is $\geq 40,000$ SF   | 50' |
| If lot is $\geq 25,000$ SF and $<40,000$ SF  | 45' |
| If lot is $\geq 15,000$ SF and $<25,000$ SF  | 40' |
| If lot is $\geq 0$ SF and $<15,000$ SF   | 35' |
| OR   |     |



|  |     |
|--|-----|
| Measured to mean height between the eaves and ridge of a gable, hip, mansard, or gambrel roof  |     |
| If lot is $\geq 40,000$ SF   | 50' |
| If lot is $\geq 25,000$ SF and $<40,000$ SF  | 40' |
| If lot is $\geq 15,000$ SF and $<25,000$ SF  | 35' |
| If lot is $\geq 0$ SF and $<15,000$ SF   | 30' |
| Accessory structure  | 35' |
| <b>4. Form</b>   |     |
| <b>Allowed Building Elements</b>   |     |
| Gallery/Awning   | n/a |
| Porch/Stoop  | yes |
| Balcony  | yes |
| <b>5. Buildings used for Agriculture Associated with Farming</b>   |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>  |     |
| a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 50'. |     |

## Commercial/Residential Zones (CRN zone)

### Section 4.5.1. Intent Statements

#### A. In General

The CRN, CRT, and CR zones permit a mix of residential and nonresidential uses at varying densities and heights. The zones promote economically, environmentally, and socially sustainable development patterns where people can live, work, recreate, and access services and amenities. The application of the CRN, CRT, and CR zones is appropriate where impacts can be mitigated by co-locating housing, jobs, and services. The intent of the CRN, CRT, and CR zones is to:

1. implement the recommendations of applicable master plans;
2. target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses;
3. encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street;
4. allow a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods;
5. integrate an appropriate balance of employment and housing opportunities; and
6. standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.

#### B. Commercial Residential Neighborhood (CRN)

The CRN zone is intended for pedestrian-scale, neighborhood-serving mixed-use centers and transitional edges. Retail tenant ground floor footprints are limited to preserve community scale.

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### Section 4.5.2. Density and Height Allocation

#### A. Density and Height Limits

1. Density is calculated as an allowed floor area ratio (FAR).
2. Each CRN, CRT, and CR zone classification is followed by a number and a sequence of 3 additional symbols: C, R, and H, each followed by another number where:
  - a. The number following the classification is the maximum total FAR allowed unless additional FAR is allowed under Section [4.5.2.C](#) or Section [4.7.3.D.6.c](#);
  - b. The number following the C is the maximum nonresidential FAR allowed;
  - c. The number following the R is the maximum residential FAR allowed unless additional residential FAR is allowed under Section [4.5.2.C](#) or Section [4.7.3.D.6.c](#); and

d. The number following the H is the maximum building height in feet allowed unless additional height is allowed under Section [4.5.2.C](#), Section [4.7.3.D.6.c](#), or Section [4.5.2.A.2.e](#).

e. With Planning Board approval, any Optional Method project in a CR zone that includes the provision of a major public facility under Section [4.7.3.A](#) may add the height of any floor mostly used for above grade parking to the maximum height otherwise allowed, when the major public facility diminishes the ability of the applicant to provide parking at or below grade.

3. The following limits apply unless additional total FAR, residential FAR, or height is allowed under Section [4.5.2.C](#), Section [4.7.3.D.6.c](#), or Section [4.5.2.A.2.e](#):

| 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'  |

4. Zones are established at density increments of 0.25 FAR and height increments of 5 feet up to the maximums in Section [4.5.2.A.3](#).

#### B. FAR Averaging

1. Only standard method development projects that require site plan approval or optional method development projects can average FAR between properties.

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

a. the properties are under the same site plan or sketch plan; however, if a sketch plan is required, density averaging must be shown on the sketch plan;

b. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved sketch plan;

c. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;

d. the total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use, does not exceed that allowed by the property's zone; and

e. public benefits are required to be provided under any phasing element of an approved sketch plan.

3. Density may be averaged over 2 or more non-contiguous properties in one or more CRT or CR zones, if:

a. Each provision under Section [4.5.2.B.2](#) is satisfied;

- b. The properties are within 1/4 mile of each other or in a designated masterplanned density transfer area;
- c. The minimum public benefit points required under Section [4.5.4.A.2](#) must be exceeded by at least 50%; and
- d. The applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.

4. If the Planning Board approves a site plan for a development project using FAR averaging across two or more lots, the maximum density on certain lots in the development project will be less than or greater than the zone allows, as indicated in the site plan. To provide additional notice of the FAR averaging, before the Planning Board approves a certified site plan for such a project or, if plat approval is required, before plat approval, the applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the Planning Board and must record the instrument in the Montgomery County land records.

**Section 4.5.3. Standard Method Development**

The CRN, CRT, and CR zone allow standard method development under the following limitations and requirements.

**A. In General**

1. In the CRN zone, the maximum total, nonresidential, and residential FARs and maximum height for any property is set by the zone shown on the zoning map.

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**B. Procedure for Approval**

- 1. Site plan approval may be required under Section 7.3.4.A.8.
- 2. An applicant may file a site plan application to modify the Build-to Area, Building Orientation, and Transparency requirements under Section 4.5.3.C.

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

| 1. Site  | Detached House | Duplex - Side | Duplex - Over | Town-house | Apart-ment | Multi Use | General |
|--|----------------|---------------|---------------|------------|------------|-----------|---------|
| Open Space (min)   |                |               |               |            |            |           |         |
| Open space, tract ≤ 10,000 SF  | n/a            | n/a           | n/a           | 10%        | 0%         | 0%        | 0%      |
| Open space, tract > 10,000 SF  | n/a            | n/a           | n/a           | 10%        | 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 <a href="#">6.3.5</a> ), and for other building types is public open space (see Section <a href="#">6.3.6</a> ). |                |               |               |            |            |           |         |
| 2. Lot and Density   |                |               |               |            |            |           |         |

| 1. Site  | Detached House   | Duplex - Side | Duplex - Over | Town-house | Apartment                           | Multi Use | General |
|--|--|---------------|---------------|------------|-------------------------------------|-----------|---------|
| Lot (min)  |  |               |               |            |                                     |           |         |
| Lot area   | 1,000 SF   | 500 SF        | 1,000 SF      | 800 SF     | n/a                                 | n/a       | n/a     |
| Lot width at front building line   | 25'  | 12.5'         | 25'           | 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 |               |               |            |                                     |           |         |
| <b>Specification for Density</b>   |  |               |               |            |                                     |           |         |
| a. In the CR zone, a designated historic resource that does not occupy more than 10% of the gross floor area is excluded from the FAR calculation. |  |               |               |            |                                     |           |         |
| Coverage (max)   |  |               |               |            |                                     |           |         |
| Lot  | 90%  | 90%           | 90%           | n/a        | n/a                                 | n/a       | n/a     |
| <b>3. Placement</b>  |  |               |               |            |                                     |           |         |
| <b>Principal Building Setbacks (min)</b>   |  |               |               |            |                                     |           |         |
| Front setback  | 5'   | 5'            | 5'            | 5'         | 0'                                  | 0'        | 0'      |
| Side street setback  | 5'   | 5'            | 5'            | 5'         | 0'                                  | 0'        | 0'      |
| Side setback, abutting Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zones                                       | 6'   | 6'            | 6'            | 4'         | See Section <a href="#">4.1.8.A</a> |           |         |
| Side setback, abutting all other zones   | 4'   | 4'            | 4'            | n/a        | 0'                                  | 0'        | 0'      |
| Side setback, end unit   | n/a  | n/a           | n/a           | 2'         | n/a                                 | n/a       | n/a     |
| Side setback between lot and site boundary   | n/a  | n/a           | n/a           | 4'         | n/a                                 | n/a       | n/a     |
| Rear setback, abutting Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zones                                       | 15'  | 15'           | 15'           | 10'        | See Section <a href="#">4.1.8.A</a> |           |         |
| Rear setback, abutting all other zones   | 15'  | 15'           | 15'           | 10'        | 0'                                  | 0'        | 0'      |
| Rear setback, alley  | 4'   | 4'            | 4'            | 4'         | 4'                                  | 4'        | 4'      |
| Rear setback between lot and site boundary   | n/a  | n/a           | n/a           | 5'         | n/a                                 | n/a       | n/a     |
| <b>Accessory Structure Setbacks (min)</b>  |  |               |               |            |                                     |           |         |
| Front setback, behind front building line  | 5'   | 5'            | 5'            | 5'         | 0'                                  | 0'        | 0'      |
| Side street setback  | 15'  | 15'           | 15'           | 5'         | 0'                                  | 0'        | 0'      |
| Side setback   | 4'   | 4'            | 4'            | 4'         | equal to Principal Building Setback |           |         |
| Rear setback   | 4'   | 4'            | 4'            | 4'         | equal to Principal Building Setback |           |         |

| 1. Site   | Detached House                             | Duplex - Side | Duplex - Over | Town-house | Apartment   | Multi Use | General  |
|---|--|---------------|---------------|------------|---|-----------|----------|
| Rear setback, alley   | 4'   | 4'            | 4'            | 4'         | 4'  | 4'        | 4'       |
| <b>Parking Setbacks for Surface Parking Lots (min)</b>  |  |               |               |            |   |           |          |
| Front setback   | n/a  | n/a           | n/a           | n/a        | must be behind front building line of building in the BTA                 |           |          |
| Side street setback   | n/a  | n/a           | n/a           | n/a        | must be behind side street building line of building in the BTA           |           |          |
| Side setback  | n/a  | n/a           | n/a           | n/a        | must accommodate landscaping required under Section <a href="#">6.2.9</a> |           |          |
| Rear setback  | n/a  | n/a           | n/a           | n/a        | must accommodate landscaping required under Section <a href="#">6.2.9</a> |           |          |
| Rear setback, alley   | n/a  | n/a           | n/a           | n/a        | 0'  | 0'        | 0'       |
| <b>Build-to Area (BTA, max setback and min % of building façade)</b>  |  |               |               |            |   |           |          |
| Front setback   | n/a  | n/a           | n/a           | 15'        | 30'   | 15'       | 20'      |
| Building in front street BTA  | n/a  | n/a           | n/a           | 70%        | 70%   | 70%       | 70%      |
| Side street setback   | n/a  | n/a           | n/a           | n/a        | 30'   | 15'       | 20'      |
| Building in side street BTA   | n/a  | n/a           | n/a           | n/a        | 35%   | 35%       | 35%      |
| <b>Specifications for Build-to Area</b>   |  |               |               |            |   |           |          |
| a. The Build-to Area maximum front or side street setback may be increased by the minimum setback necessary to avoid a platted public transportation or utility easement, or a platted public transportation or utility reservation.  |  |               |               |            |   |           |          |
| b. The Build-to Area requirements may be modified by the Planning Board during site plan review under Section 7.3.4. In approving a site plan submitted under this subsection, the Planning Board must find that the plan: (1) deviates from the Build-to Area requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible spaces such as streets, sidewalks, and parks. |  |               |               |            |   |           |          |
| <b>4. Height</b>  |  |               |               |            |   |           |          |
| Height (max)  |  |               |               |            |   |           |          |
| Principal building  | mapped and Section <a href="#">4.1.8.B</a> |               |               |            |   |           |          |
| Accessory structure   | 25'  | 25'           | 25'           | 25'        | mapped and Section <a href="#">4.1.8.B</a>                                |           |          |
| <b>5. Form</b>  |  |               |               |            |   |           |          |
| Massing (max)   |  |               |               |            |   |           |          |
| Units permitted in one row  | n/a  | n/a           | n/a           | 12         | n/a   | n/a       | n/a      |
| <b>Building Orientation</b>   |  |               |               |            |   |           |          |
| Entrance facing street or open space  | required                                   | required      | required      | required   | required  | required  | required |
| Entrance spacing (max)  | n/a  | n/a           | n/a           | n/a        | 100'  | 75'       | 100'     |
| <b>Transparency, for Walls Facing a Street or Open Space</b>  |  |               |               |            |   |           |          |
| Ground story, front (min)   | n/a  | n/a           | n/a           | n/a        | 20%   | 60%       | 40%      |
| Ground story, side/rear (min)   | n/a  | n/a           | n/a           | n/a        | 20%   | 30%       | 25%      |
| Upper story (min)   | n/a  | n/a           | n/a           | n/a        | 20%   | 20%       | 20%      |
| Blank wall, front (max)   | n/a  | n/a           | n/a           | 35'        | 35'   | 25'       | 35'      |

| 1. Site  | Detached House | Duplex - Side | Duplex - Over | Town-house | Apartment | Multi Use | General |
|--|----------------|---------------|---------------|------------|-----------|-----------|---------|
| Blank wall, side/rear (max)  | n/a            | n/a           | n/a           | 35'        | 35'       | 35'       | 35'     |
| <b>Specification for Building Orientation and Transparency</b>   |                |               |               |            |           |           |         |
| a. Building Orientation and Transparency requirements may be modified by the Planning Board in a site plan under Section 7.3.4. In approving a site plan submitted under this subsection, the Planning Board must find that the plan: (1) deviates from the Building Orientation and Transparency requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible spaces such as streets, sidewalks, and parks. |                |               |               |            |           |           |         |
| <b>Allowed Building Elements</b>   |                |               |               |            |           |           |         |
| Gallery/Awning   | n/a            | n/a           | n/a           | n/a        | yes       | yes       | yes     |
| Porch/Stoop  | yes            | yes           | yes           | yes        | yes       | yes       | yes     |
| Balcony  | yes            | yes           | yes           | yes        | yes       | yes       | yes     |

## Employment Zones

### Section 4.6.1. Intent Statements

#### A. In General

The GR, NR, LSC, and EOF zones permit nonresidential uses including office, technology, and general commercial uses with limited residential use at varying densities and heights. The GR, NR, LSC, and EOF zones promote economic diversity and job creation in development patterns where people can work, learn, and recreate. The application of the GR, NR, LSC, and EOF zones is appropriate for targeting jobs and services co-located near diverse housing options. In the Employment zones, residential uses are generally limited to 30% of the total gross floor area on the subject site. The intent of the GR, NR, LSC, and EOF zones is to:

1. implement the recommendations of the applicable master plans;
2. target opportunities for employment, technology, and general commercial uses;
3. provide employment areas with supporting residential and retail uses;
4. allow a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods; and
5. establish minimum requirements for the provision of public benefits.

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#### C. Neighborhood Retail (NR)

1. The NR zone is intended for commercial areas that have a neighborhood orientation and which supply necessities usually requiring frequent purchasing and convenient automobile access. The NR zone addresses development opportunities within primarily residential areas with few alternative mobility options and without a critical mass of density needed for pedestrian-oriented commercial uses.
2. The NR zone allows flexibility in building, circulation, and parking lot layout.

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### Section 4.6.2. Density and Height Allocation

#### A. Density and Height Limits

1. Density is calculated as an allowed floor area ratio (FAR).
2. Each GR, NR, LSC, and EOF zone classification is followed by a number and symbol: H, which is followed by another number where:
  - a. The number following the classification is the maximum total FAR allowed unless additional FAR is allowed under Section [4.6.2.C](#) and Section [4.7.3.D.6.c](#); and
  - b. The number following the H is the maximum building height in feet allowed unless additional height is allowed under Section [4.7.3.D.6.c](#).
3. The following limits apply unless additional total FAR or height is allowed under Section [4.6.2.C](#) and Section [4.7.3.D.6.c](#).



| 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'  |

4. Zones are established at density increments of 0.25 FAR and height increments of 5 feet up to the maximums in Section [4.6.2.A.3](#).

#### B. FAR Averaging

1. Only standard method development projects that require site plan approval or optional method development projects can average FAR between properties.

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

a. the properties are under the same site plan or sketch plan; however, if a sketch plan is required, density averaging must be shown on the sketch plan;

b. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved sketch plan;

c. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;

d. the total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use does not exceed that allowed by the property's zone; and

e. public benefits are required to be provided under the phasing element of an approved sketch plan.

3. Density may be averaged over 2 or more non-contiguous properties in one or more LSC or EOF zones, if:

a. Each provision under Section [4.6.2.B.2](#) is satisfied;

b. The properties are within 1/4 mile of each other or in a designated masterplanned density transfer area;

c. The minimum public benefit points required under Section [4.6.4.A.2](#) must be exceeded by at least 50%; and

d. The applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.

4. If the Planning Board approves a site plan for a development project using FAR averaging across two or more lots, the maximum density on certain lots in the development project will be

less than or greater than the zone allows, as indicated in the site plan. To provide additional notice of the FAR averaging, before the Planning Board approves a certified site plan for such a project or, if plat approval is required, before plat approval, the applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the Planning Board and must record the instrument in the Montgomery County land records.

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**Section 4.6.3. Standard Method Development**

The GR, NR, LSC, and EOF zones allow standard method development under the following limitations and requirements.

**A. In General**

1. In the GR and NR zone, the maximum total FAR and maximum height for any property is set by the zone shown on the zoning map.

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**B. Procedure for Approval**

1. Site plan approval may be required under Section [7.3.4.A.8](#).
2. An applicant may file a site plan application to modify the Parking Setbacks for Surface Parking Lots, Build-to Area, Building Orientation, or Transparency requirements under Section 4.6.3.D and Section 4.6.3.E.

**C. GR and NR Zones, Standard Method Development Standards**

| 1. Site   | Detached House | Duplex - Side | Duplex - Over | Town-house | Apartment | Multi Use | General |
|---|----------------|---------------|---------------|------------|-----------|-----------|---------|
| Open Space (min)  |                |               |               |            |           |           |         |
| Open space, tracts ≤ 10,000 SF  | n/a            | n/a           | n/a           | 10%        | 0%        | 0%        | 0%      |
| Open space, tract > 10,000 SF   | n/a            | n/a           | n/a           | 10%        | 10%       | 10%       | 10%     |
| <b>Specifications for all Open Space</b>  |                |               |               |            |           |           |         |
| 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 <a href="#">6.3.5</a> ), and for other building types is amenity open space (see Section <a href="#">6.3.7</a> ). |                |               |               |            |           |           |         |
| <b>2. Lot and Density</b>   |                |               |               |            |           |           |         |
| Lot (min)   |                |               |               |            |           |           |         |
| Lot area  | 1,000 SF       | 500 SF        | 1000 SF       | 900 SF     | n/a       | n/a       | n/a     |
| Lot width at front building line  | 25'            | 12.5'         | 25'           | 12'        | n/a       | n/a       | n/a     |
| Lot width at front lot line   | 10'            | n/a           | 10'           | n/a        | n/a       | n/a       | n/a     |
| Density (max)   |                |               |               |            |           |           |         |

|   |  |     |     |     |   |     |     |
|---|--|-----|-----|-----|---|-----|-----|
| Density, FAR  | mapped                                     |     |     |     |   |     |     |
| Coverage (max)  |  |     |     |     |   |     |     |
| Lot   | 90%  | 90% | 90% | n/a | n/a   | n/a | n/a |
| Specification for Density   |  |     |     |     |   |     |     |
| a. Gross floor area of all Household Living uses is limited to 30% of the gross floor area on the subject site. |  |     |     |     |   |     |     |
| 3. Placement  |  |     |     |     |   |     |     |
| Principal Building Setbacks (min)   |  |     |     |     |   |     |     |
| Front setback   | 5'   | 5'  | 5'  | 5'  | 0'  | 0'  | 0'  |
| Side street setback   | 5'   | 5'  | 5'  | 5'  | 0'  | 0'  | 0'  |
| Side setback, abutting Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zones    | 6'   | 6'  | 6'  | 4'  | See Section <a href="#">4.1.8.A</a>                                       |     |     |
| Side setback, abutting all other zones  | 4'   | 4'  | 4'  | n/a | 0'  | 0'  | 0'  |
| Side setback, end unit  | n/a  | n/a | n/a | 2'  | n/a   | n/a | n/a |
| Side setback between lot and site boundary  | n/a  | n/a | n/a | 4'  | n/a   | n/a | n/a |
| Rear setback, abutting Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zones    | 15'  | 15' | 15' | 10' | See Section <a href="#">4.1.8.A</a>                                       |     |     |
| Rear setback, abutting all other zones  | 15'  | 15' | 15' | 10' | 0'  | 0'  | 0'  |
| Rear setback, alley   | 4'   | 4'  | 4'  | 4'  | 4'  | 4'  | 4'  |
| Rear setback between lot and site boundary  | n/a  | n/a | n/a | 5'  | n/a   | n/a | n/a |
| Accessory Structure Setbacks (min)  |  |     |     |     |   |     |     |
| Front setback, behind front building line   | 5'   | 5'  | 5'  | 5'  | 0'  | 0'  | 0'  |
| Side street setback   | 15'  | 15' | 15' | 5'  | 0'  | 0'  | 0'  |
| Side setback  | 4'   | 4'  | 4'  | 4'  | equal to Principal Building Setback                                       |     |     |
| Rear setback  | 4'   | 4'  | 4'  | 4'  | equal to Principal Building Setback                                       |     |     |
| Rear setback, alley   | 4'   | 4'  | 4'  | 4'  | 4'  | 4'  | 4'  |
| Parking Setbacks for Surface Parking Lots (min)   |  |     |     |     |   |     |     |
| Front setback   | n/a  | n/a | n/a | n/a | must accommodate landscaping required under Section <a href="#">6.2.9</a> |     |     |
| Side street setback   | n/a  | n/a | n/a | n/a | must accommodate landscaping required under Section <a href="#">6.2.9</a> |     |     |
| Side setback  | n/a  | n/a | n/a | n/a | must accommodate landscaping required under Section <a href="#">6.2.9</a> |     |     |
| Rear setback  | n/a  | n/a | n/a | n/a | must accommodate landscaping required under Section <a href="#">6.2.9</a> |     |     |
| Rear setback, alley   | n/a  | n/a | n/a | n/a | 0'  | 0'  | 0'  |
| 4. Height   |  |     |     |     |   |     |     |
| Height (max)  |  |     |     |     |   |     |     |
| Principal building  | mapped and Section <a href="#">4.1.8.B</a> |     |     |     |   |     |     |

|                            |     |     |     |     |  |     |     |
|----------------------------|-----|-----|-----|-----|--|-----|-----|
| Accessory structure        | 25' | 25' | 25' | 25' | mapped and Section <a href="#">4.1.8.B</a> |     |     |
| 5. Form                    |     |     |     |     |  |     |     |
| Massing (max)              |     |     |     |     |  |     |     |
| Units permitted in one row | n/a | n/a | n/a | 12  | n/a  | n/a | n/a |
| Allowed Building Elements  |     |     |     |     |  |     |     |
| Gallery/Awning             | n/a | n/a | n/a | n/a | yes  | yes | yes |
| Porch/Stoop                | yes | yes | yes | yes | yes  | yes | yes |
| Balcony                    | yes | yes | yes | yes | yes  | yes | yes |

## Industrial Zones

### Section 4.8.1. Intent Statements

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#### B. Moderate Industrial (IM)

The IM zone is intended to provide land for industrial activities where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal.

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### Section 4.8.2. Density and Height Allocation

#### A. Density and Height Limits

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

| 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'  |

2. Zones are established at density increments of 0.25 FAR and height increments of 5 feet up to the maximums indicated in Section [4.8.2.A.1.](#)

#### B. FAR Averaging

1. Only standard method development projects that require site plan approval can average FAR between properties.
2. FAR may be averaged over 2 or more directly abutting or confronting properties in one or more Industrial zones, if:
  - a. the properties are under the same site plan;
  - b. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved site plan;
  - c. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties; and
  - d. the total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use does not exceed that allowed by the property's zone.

3. Density may be averaged over 2 or more non-contiguous properties in one or more IL or IM zones, if:

- a. Each of the provisions under Section [4.8.2.B.2](#) is satisfied;
- b. The properties are within 1/4 mile of each other or in a designated masterplanned density transfer area; and
- c. The applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.

4. If the Planning Board approves a site plan for a development project using FAR averaging across two or more lots, the maximum density on certain lots in the development project will be less than or greater than the zone allows, as indicated in the site plan. To provide additional notice of the FAR averaging, before the Planning Board approves a certified site plan for such a project or, if plat approval is required, before plat approval, the applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the Planning Board and must record the instrument in the Montgomery County land records.

#### Section 4.8.3. Standard Method Development

The IL, IM, and IH zones allow development only under the standard method. Site plan approval may be required under Section [7.3.4.A.8](#).

#### A. IL and IM Zones, Standard Method Development Standards

| 1. Site  | Multi Use                           | General                             |
|--|-------------------------------------|-------------------------------------|
| Open Space (min)   |                                     |                                     |
| Amenity open space, tract ≤ 10,000 SF (see Section <a href="#">6.3.7</a> )   | 5%                                  | 5%                                  |
| Amenity open space, tract > 10,000 SF (see Section <a href="#">6.3.7</a> )   | 10%                                 | 10%                                 |
| Specification for Open Space   |                                     |                                     |
| a. Open space is calculated on the area of the site.   |                                     |                                     |
| 2. Lot and Density   |                                     |                                     |
| Density (max)  |                                     |                                     |
| Density, FAR   | mapped                              |                                     |
| Specification for Density  |                                     |                                     |
| a. Any area used exclusively for mechanical equipment is excluded from the maximum density calculation, and any area excluded from this calculation that exceeds the FAR of the zone must be used only for this purpose. The total area of any partial floors or stories excluded from the maximum density calculation must not exceed the gross floor area of any full floor of the building. |                                     |                                     |
| 3. Placement   |                                     |                                     |
| Principal Building and Accessory Structure Setbacks (min)  |                                     |                                     |
| Front setback  | 10'                                 | 10'                                 |
| Side street setback  | 10'                                 | 10'                                 |
| Side setback, abutting Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zones   | See Section <a href="#">4.1.8.A</a> | See Section <a href="#">4.1.8.A</a> |
| Side setback, abutting Industrial zones  | 0'                                  | 0'                                  |

|  |   |                                     |
|--|---|-------------------------------------|
| Side setback, abutting all other zones   | 10'   | 10'                                 |
| Rear setback, abutting Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zones | See Section <a href="#">4.1.8.A</a>                                       | See Section <a href="#">4.1.8.A</a> |
| Rear setback, abutting Industrial zones  | 0'  | 0'                                  |
| Rear setback, abutting all other zones   | 10'   | 10'                                 |
| Rear setback, alley  | 0'  | 0'                                  |
| <b>Parking Setbacks for Surface Parking Lots (min)</b>   |   |                                     |
| Front setback  | must accommodate landscaping required under Section <a href="#">6.2.9</a> |                                     |
| Side street setback  | must accommodate landscaping required under Section <a href="#">6.2.9</a> |                                     |
| Side setback   | must accommodate landscaping required under Section <a href="#">6.2.9</a> |                                     |
| Rear setback   | must accommodate landscaping required under Section <a href="#">6.2.9</a> |                                     |
| Rear setback, alley  | must accommodate landscaping required under Section <a href="#">6.2.9</a> |                                     |
| <b>4. Height</b>   |   |                                     |
| <b>Height (max)</b>  |   |                                     |
| Principal building   | mapped and Section <a href="#">4.1.8.B</a>                                |                                     |
| Accessory structure  | mapped and Section <a href="#">4.1.8.B</a>                                |                                     |
| <b>5. Form</b>   |   |                                     |
| <b>Allowed Building Elements</b>   |   |                                     |
| Gallery/Awning   | yes   | yes                                 |
| Porch/Stoop  | yes   | yes                                 |
| Balcony  | yes   | yes                                 |

## Overlay Zones

### Section 4.9.1. In General

#### A. Intent Statement

The intent of the Overlay zones is to provide requirements and standards that are necessary to achieve the planning goals and objectives for development or redevelopment of an area. Overlay zones are created in areas of critical public interest and provide uniform comprehensive development regulations for an area.

#### B. Applicability

Land must only be designated within an Overlay zone when recommended by a master plan and approved by a Sectional Map Amendment, or when approved by a District Map Amendment.

#### C. Standards and Requirements

Development in an Overlay zone must satisfy the standards and requirements of the underlying zone, except as modified by Division [4.9](#). If there is an ambiguity as to whether the requirements of the underlying zone or Overlay zone apply, the requirements of the Overlay zone apply. Site plan approval is required under Section [7.3.4](#), except where exempted by the applicable Overlay zone.

### Section 4.9.13. Rural Village Center (RVC) Overlay Zone

#### A. Purpose

The purpose of the RVC Overlay zone is to:

1. Create attractive, cohesive, and pedestrian-friendly rural village centers, consisting of a mix of uses.
2. Draw upon the open, green character of the surrounding area, emphasizing this character through streetscape design, open space, and landscaping.
3. Maintain and enhance the rural village character through compatible scale, massing, siting, and setbacks for new and expanded uses.
4. Emphasize the pedestrian and bicycle circulation through street design, including streetscape and traffic calming, and trail networks.
5. Encourage a variety of uses that serve the needs of the local community, including mixed-use buildings that provide housing and commercial uses to the extent allowed in the underlying zone.
6. Provide opportunities for appropriately scaled new and existing business expansion, while keeping the commercial area compact and low density.

#### B. Land Uses

1. Where a lot is either partially or totally in a Commercial/Residential zone:
  - a. Dry Cleaning Facility (up to 3,000 SF) is allowed only as a conditional use under Section [7.3.1](#).



b. If the underlying zone on the property is CRN, a Filling Station is allowed as a conditional use under Section [7.3.1](#) and the following standards:

- i. A car wash is prohibited;
  - ii. The maximum height for pump canopies is 35 feet; and
  - iii. Any structure approved for the use must not exceed the scale and bulk of existing commercial structures in the village.
- c. Multi-Unit Living, as allowed in the underlying zone, must be in a multi use building type.
- d. The following uses are prohibited:
  - i. Animal Boarding and Care;
  - ii. Drive -Thru in connection with a Restaurant;
  - iii. Helipad, Heliport;
  - iv. Helistop;
  - v. The following Light Manufacturing and Production: newspaper, printing and publishing;
  - vi. Recreation and Entertainment Facility;
  - vii. Repair (Minor);
  - viii. The following Retail/Service Establishments: appliance store; appliance repair shop; and building materials and supplies;
  - ix. Shooting Range (Indoor); and
  - x. Vehicle/Equipment Sales and Rental, except any automobile rental business in existence on October 13, 1998 may continue as a conforming use, and may be altered, repaired, or replaced under provisions of the zone in effect at the time the use was established.

2. Where a lot is in a Residential zone:

- a. The lot may provide septic capacity for an adjacent commercial use, or adjacent residential property, if the use substantially conforms with the recommendations of the applicable master plan.
- b. The following uses are prohibited:
  - i. Day Care Center (13-30 Persons);
  - ii. Day Care Center (Over 30 Persons);
  - iii. Golf Course, Country Club;
  - iv. Hospital; and
  - v. Residential Care Facility (Over 16 Persons).

## C. Development Standards

1. Where a lot is either partially or totally in a Commercial/Residential zone:
  - a. When the lot abuts an Agricultural, Rural Residential, or Residential zone, the minimum setbacks for all buildings, off-street parking, and loading and maneuvering areas is that of the abutting zone; however, the Planning Board may allow alternative setbacks that replicate existing development patterns if recommended in a master plan. All other setbacks will be determined through the site plan approval process.
  - b. The maximum density for commercial uses is 0.2 FAR and is computed only on the area of the underlying Commercial/Residential zoned portion of the lot. The Planning Board may recommend density above 0.2 FAR, up to the maximum allowed in the underlying zone, if authorized in a master plan, if the Planning Board determines that the higher density is compatible with surrounding uses and will better replicate existing development patterns in a village.
  - c. In spite of the amount of open space required by the underlying zone, the minimum open space is 35% of the tract. The Planning Board may allow less open space if recommended in a master plan if the Planning Board determines that reduced open space will better replicate existing development patterns in a village.
  - d. The maximum height for all buildings is 35 feet.
  - e. In addition to the parking requirements in Division [6.2](#):
    - i. Parking facilities must be located to maintain a pedestrian-friendly street orientation.
    - ii. Trees must be planted and maintained throughout the parking facility to assure that at least 30% of the area is shaded. Shading must be calculated using the area of the tree crown at 15 years after the parking facility is built.
    - iii. For any cumulative enlargement of a surface parking facility that is greater than 50% of the total parking area approved before November 4, 2002, the entire off-street parking facility must be brought into conformance with Section [4.9.13](#).
  - f. Commercial facilities must provide, as necessary, noise mitigation measures to minimize impact on adjacent residentially used properties.
  - g. All outdoor lighting of commercial uses must be located, shielded, landscaped or otherwise buffered so that no direct light intrudes into an adjacent residential property. Unless the Planning Board requires different standards for a recreational facility or to improve public safety, luminaries must incorporate a glare and spill light control device to minimize glare and light trespass.
2. Where a lot is in a Residential zone, if recommended in a master plan, the Planning Board may allow alternative setbacks that replicate existing development patterns at the time of site plan review.

#### D. Site Plan

1. Site plan approval under Section [7.3.4](#) is required for:
  - a. construction of a new building;
  - b. any addition or other exterior improvement to an existing building that increases the amount of gross floor area on a site; or
  - c. if required under Section [7.3.4.A.8](#).
2. Site plan approval is not required for a detached house exempt from subdivision or for a property that is exempt from platting requirements under Section 50-9(j).