

Zoning Text Amendment No: 08-14
Concerning: Transit Mixed-Use (TMX) Zone-
Establishment
Draft No. & Date: 2 -6/23/08
Introduced:
Public Hearing:
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: District Council at Request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- establish a Transit Mixed-Use (TMX) Zone; and
- establish allowable land uses, development standards, use of buildable transferable development rights, and approval procedures for development under the Transit Mixed-Use Zone.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-A-2 “DEFINITIONS”
Section 59-A-2.1 “Definitions”
DIVISION 59-D-2 “PROJECT PLAN FOR OPTIONAL METHOD OF
DEVELOPMENT, CBD ZONES, AND RMX ZONES.
Section 59-D-2.0 “Zones enumerated”

And by adding the following Division to the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-14 “TRANSIT MIXED-USE ZONES (TMX)”
Sections 59-C-14.1 through 59-C-14.32

EXPLANATION:

***Boldface** indicates a heading or a defined term.*

Underlining indicates text that is added to existing laws by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. Division 59-C- is amended as follows:**

2 **Division 59-A-2. Definitions and Interpretation.**

3 **59-A-2.1. Definitions**

4 * * *

5 **Building Lot Termination Easement Program:** A program by which a BLT is
6 purchased or donated in exchange for terminating some or all of the residential
7 building lots. A transferable development right that is eligible for transfer into a
8 designated TDR receiving area that is not a residential building lot on a parcel in
9 the RDT Zone is not eligible for use under the Building Lot Termination Easement
10 Program.

11
12 **Buildable lot Termination (BLT) Transferable Development Right:** A
13 transferable development right in the Rural Density Transfer (RDT) Zone that can
14 be used for building one dwelling for each 25 acres in that zone; distinguished
15 from a transferable development right that is in excess of the density allowed in the
16 RDT zone.

17 * * *

18 **Transferable Development Right (TDR):** The right to transfer the residential
19 buildable capacity in the Rural Density Transfer (RDT) Zone to other designated
20 zones at the rate of one transferable development right (TDR) for each full five
21 acres owned in the RDT Zone.

22
23 **Transfer of development rights:** The conveyance of development rights by deed,
24 easement, or other legal instrument authorized by local law to another parcel of
25 land and the recordation of that conveyance among the land records of
26 Montgomery County, Maryland.

27

28 **Sec. 2. Division 59-C- is amended as follows:**

29 * * *

30 **DIVISION 59-C-14. TRANSIT MIXED-USE (TMX) ZONE**

31 **59-C-14.1. Zone permitted.**

32 The TMX zone is for use in a transit station development area.

33 **Sec. 59-C-14.2. Transit Mixed-Use (TMX) Zone.**

34 **59-C-14.21. Description, purpose, and general requirements**

35 **59-C-14.21.1. Description.**

36 The TMX Zone permits moderate through intensive mixed-use
37 development in a Transit Station Development Area. The TMX zone
38 must be shown on a master or sector plan and applied by Sectional Map
39 Amendment. The zone establishes density, uses, and standards, for
40 standard and optional methods of development which may be limited by
41 the recommendations of the applicable master or sector plan.

42 **59-C-14.2.2. Purpose.**

43 The TMX zone fosters transit-oriented development by permitting
44 increased density and height consistent with the recommendations of an
45 approved and adopted master plan or sector plan. The purpose of the
46 TMX zone is to:

47 (a) Implement the land use and density recommendations of approved and
48 adopted master or sector plans for Transit Station Development Areas
49 by:

50 (1) facilitating mixed-use development with a compatible network of
51 interconnecting streets, open squares, plazas, defined
52 streetscapes, and civic and community oriented uses ; and

53 (2) providing incentives and flexible development standards that
54 foster innovative design and technology.

- 55 **(b) Encourage land assembly in a compact and efficient form.**
- 56 **(c) Provide a variety of housing opportunities, including affordable**
- 57 **housing, near transit stations.**
- 58 **(d) Encourage sustainable and efficient design.**
- 59 **(e) Improve multi-modal access to transit from the communities**
- 60 **surrounding transit station development areas.**
- 61 **(f) Provide receiving capacity for buildable lot terminations (BLT).**

62 **59-C-14.22. Location.**

63 **Land classified in the TMX Zone must be located in a Transit Station**

64 **Development Area.**

65 **59-C-14.23. Methods of development. Two methods of development are**

66 **available.**

- 67 **(a) Standard Method of Development:** The standard method requires
- 68 **compliance with a specific set of development standards and permits a**
- 69 **range of uses and a density compatible with these standards. Site plan**
- 70 **review is required under section 59-D-3. If residential uses are included**
- 71 **in a development, Moderately Priced Dwelling Units must be provided**
- 72 **as required under Chapter 25A and workforce housing units must be**
- 73 **provided as required under Section 59-A-6.18 and Chapter 25B. The**
- 74 **maximum dwelling unit density or residential FAR may be increased in**
- 75 **proportion to any MPDU density bonus provided on-site.**
- 76 **(b) Optional Method of Development:** The Optional Method of
- 77 **Development allows greater densities and encourages innovative**
- 78 **design and building technologies to create pedestrian-oriented and**
- 79 **mixed-use development patterns and an environment capable of**
- 80 **supporting the greater densities. Approval of the Optional Method of**
- 81 **Development is dependent upon providing required public use space,**

82 public amenities and facilities, and participation in the BLT program.
 83 Public use space and public facilities and amenities are required to
 84 support the additional densities permitted under the Optional Method of
 85 Development. If residential uses are included in a development,
 86 Moderately Priced Dwelling Units must be provided as required under
 87 Chapter 25A and workforce housing units must be provided as required
 88 under Section 59-A-6.18 and Chapter 25B. The maximum dwelling
 89 unit density or residential FAR may be increased in proportion to any
 90 MPDU density bonus provided on site. The procedure for the approval
 91 of the Optional Method of Development is under Section 59-D-2. Site
 92 plans review is required under Section 59-D-3.

93 **59-C-14.24. Land uses.**

94 No use is allowed except as indicated in the following table:

95 **-Permitted Uses.** Uses designated by the letter "P" are permitted on any lot
 96 in the zones indicated, subject to all applicable regulations.

97 **-Special Exception Uses.** Uses designated by the letters "SE" may be
 98 authorized as special exceptions under Article 59-G.

	TMX	
	Standard	Optional
(a) Residential:		
<u>Dwellings.</u>	<u>P</u>	<u>P</u>
<u>Group home, small.</u>	<u>P</u>	<u>P</u>
<u>Group home, large.</u>	<u>P</u>	<u>P</u>
<u>Hotel or motel.</u>	<u>P</u>	<u>P</u>
<u>Housing and related facilities for senior adults or persons with disabilities.</u>	<u>P</u>	<u>P</u>
<u>Life care facility.</u>	<u>P</u>	<u>P</u>
<u>Personal living quarters.</u>	<u>P</u>	<u>P</u>
(b) Transportation, communication and utilities:		
<u>Parking garages, automobile.</u>	<u>P</u>	<u>P</u>
<u>Public utility buildings, structures, and underground facilities.</u>	<u>P</u>	<u>P</u>
<u>Radio and television broadcasting studio.</u>	<u>P</u>	<u>P</u>
<u>Rooftop mounted antennas and related unmanned equipment building, equipment cabinet or equipment room.</u>	<u>P</u>	<u>P</u>
<u>Taxicab stand, not including storage while not in use.</u>	<u>P</u>	<u>P</u>

	TMX	
	Standard	Optional
(c) Commercial:		
<u>Antique shops, handicrafts or art sales and supplies.</u>	<u>P</u>	<u>P</u>
<u>Automobile sales, retail showroom.</u>	<u>P</u>	<u>P</u>
<u>Book store.</u>	<u>P</u>	<u>P</u>
<u>Convenience food and beverage store, without fuel sales.</u>	<u>P</u>	<u>P</u>
<u>Department stores.</u>		<u>P</u>
<u>Drug store.</u>	<u>P</u>	<u>P</u>
<u>Eating and drinking establishment, excluding drive-in.</u>	<u>P</u>	<u>P</u>
<u>Florist shop.</u>	<u>P</u>	<u>P</u>
<u>Furniture store, carpet, or related furnishing sales or service.</u>	<u>P</u>	<u>P</u>
<u>Gift shop.</u>	<u>P</u>	<u>P</u>
<u>Grocery store.</u>	<u>P</u>	<u>P</u>
<u>Hardware store.</u>	<u>P</u>	<u>P</u>
<u>Office supply store.</u>	<u>P</u>	<u>P</u>
<u>Office, general.</u>	<u>P</u>	<u>P</u>
<u>Office, professional including banks and financial institutions (excluding check cashing stores).</u>	<u>P</u>	<u>P</u>
	Standard	Optional
<u>Offices for companies principally engaged in health services, research and development.</u>	<u>P</u>	<u>P</u>
<u>Newsstand.</u>	<u>P</u>	<u>P</u>
<u>Photographic and art supply store.</u>	<u>P</u>	<u>P</u>
<u>Pet sales and supply store.</u>	<u>P</u>	<u>P</u>
<u>Specialty shop.</u>	<u>P</u>	<u>P</u>
(d) Services:		
<u>Adult foster care homes.</u>	<u>P</u>	<u>P</u>
<u>Ambulance or rescue squad, public supported.</u>	<u>P</u>	<u>P</u>
<u>Animal boarding place.</u>	<u>SE</u>	<u>SE</u>
<u>Art, music and photographic studios.</u>	<u>P</u>	<u>P</u>
<u>Automobile filling station.</u>	<u>SE</u>	<u>SE</u>
<u>Automobile rental services, excluding automobile storage and supplies.</u>	<u>P</u>	<u>P</u>
<u>Barber and beauty shop.</u>	<u>P</u>	<u>P</u>
<u>Charitable and philanthropic institutions.</u>	<u>P</u>	<u>P</u>
<u>Clinic.</u>	<u>P</u>	<u>P</u>
<u>Child daycare facility</u>		
- <u>Family day care.</u>	<u>P</u>	<u>P</u>
- <u>Group day care.</u>	<u>P</u>	<u>P</u>
- <u>Child day care center.</u>	<u>P</u>	<u>P</u>
<u>Daycare facility for not more than 4 senior adults and persons with disabilities.</u>	<u>P</u>	<u>P</u>
<u>Domiciliary care for no more than 16 senior adults.</u>	<u>P</u>	<u>P</u>
<u>Dry cleaning and laundry pick-up station.</u>	<u>P</u>	<u>P</u>
<u>Duplicating services.</u>	<u>P</u>	<u>P</u>
<u>Educational, private institution.</u>	<u>P</u>	<u>P</u>
<u>Home occupation, no impact.</u>	<u>P</u>	<u>P</u>

	TMX	
	Standard	Optional
<u>Home occupation, registered.</u>	<u>P</u>	<u>P</u>
<u>Home occupation, major.</u>	<u>SE</u>	<u>SE</u>
<u>Hospice care facility.</u>	<u>P</u>	<u>P</u>
<u>Hospitals, veterinary.</u>	<u>SE</u>	<u>SE</u>
<u>International public organization.</u>	<u>P</u>	<u>P</u>
<u>Place of religious worship.</u>	<u>P</u>	<u>P</u>
<u>Publicly owned or publicly operated uses.</u>	<u>P</u>	<u>P</u>
<u>Shoe repair shop.</u>	<u>P</u>	<u>P</u>
<u>Tailoring or dressmaking shop.</u>	<u>P</u>	<u>P</u>
<u>Universities and colleges teaching and research facilities.</u>	<u>P</u>	<u>P</u>
(e) <u>Research and Development and Biotechnology</u>	<u>P</u>	<u>P</u>
<u>Laboratories.</u>	<u>P</u>	<u>P</u>
<u>Advanced Technology and Biotechnology.</u>	<u>P</u>	<u>P</u>
<u>Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and products resulting from biotechnical and biogenetic research and development.</u>	<u>P</u>	<u>P</u>
<u>Manufacturing and assembly of medical, scientific or technical instruments, devices and equipment.</u>	<u>P</u>	<u>P</u>
<u>Research, development, and related activities.</u>	<u>P</u>	<u>P</u>
(f) <u>Cultural, entertainment and recreational:</u>		
<u>Auditoriums or convention halls.</u>	<u>P</u>	<u>P</u>
<u>Billiard parlor.</u>	<u>P</u>	<u>P</u>
<u>Bowling alley.</u>	<u>P</u>	<u>P</u>
<u>Health clubs and gyms.</u>	<u>P</u>	<u>P</u>
<u>Libraries and museums.</u>	<u>P</u>	<u>P</u>
<u>Park and playgrounds.</u>	<u>P</u>	<u>P</u>
<u>Private clubs and service organizations.</u>	<u>P</u>	<u>P</u>
<u>Recreational or entertainment establishments, commercial.</u>	<u>P</u>	<u>P</u>
<u>Theater, legitimate.</u>	<u>P</u>	<u>P</u>
<u>Theater, indoor.</u>	<u>P</u>	<u>P</u>

99

100 **59-C-14.25. Development standards.**

101 The development standards applicable to the Standard Method and Optional Method
 102 of Development are established in this section. In addition to the requirements
 103 specified in this table, all Optional Method of Development projects must be
 104 consistent with the recommendations of the applicable master plan or sector plan.

105

	TMX	
	Standard	Optional
59-C-14.25.1. Minimum net lot area required for any development (in square feet):¹		<u>18,000</u>
59-C-14.25.2. Maximum Building Coverage (percent of net lot area):	<u>75</u>	
59-C-14.25.3. Minimum Public Use Space (percent of net lot area):	<u>10²</u>	<u>20³</u>
59-C-14.25.4. Maximum Building Height (in feet):	<u>28</u>	
- If adjoining or directly across the street from land recommended for or developed in a residential zone with a maximum of 15 dwelling units per acre or less (in feet)	<u>35</u>	
59-C-14.25.5. Minimum Setbacks (in feet):		
- From an adjacent TMX Zone ⁴	<u>15</u>	
- From an adjacent commercial or industrial zone	<u>20</u>	
- From an adjacent single family residential zone	<u>25</u>	
- From a public right-of-way	<u>10</u>	
59-C-14.25.6. Minimum and Maximum Density of Development⁵ (floor area ratio)	<u>.25 - .5⁶</u>	<u>3.0⁶</u>
12.5% of any density above the maximum of the standard method, as set in the applicable master or sector plan, must be through the purchase of BLTs or through a contribution to the BLT Land trust, as described in Section 59-C-14.30.		

106

¹ A smaller lot may be approved if the lot is located adjacent to or confronting another lot either classified in or under application for the same zone, or the combined lots are subject to a single project plan. The minimum area requirement does not prohibit a lot of less than 18,000 square feet for purposes of subdivision or record plat approval.

² The required standard method public use space may be reduced to 5% if the Planning Board finds that the reduction is necessary to accommodate the construction of MPDU's, including any bonus units, on-site.

³ The required optional method public use space may be reduced or eliminated on-site, if an equivalent amount of public use space is provided off-site in the same transit station development area within a reasonable time. A payment instead of all or some of the required public use space may be made if approved under Division 59-D-2.

⁴ If the proposed building or the adjacent building has windows or apertures facing the lot line that provides light, access, or ventilation to a habitable space, the setback shall be 15 feet. If the adjacent building does not have windows or apertures, no setback is required.

⁵ The maximum dwelling unit density or residential FAR may be increased in proportion to any MPDU density bonus provided on-site.

⁶ Master or sector plan recommendations may limit the maximum density within these ranges.

107 **59-C-14.26. Special standards for development under the TMX zone.**

108 (a) **Public facilities and amenities.** Public facilities and amenities are
109 required for approval of a standard or optional method development project.

110 (b) **Design Principles.** Site plans submitted for projects in the TMX zone
111 must follow general design principles recommended by the applicable
112 master or sector plan and design guidelines adopted by the Planning Board
113 to implement the applicable master or sector plan. Unless those general
114 principles or design guidelines recommend otherwise, or the Planning
115 Board finds that it is infeasible to follow the design principles due to site
116 constraints or other reasons, any project developed in the TMX zone
117 should:

- 118 (1) use sustainable design principles;
- 119 (2) orient all buildings to streets;
- 120 (3) locate off-street parking to the side, rear, or below grade;
- 121 (4) create a continuous building line to accentuate open space and
122 building entrances; blank building facades must be avoided or
123 minimized;
- 124 (5) provide pedestrian-oriented activity at street level with uses
125 such as storefront retail, residential entrances, office lobbies,
126 and restaurants;
- 127 (6) promote pedestrian safety with safety-oriented environmental
128 design and clearly designated crosswalks and sidewalks;
- 129 (7) include street trees and landscaping on all streets;
- 130 (8) provide continuous, direct and convenient connections to transit
131 stations for pedestrians and bicyclists;
- 132 (9) locate and screen service and loading areas to reduce visibility
133 from any street;

- 134 (10) for any building other than a one-family residential building,
135 locate mechanical equipment within buildings or within a
136 mechanical equipment penthouse; however if mechanical
137 equipment is located on a roof or is freestanding, it must be
138 effectively screened;
- 139 (11) design street lighting to avoid an adverse impact on surrounding
140 uses, while also providing a sufficient level of illumination for
141 access and security;
- 142 (12) provide tree canopy along each street;
- 143 (13) provide street furniture such as benches, trash receptacles and
144 planters;
- 145 (14) enhance crosswalk areas with accessible curb ramps.

146 **59-C-14. 27.Off-street parking.** As required under Article 59-E.

147 **59-C-14.28. Special Standards for Optional Method of Development**
148 **projects.**

- 149 (a) **Density and mix of uses.** In approving the mix of uses and the proposed
150 densities, the Planning Board must consider the size of the parcel, and the
151 relationship of the existing and proposed building or buildings to its
152 surrounding uses. The mix of uses and the proposed densities must
153 substantially conform to the recommendations of an approved and adopted
154 master plan or sector plan.
- 155 (b) **Building height and setbacks.** The maximum height permitted for any
156 building and the minimum building setback requirements must be
157 determined during project plan review. In approving height limits or
158 setback requirements, the Planning Board must consider the size of the lot
159 or parcel, the relationship of existing and proposed buildings to
160 surrounding uses, the need to preserve light and air for the residents of the

161 development and residents of surrounding properties, and any other factors
162 relevant to the height or setback of the building. The proposed building
163 height and the proposed setbacks must substantially conform to the
164 recommendations of an approved and adopted master plan or sector plan.

165 **(c) Transfer of public use space, density, and mix of uses.** The Planning
166 Board may approve the transfer of density, the mix of uses, and the public
167 use space, between parcels classified in the TMX zone in the same transit
168 station development area. The transfer of density must not result in an
169 increase of density or height on parcels that abut or confront properties
170 recommended for one-family residential development by an approved
171 and adopted master plan or sector plan. Any transfer of public use space,
172 density, or mix of uses must not result in a change in the total combined
173 amount of public use space, density, or mix of uses otherwise attributable
174 to the relevant parcels , and such transfers must be approved as part of a
175 combined project plan for all relevant parcels under Section 59-D-2 and
176 Section 59-D-3.

177 **59-C-14.29. Existing buildings and uses.**

178 Any lawful structure, building or established use that existed before the
179 applicable Section Map Amendment adoption date, is a conforming structure
180 or use and may be continued, structurally altered, repaired, renovated, or
181 enlarged up to 10 percent of the gross building floor area or 7,500 square feet,
182 whichever is less. However, any enlargement of the building that is more than
183 10 percent of the gross floor area or 7,500 square feet or construction of a new
184 building must comply with the standards of the TMX Zone.

185 **59-C-14.30. Special regulations for use of a Buildable Lot Termination**
186 **(BLT) Development Right.**

- 187 (a) 12.5 percent of any floor area above the maximum allowed under the
188 standard method of development, as recommended in the applicable
189 master or sector plan, must be supported through the purchase by the
190 applicant of a BLT or through a contribution to the Agricultural Land
191 Preservation Fund under Chapter 2B for purchase of an easement on real
192 property to preserve agricultural land in the County.
- 193 (b) One BLT must be required for 9,000 square feet of residential space,
194 and 7,500 square feet of non-residential space for the amount of floor
195 area supported through the purchase of BLTs .
- 196 (c) A BLT must be created, transferred and extinguished only by means of a
197 recordable easement in perpetuity approved by the Planning Board,
198 including appropriate releases. The BLT easement must extinguish the
199 right to construct a dwelling unit on each 25 acres in the RDT zone
200 subject to the easement.
- 201 (d) If the applicant for optional method of development under the TMX
202 zone cannot purchase an easement, or if the amount of density to be
203 attributed to BLT easement is a fraction of the applicable floor area
204 equivalent, the Planning Board must require the applicant to pay the
205 Agricultural Land Preservation Fund an amount equal to the average
206 annual market rent for class A office space or multi-family residential
207 space in the applicable master or sector plan area for the amount of floor
208 area required to be supported by buildable rights termination.

209 **59-C-14.31. Development approval procedures under the standard and**
210 **optional method of development.**

- 211 (a) In the standard method, APF validity will be determined at
212 subdivision or at site plan if subdivision is not required.

- 213 (b) In the optional method, APF validity will be determined at the time of
214 project plan if subdivision is not required.
- 215 (c) Under both standard and optional method, if subdivision is not
216 required, the applicant must record a plat under Sec. 50-35A.
- 217 (d) The Planning Board must find that the proposed development:
- 218 (1) satisfies the provisions of this chapter;
- 219 (2) substantially conforms to any numeric limits recommended in the
220 applicable master or sector plan concerning floor area ratio,
221 dwelling units per acre, building heights, and setbacks; and is in
222 substantial conformance with the recommendations of the
223 applicable master or sector plan; and
- 224 (3) achieves a desirable development compatible with site conditions,
225 surrounding existing development, and anticipated future
226 development.

227 **59-C-14.32. Development standards applicable to the standard and**
228 **optional method of development.**

229 In making the determination as to the final density, the Planning Board
230 must consider whether the proposal:

- 231 (a) substantially conforms to any numeric limits recommended in the
232 applicable master or sector plan concerning floor area ratio,
233 dwelling units per acre, building heights, and setbacks; and
234 substantially conforms with the recommendations in the
235 applicable approved master or sector plan;
- 236 (b) preserves environmentally sensitive and priority forest areas, and
237 mitigates unavoidable impacts on the natural environment;
- 238 (c) facilitates good transit serviceability and creates a desirable and
239 safe pedestrian environment; and

240 (d) is compatible with surrounding land uses and promotes
 241 harmonious development of the planning area.

242 * * *

243 **Sec. 3. Article 59-D is amended as follows:**

244 **ARTICLE 59-D. ZONING DISTRICTS—APPROVAL**
 245 **PROCEDURES.**

246 **INTRODUCTION**

247 * * *

248 The following table is provided for the convenience of the public, citing the
 249 appropriate sections of article 59-C and indicating the types of plans
 250 required in each zone. In event of conflict between this table and the
 251 provisions of article 59-C, the latter must govern.

252 **Plan Approvals Required**
 253

<u>Zone</u>	<u>Section Number</u>	<u>Development Plan (Division 59-D-1)</u>	<u>Project Plan Optional Method (Division 59-D-2)</u>	<u>Site Plan (Division 59-D-3)</u>	<u>Diagrammatic Plan (Division 59-D-4)</u>
* * *					
<i>Standard Method</i>					
* * *					
TMX				X	
<i>Optional Method</i>					
* * *					
TMX			X	X	

254 * * *

255
 256 **Sec. 3. Division 59-D-2 is amended as follows:**

257 * * *

258 **Division 59-D-2. Project plan for optional method of development in the**
 259 **CBD, TOMX, TMX, AND RMX ZONES.**

260
 261 **Sec. 59-D-2.0. Zones enumerated.**

262
263 The Planning Board is authorized to approve development under the optional
264 method of development procedures described in Section 59-C-6.2 of the CBD
265 zones, Section 59-C-10 of the RMX Zones, Section 59-C-13 of the TOMX Zones,
266 Section 59-C-14 of the TMX zone, and the approval procedure set forth in this
267 Division, for the following zones:

268 * * *

269 [TOMX-1-Transit Oriented Mixed-Use, 1.0]

270 * * *

271 [TOMX-1/TDR-Transit Oriented Mixed-Use/Transferable Development
272 Rights, 1.0]

273

274 * * *

275 TMX- Transit Mixed-Use

276 * * *

277

278 **Sec. 4. Effective date.** This ordinance becomes effective 20 days after the date of
279 Council adoption.

280

281 This is a correct copy of Council action.

282

283

284 Linda M. Lauer

285 Clerk of the Council

286