

# ARTICLE 59-2. ZONING DISTRICTS

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[To be completed]

## Div. 2.1. Zones Established

### Sec. 2.1.1. Summary of Established Zones

#### Agricultural & Rural

AC	Agricultural Conservation
RR	Rural Residential
RC	Rural Cluster
RNC	Rural Neighborhood Cluster

#### Residential Detached Unit

RE-1	Residential Estate – 2
RE-2	Residential Estate – 1
RLD-20	Residential Low Density – 20
RMD-9	Residential Medium Density – 9
RMD-6	Residential Medium Density – 6

#### Residential Townhouse

TLD	Townhouse Low Density
TMD	Townhouse Medium Density
THD	Townhouse High Density

#### Residential Multi-Family

RHD-3	Residential High Density – 3
RHD-2	Residential High Density – 2
RHD-1	Residential High Density – 1

#### Commercial Residential

CRN	Commercial Residential Neighborhood
CRT	Commercial Residential Town
CR	Commercial Residential

#### Employment

EG	Employment General
ELS	Employment Life Sciences
EOF	Employment Office

#### Industrial

IL	Industrial Light
IH	Industrial Heavy

#### Planned Development

PDR	Planned Development Residential
PDT	Planned Development Townhouse
PDCR	Planned Development Commercial Residential
PDE	Planned Development Employment

#### Overlay

TDR	Transferable Development Rights
SPA	Special Protection Area
NP	Neighborhood Preservation

### Sec. 2.1.2. Regulations for Establishment of Zones

#### A. General Regulations for All Zones

Zones established in this Article are subject to:

1. Use restrictions and use standards under [Article 3](#);
2. Development standards under [Article 4](#);
3. Review procedures under [Article 5](#); and
4. General requirements under [Article 6](#);
5. As well as other applicable regulations under this Code.

#### B. Groupings of Zones

There are nine Groupings of Zones that may be used to refer to all particular zoning classifications within that group:

1. Agricultural and Rural;
2. Residential Detached Unit;
3. Residential Townhouse;
4. Residential Multi-Family;
5. Commercial Residential;
6. Employment;
7. Industrial;
8. Planned Development; and
9. Overlay.

#### C. Agricultural and Rural Zones

1. There are four Agricultural and Rural Zone classifications named to impart their primary development purpose:
  - a. Agricultural Conservation (AC);
  - b. Rural Residential (RR);
  - c. Rural Cluster (RC); and
  - d. Rural Neighborhood Cluster (RNC).

2. Density, height, and other standards and requirements are based on allowed uses and building types.
3. The AC, RR, RC, and RNC Zones will be applied on the Zoning Map that will show their zoning classification symbol.

#### **D. Residential Detached Unit Zones**

1. There are five Residential Detached Unit Zone classifications named to impart their relative density and the minimum lot size required for a detached unit house in the zone:
  - a. Residential Estate – 2 (RE-2), which requires a minimum lot size for a detached unit house of 2 acres;
  - b. Residential Estate – 1 (RE-1), which requires a minimum lot size for a detached unit house of 1 acre;
  - c. Residential Low Density – 20 (RLD-20), which requires a minimum lot size for a detached unit house of 20,000sf;
  - d. Residential Medium Density – 9 (RMD-9), which requires a minimum lot size for a detached unit house of 9,000sf; and
  - e. Residential Medium Density – 6 (RMD-6), which requires a minimum lot size for a detached unit house of 6,000sf.
2. Density, height, and other standards and requirements are based on allowed uses and building types.
3. The RE-2, RE-1, RLD-20, RMD-9, and RMD-6 Zones will be applied on the Zoning Map that will show their zoning classification symbol.

#### **E. Residential Townhouse Zones**

1. There are three Residential Townhouse Zone classifications named to impart their relative density:
  - a. Townhouse Low Density (TLD), which allows townhouses at a density up to 9 units per acre;

- b. Townhouse Medium Density (TMD), which allows townhouses at a density up to 12 units per acre; and
- c. Townhouse High Density (THD), which allows townhouses at a density up to 15 units per acre.

2. Density, height, and other standards and requirements are based on allowed uses and building types.
3. The TLD, TMD, and THD Zones will be applied on the Zoning Map that will show their zoning classification symbol.

#### **F. Residential Multi-Family Zones**

1. There are three Residential Multi-Family Zone classifications named to impart their relative density and the minimum site area required to develop apartment/condominium buildings:
  - a. Residential High Density – 3 (RHD-3), which allows apartment/condominium buildings on a minimum site of 12,000sf, requiring land area equivalent to 3,000sf per unit, for up to 14 units per acre.
  - b. Residential High Density – 2 (RHD-2), which allows apartment/condominium buildings on a minimum site of 16,000sf, requiring land area equivalent to 2,000sf per unit, for up to 22 units per acre.
  - c. Residential High Density – 1 (RHD-1), which allows apartment/condominium buildings on a minimum site of 20,000sf, requiring land area equivalent to 1,000sf per unit, for up to 44 units per acre.
2. Density, height, and other standards and requirements are based on allowed uses and building types.
3. The RHD-3, RHD-2, and RHD-1 Zones will be applied on the Zoning Map that will show their zoning classification symbol.

#### **G. Commercial Residential Zones**

1. There are three Commercial Residential Zone classifications with variable uses, density and height limits, development standards, and public benefit requirements to respond to different settings. These classifications are:

- a. Commercial/Residential Neighborhood (CRN);
  - b. Commercial/Residential Town (CRT); and
  - c. Commercial/Residential (CR).
2. Each CRN, CRT, and CR Zone classification is followed by a number and a sequence of three additional symbols: C, R, and H, each followed by a number where:
    - a. The number following the classification is the maximum total FAR allowed;
    - b. The number following the C is the maximum nonresidential FAR allowed;
    - c. The number following the R is the maximum residential FAR allowed ; and
    - d. The number following the H is the maximum building height in feet allowed.
  3. The CRN, CRT, and CR Zones will be applied on the Zoning Map that will show, for each property classified:
    - a. The classification; and
    - b. The four maximum allowances (total FAR, nonresidential FAR, residential FAR, and height).

## H. Employment Zones

1. There are three Employment Zone classifications with variable uses, density and height limits, development standards, and public benefit requirements to respond to different settings. These classifications are:
  - a. Employment General (EG);
  - b. Employment Life Sciences (ELS); and
  - c. Employment Office (EOF).
2. Each EG, ELS, and EOF Zone classification is followed by a number and symbol: H, which is followed by a number where:
  - a. The number following the classification is the maximum total FAR allowed; and

- b. The number following the H is the maximum building height in feet allowed.
3. The EG, ELS, and EOF Zones will be applied on the Zoning Map that will show, for each property classified:
    - a. The classification; and
    - b. The two maximum allowances (total FAR and height).

## I. Industrial Zones

1. There are two Industrial Zone classifications named to impart their primary development purpose:
  - a. Industrial Light (IL); and
  - b. Industrial Heavy (IH).
2. Density, height, and other standards and requirements are based on allowed uses and building types.
3. The IL and IH Zones will be applied on the Zoning Map that will show their zoning classification symbol.

## J. Planned Development Zones

1. There are four Planned Development Zone classifications with variable uses, density and height limits, development standards, and public benefit requirements to respond to different settings. These classifications are:
  - a. Planned Development Residential (PDR);
  - b. Planned Development Townhouse (PDT);
  - c. Planned Development Commercial Residential (PDCR); and
  - d. Planned Development Employment (PDE).
2. Building types, uses, density, height, and other standards and requirements are determined by the Development Plan approval by the District Council and Site Plan approval by the Planning Board within the parameters established in [Articles 3, 4, and 5](#).
3. The PDR, PDT, PDCR, and PDE Zones will be applied on the Zoning Map that will show their zoning classification symbol.

## K. Overlay Zones

1. There are three Overlay Zone classifications named to impart their primary development purpose:
  - a. Transferable Development Rights (TDR);
  - b. Special Protection Area (SPA); and
  - c. Neighborhood Preservation (NP).
2. Building types, uses, density, height, and other standards and requirements are modified by the overlay zones under Articles 3, 4, and 5.
3. The TDR, SPA and NP Zones will be applied on the Zoning Map that will show their zoning classification symbol appended to the underlying zoning symbol.

## Div. 2.2. Intent Statements

### Sec. 2.2.1. Agricultural and Rural Zones

#### A. Agricultural Conservation (AC)

1. The intent of the AC Zone is to promote agriculture as the primary land use in sections of the County designated for agricultural preservation in the General Plan, the Functional Master Plan for Preservation of Agriculture and Rural Open Space, and other master plans. This is to be accomplished by providing large areas of generally contiguous properties suitable for agricultural and related uses and permitting the transfer of development rights from properties in this zone to properties in designated receiving areas.
2. Agriculture is the preferred use in the AC Zone. All agricultural operations are permitted at any time, including the operation of farm machinery. No agricultural use can be subject to restriction on the grounds that it interferes with other uses permitted in the zone, but uses that are not exclusively agricultural in nature are subject to additional use standards or the conditional use approval process.
3. The intent of the child lot option in the AC Zone is to facilitate the continuation of the family farming unit or to otherwise meet the purposes of the AC Zone.

#### B. Rural Residential (RR)

The intent of the RR 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.

#### C. Rural Cluster (RC)

The intent of the RC Zone is to provide designated areas in the county for a compatible mixture of agriculture uses and very low density residential development, and to protect scenic and environmentally sensitive areas.

#### D. Rural Neighborhood Cluster (RNC)

1. The intent of the RNC Zone is to preserve open land, environmentally sensitive natural resources and rural community character through clustering of residential development in the form of small neighborhoods that provide neighborhood identity in an open space setting.

2. It is further the intent of this zone to implement the recommendations of the relevant master plan, such as maintaining broad vistas of open space, preserving agrarian character or preserving environmentally sensitive natural resources to the maximum extent possible, and to ensure that new development is in harmony with the policies and guidelines of the relevant master plan and is compatible with existing development in adjoining communities.

### Sec. 2.2.2. Residential Detached Unit Zones

#### A. Residential Estate (RE-2, RE-1)

The intent of the RE-2 and RE-1 Zones is to provide designated areas in the county for large-lot residential purposes. The predominant use is residential in a detached house.

#### B. Residential Low Density (RLD-20)

The intent of the RLD-20 Zone is to provide designated areas of the county for residential purposes at a density of two units per acre. The predominant use is residential in a detached house.

#### C. Residential Medium Density (RMD-9, RMD-6)

The intent of the RMD-9 and RMD-6 Zones is to provide designated areas of the county for moderate density residential purposes. The predominant use is residential in a detached house, although a limited number of other building types may be allowed under the Optional Method of Development.

### Sec. 2.2.3. Residential Townhouse Zones (TLD, TMD, THD)

The intent of the Townhouse zones, TLD, TMD, and THD, is to provide designated areas of the county for residential purposes at slightly higher densities than the Residential Medium Density zones. A further intent of the Townhouse Zones is to provide a residential buffer or transitional uses between non-residential or high-density residential uses and the Medium- or Low-Density Residential Zones.

### Sec. 2.2.4. Residential Multi-Family Zones (RHD-3, RHD-2, RHD-1)

The intent of the RHD-3, RHD-2, and RHD-1 Zones is to provide designated areas of the county for higher-density, multi-family residential uses. The predominant use is residential in an apartment/condominium building, although detached house, duplex, and townhouse building types are allowed within these zones.

### Sec. 2.2.5. Commercial Residential Zones

#### A. In General

The CRN, CRT, and CR Zones permit a mix of residential and nonresidential uses at varying intensities and heights. The zones promote economically, environmentally, and socially sustainable development patterns where people can live, work, recreate, and access services and amenities while minimizing their reliance on automobile use. The application of the CRN, CRT, and CR Zones is appropriate where impacts can be mitigated by co-locating housing, jobs, and services. The objectives of the CRN, CRT, and CR Zones are to:

1. Implement the policy recommendations of applicable master or sector plans;
2. Target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses;
3. Reduce dependence on the automobile by encouraging development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities;
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 in order to preserve community scale. No parking is located between the building and the street.

#### C. Commercial Residential Town (CRT)

The CRT zone is intended for small downtown, mixed use, pedestrian-oriented centers and edges of larger, more intense downtowns. Retail tenant ground floor footprints are limited in order to preserve the town center scale. No parking is located between the building and the street. Transit options may include light rail, Metro, MARC, and bus.

#### D. Commercial Residential (CR)

The CR zone is intended for larger downtown, mixed-use, and pedestrian-oriented areas in close proximity to transit options such as Metro, light rail, and bus. Retail tenant ground floor footprints are not limited. No parking is located between the building and the street.

## Sec. 2.2.6. Employment Zones

### A. In General

The Employment Zones permit nonresidential uses focused on office, technology, and general commercial uses with limited residential use at varying intensities and heights. The Zones promote economic diversity and job creation in development patterns where people can work, learn, and recreate while minimizing their reliance on automobile use. The application of the Employment Zones is appropriate where impacts can be mitigated by targeting jobs and services co-located near diverse housing options. The objectives of the Employment Zones are to:

1. Implement the policy recommendations of the applicable master and sector plans.
2. Target opportunities for employment, technology, and general commercial uses.
3. Reduce dependence on the automobile by providing employment areas with supporting residential and retail uses.
4. Allow a flexible mix of uses, intensities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.
5. Establish minimum requirements for the provision of public benefits.

### B. Employment General (EG)

1. The EG Zone is intended to balance the need for safe, active, and pedestrian-scaled areas with the need for convenient automobile access. The EG Zone addresses development opportunities adjacent to the County's most auto-dominated corridors and those areas with few alternative mobility options. Building form standards allow flexibility in building, circulation, and parking lot layout. A maximum of two bays of parking (with one drive aisle) is allowed to be located between the building and the street. Retail tenant ground floor footprints are not limited.

### C. Employment Life Sciences (ELS)

The ELS Zone is intended primarily for research, development, education, and related activities. Retail sales and personal services are allowed but are intended for the convenience of employees and residents in the zone. Residential uses are generally limited to 30% of the total allowed density in a given area. Transit options may include light rail and bus.

### D. Employment Office (EOF)

The EOF Zone is intended for office and employment activity combined with limited residential and neighborhood commercial uses. Building form standards allow flexibility in building, circulation, and parking lot layout. Transit options often include light rail and bus.

## Sec. 2.2.7. Industrial Zones

### A. Industrial Light (IL)

The IL Zone is intended to provide land for industrial activities of a small to medium scale where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal.

### B. Industrial Heavy (IH)

The IH Zone is intended to provide land for industrial activities of a larger scale that usually need major transportation links to highways or rail and may create significant noise, dust, vibration, glare, odors, and other adverse environmental impacts.

## Sec. 2.2.8. Planned Development Zones

### A. In General

Planned Development Zones are intended to provide an alternative to development under the restrictions of the conventional zones mapped by Sectional Map Amendment (the Agricultural and Rural, Residential Detached Unit, Residential Townhouse, Residential Multi-Family, Commercial Residential, Employment, Industrial, and Overlay Zones). In exchange for flexible uses, use standards, development standards, and general requirements, a Planned Development



application must file a rezoning application and Development Plan that has substantial opportunities for public input and discussion to ensure compatibility with the respective setting. The objectives of the Planned Development Zones are to:

1. Implement the objectives of the General Plan and applicable master or sector plan;
2. Provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved Development Plan that protects adjacent properties;
3. Provide an environment within the layout of a site that contributes to a sense of community and creates a distinctive neighborhood character;
4. Encourage the preservation and enhancement of natural amenities and cultural resources and to provide a minimum amount of open space;
5. Provide for a more efficient arrangement of land uses, buildings, circulation systems, and infrastructure; and
6. Encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility, or environmental factors.

#### **B. Planned Development Residential (PDR)**

The PDR Zone is intended to allow development of primarily residential uses with limited ancillary commercial uses allowed to provide for daily needs of the community. Use restrictions, density, building heights, development standards, and general requirements are flexible to respond to various settings, but are finalized through approved Development and Site Plans based on evaluation of compatibility and impacts on surrounding communities. A minimum site area is required for application of a PDR Zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

#### **C. Planned Development Townhouse (PDT)**

The PDT Zone is intended to allow development of townhouse communities with limited ancillary commercial uses allowed to provide for daily needs of the community. Use restrictions, density, building heights, development standards, and general requirements are flexible to respond to various settings, but are

finalized through approved Development and Site Plans based on evaluation of compatibility and impacts on surrounding communities. A minimum site area is required for application of a PDT Zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

#### **D. Planned Development Commercial Residential (PDCR)**

The PDCR Zone is intended to allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings. Uses are generally flexible to allow construction of retail, service, office and residential development appropriate to the site area: for example, smaller sites will typically allow only basic retail services in small bays, whereas larger sites will allow larger commercial uses to provide necessary services to a larger population. Use restrictions, density, building heights, development standards, and general requirements, however, are finalized through approved Development and Site Plans based on evaluation of compatibility and impacts on surrounding communities. A minimum site area is required for application of a PDCR Zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

#### **E. Planned Development Employment (PDE)**

The PDCR Zone is intended to allow development of mixed-use centers and communities primarily with office uses and supporting housing, and ancillary retail at a range of densities and heights flexible enough to respond to various settings. Uses are restricted to commercial uses with generally higher jobs-to-density ratios, housing to support a portion of the proposed workforce, and ancillary retail to provide basic services to employees and residents. Use restrictions, density, building heights, development standards, and general requirements, however, are finalized through approved Development and Site Plans based on evaluation of compatibility and impacts on surrounding communities. A minimum site area is required for application of a PDE Zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

## Sec. 2.2.9. Overlay Zones

### A. In General

Overlay Zones are created in areas of critical public interest. An overlay zone provides regulations and standards that are necessary to achieve the planning goals and objectives for development of a particular area

### B. Transferable Development Rights (TDR)

The TDR Overlay Zone is intended to allow the purchase of development rights from the Agricultural Reserve in order to protect the County's agricultural and rural heritage. The TDR Overlay Zone is mapped on particular areas in the County that may purchase transferable development rights (TDRs) from the Agricultural Conservation (AC) Zone. In any specified area, the applicable master or sector plan must specify the number of TDRs that may be purchased in exchange for increased density and more flexible development standards based on the underlying zone classification. Additional residential building types may be allowed but development standards and general requirements are finalized through an approved Site Plan based on evaluation of compatibility and impacts on surrounding communities. A minimum site area is required for development under the TDR Overlay Zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

### C. Special Protection Area (SPA)

1. The SPA Overlay Zone is intended to:
  - a. Protect the water quality and quantity of the applicable watershed and its tributaries, as well as the biodiversity within the area;
  - b. Regulate the amount and location of impervious surfaces in order to maintain levels of groundwater, control erosion, and allow the ground to filter water naturally and control temperature; and
  - c. Regulate land uses that could adversely affect the applicable stream system resources.
2. Land uses that are restricted in these areas and general requirements for resource protection are specified in [Articles 3, 4, and 5](#).

3. Particular additional controls on impervious surfaces and environmental protections may be specified by the applicable master or sector plan.

### D. Neighborhood Preservation (NP)

1. The NP Overlay Zone is intended to:
  - a. Preserve the distinct character of a neighborhood regarding uses, intensity of development, and unique design attributes;
  - b. Regulate land uses, development standards, general requirements, and review process over the restrictions and allowances of the underlying zone;
  - c. Establish a format and process for recommending NP Overlay Zones through a master or sector plan and a means to codify the further restrictions and allowances governing a particular NP Overlay Zone.
2. Each mapped NP Zone will be given a subsection in Articles 3, 4, and 5 establishing:
  - a. The area within the applicable master plan subject to the NP Zone;
  - b. The uses allowed or restricted notwithstanding the allowances and restrictions of the underlying zone;
  - c. The development standards required or permitted notwithstanding the required or permitted development standards of the underlying zone;
  - d. The review process that must be followed notwithstanding the review process required by any applicable criteria in the underlying zone; and
  - e. The general requirements required or permitted notwithstanding the required or permitted general requirements of the underlying zone.

## Div. 2.3. Zoning Map

[To be completed]