

# ARTICLE 59-2. ZONING DISTRICTS

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[Editor's Note: To be added]

The following Article is part of the Consolidated Draft. Please be advised that it is in draft form; all references to Divisions and Sections have not been cross-checked in this draft. Editor's notes in red text and highlighted in yellow, [Editor's Note], appear throughout the draft to inform the reader of areas that may require additional research and editing.

## Div. 2.1. Zones Established

### Sec. 2.1.1. Summary of Established Zones

#### A. Euclidean Zones

##### 1. Agricultural

- a. AR: Agricultural Reserve

##### 2. Rural

- a. RR: Rural Residential
- b. RC: Rural Cluster
- c. RNC: Rural Neighborhood Cluster

##### 3. Residential

###### a. Residential Detached

- i. RE-2: Residential Estate – 2
- ii. RE-2C: Residential Estate -2 Cluster
- iii. RE-1: Residential Estate – 1
- iv. RLD-20: Residential Low Density – 20
- v. RMD-9: Residential Medium Density – 9
- vi. RMD-6: Residential Medium Density – 6
- vii. RMD-4: Residential Medium Density – 4

###### b. Residential Townhouse

- i. TLD: Townhouse Low Density
- ii. TMD: Townhouse Medium Density
- iii. THD: Townhouse High Density

###### c. Residential Multi-Unit

- i. RHD-3: Residential High Density – 3
- ii. RHD-2: Residential High Density – 2

- iii. RHD-1: Residential High Density – 1

#### 4. Commercial/Residential

- a. CRN: Commercial Residential Neighborhood
- b. CRT: Commercial Residential Town
- c. CR: Commercial Residential

#### 5. Employment

- a. EG: Employment General
- b. ELS: Employment Life Sciences
- c. EOF: Employment Office

#### 6. Industrial

- a. IL: Light Industrial
- b. IH: Heavy Industrial

#### 7. Overlay

- a. NP: Neighborhood Preservation Overlay
- b. SPA: Special Protection Area Overlay
- c. TDR: Transferable Development Rights Overlay

#### B. Floating Zones

##### 1. Residential Floating

- a. RDF - Residential Detached - Floating
- b. TF - Townhouse - Floating
- c. AF - Apartment - Floating

##### 2. Commercial/Residential Floating

- a. CRNF - Commercial Residential Neighborhood - Floating
- b. CRTF - Commercial Residential Town - Floating
- c. CRF - Commercial Residential - Floating

### 3. Employment Floating

- a. EGF - Employment General - Floating
- b. EOFF - Employment Office - Floating
- c. ELSF - Employment Life Sciences - Floating

## Sec. 2.1.2. Regulations for Establishment of Zones

### A. General Regulations for All Zones

1. Zones established in this Article are subject to:
  - a. Use restrictions and use standards under Article 3;
  - b. Development standards under Article 4;
  - c. Optional method of development under Article 6;
  - d. General requirements under Article 7; and
  - e. Review procedures under Article 8;
2. Floating zones established in this Article are also subject to Article 5.

### B. Groupings of Zones

There are 11 groupings of zones that may be used to refer to all particular zoning classifications within that group:

1. Agricultural;
2. Rural;
3. Residential:
  - a. Residential Detached;
  - b. Residential Townhouse; and
  - c. Residential Multi-Unit.
4. Commercial/Residential;
5. Employment;
6. Industrial;

7. Overlay; and

8. Floating.

### C. Agricultural Zone

1. There is one Agricultural zone classification:
  - a. Agricultural Reserve (AR)
2. Density, height, and other standards and requirements vary with allowed uses and building types.
3. The AR zone will be applied on the Zoning Map by showing its zoning classification symbol.

### D. Rural Zones

1. There are 3 Rural zone classifications:
  - a. Rural Residential (RR), requires a minimum lot size for a detached house of 5 acres;
  - b. Rural Cluster (RC), requires a minimum lot size for a detached house of 5 acres, and allows for Optional Method Cluster Development;
  - c. Rural Neighborhood Cluster (RNC), requires a minimum lot size of 25,000 square feet and a maximum density of one dwelling unit per 5 acres.
2. Density, height, and other standards and requirements vary with allowed uses and building types.
3. The RR, RC, and RNC zones will be applied on the Zoning Map by showing their zoning classification symbols.

### E. Residential Zones

#### 1. Residential Detached Zones

- a. There are 7 Residential Detached zone classifications:
  - i. Residential Estate – 2 (RE-2), requires a minimum lot size for a detached house of 2 acres;

- ii. Residential Estate – 2C (RE-2C), requires a minimum lot size for a detached house of 2 acres, and allows for Optional Method Cluster Development;
  - iii. Residential Estate – 1 (RE-1), requires a minimum lot size for a detached house of one acre;
  - iv. Residential Low Density – 20 (RLD-20), requires a minimum lot size for a detached house of 20,000 square feet;
  - v. Residential Medium Density – 9 (RMD-9), requires a minimum lot size for a detached house of 9,000 square feet;
  - vi. Residential Medium Density – 6 (RMD-6), requires a minimum lot size for a detached house of 6,000 square feet;
  - vii. Residential Medium Density – 4 (RMD-4), requires a minimum lot size for a detached house of 6,000 square feet and a minimum lot size for a duplex of 4,000 square feet per unit.
- b. Density, height, and other standards and requirements vary with allowed uses and building types.
  - c. The RE-2, RE-2C, RE-1, RLD-20, RMD-9, RMD-6, and RMD-4 zones will be applied on the Zoning Map by showing their zoning classification symbols.

## 2. Residential Townhouse Zones

- a. There are 3 Residential Townhouse zone classifications:
  - i. Townhouse Low Density (TLD), allows townhouses at a density up to 9 dwelling units per acre;
  - ii. Townhouse Medium Density (TMD), allows townhouses at a density up to 12 dwelling units per acre; and
  - iii. Townhouse High Density (THD), allows townhouses at a density up to 15 dwelling units per acre.
- b. Density, height, and other standards and requirements vary with allowed uses and building types.
- c. The TLD, TMD, and THD zones will be applied on the Zoning Map by showing their zoning classification symbols.

## 3. Residential Multi-Unit Zones

- a. There are 3 Residential Multi-Unit zone classifications:
  - i. Residential High Density – 3 (RHD-3), allows apartment/condo buildings on a minimum site of 12,000 square feet, requiring land area equivalent to 3,000 square feet per unit, for up to 14 units per acre.
  - ii. Residential High Density – 2 (RHD-2), allows apartment/condo buildings on a minimum site of 16,000 square feet, requiring land area equivalent to 2,000 square feet per unit, for up to 22 units per acre.
  - iii. Residential High Density – 1 (RHD-1), allows apartment/condo buildings on a minimum site of 20,000 square feet, requiring land area equivalent to 1,000 square feet per unit, for up to 44 units per acre.
- b. Density, height, and other standards and requirements vary with allowed uses and building types.
- c. The RHD-3, RHD-2, and RHD-1 zones will be applied on the Zoning Map by showing their zoning classification symbols.

## F. Commercial/Residential Zones

- 1. There are 3 Commercial/Residential zone classifications:
  - 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 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;
  - 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 by showing, for each property classified:
  - a. The classification; and
  - b. The 4 maximum allowances (total FAR, nonresidential FAR, residential FAR, and height).

## G. Employment Zones

1. There are 3 Employment zone classifications:
  - 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 another 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.
  - c. The EG, ELS, and EOF zones will be applied on the Zoning Map by showing, for each property classified:
  - d. The classification; and
  - e. The 2 maximum allowances (total FAR and height).

## H. Industrial Zones

1. There are 2 Industrial zone classifications:
  - a. Light Industrial (IL); and
  - b. Heavy Industrial (IH).
2. Density, height, and other standards and requirements vary with allowed uses and building types.
3. The IL and IH zones will be applied on the Zoning Map by showing their zoning classification symbols.

## I. Overlay Zones

1. There are 3 Overlay zone classifications :
  - a. Neighborhood Preservation (NP) Overlay;
  - b. Special Protection Area (SPA) Overlay; and
  - c. Transferable Development Rights (TDR) Overlay.
2. Building types, uses, density, height, and other standards and requirements are modified by the overlay zones under Div. 4.8. The NP, SPA, and TDR zones will be applied on the Zoning Map by showing their zoning classification symbol appended to the underlying zoning symbol.

## J. Floating Zones

1. There are 12 Floating zone classifications:
  - a. Residential Floating;
    - i. Residential Detached - Floating (RDF);
    - ii. Townhouse - Floating (TF); and
    - iii. Apartment - Floating (AF).
  - b. Commercial/Residential Floating;
    - i. Commercial Residential Neighborhood - Floating (CRNF);
    - ii. Commercial Residential Town - Floating (CRTF); and
    - iii. Commercial Residential - Floating (CRF).
  - c. Employment Floating;
    - i. Employment General - Floating (EGF);
    - ii. Employment Office - Floating (EOFF); and
    - iii. Employment Life Sciences - Floating (ELSF).
2. Building types, uses, density, height, and other standards and requirements are determined per the Floating Zone Map Amendment approval by the District Council and Site Plan approval by the Planning Board.
3. The floating zones will be applied on the Zoning Map by showing their zoning classification symbols.

## Div. 2.2. Euclidean Zone Intent Statements

### Sec. 2.2.1. Agricultural Zone

#### A. Agricultural Reserve (AR)

1. The intent of the AR zone is to promote agriculture as the primary land use in areas of the county designated for agricultural preservation in the General Plan, the currently applicable master plan for the preservation of agriculture and 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 AR 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 AR zone is to facilitate the continuation of the family farming unit or to otherwise meet the purposes of the AR zone.

### Sec. 2.2.2. Rural Zones

#### A. 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.

#### B. Rural Cluster (RC)

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

permits an Optional Method Cluster alternative so as to preserve open space, environmentally sensitive natural resources, and rural community character.

#### C. 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 the RNC 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. 2.2.3. Residential Zones

#### A. Residential Detached Zones

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

The intent of the RE-2, RE-2C, 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. The RE-2C zone permits Optional Method Cluster Development.

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

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

##### 3. Residential Medium Density (RMD-9, RMD-6, RMD-4)

The intent of the RMD-9, RMD-6, and RMD-4 zones is to provide designated areas of the county for moderate density residential purposes. In the RMD-9 and RMD-6 zones, the predominant use is residential in a detached house. In

the RMD-4 zone, the predominant use is residential in a duplex or detached house. A limited number of other building types may be allowed in these zones under the Optional Method of Development.

### **B. Residential Townhouse Zones (TLD, TMD, THD)**

The intent of the TLD, TMD, and THD zone 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 Residential Townhouse zones is to provide a buffer or transitional uses between nonresidential or high-density residential uses and the Medium- or Low-Density Residential zones.

### **C. Residential Multi-Unit 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-unit residential uses. The predominant use is residential in an apartment/condo building, although detached house, duplex, and townhouse building types are allowed within these zones.

## **Sec. 2.2.4. 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 intent of the CRN, CRT, and CR zones is 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, 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 in order to preserve community scale.

### **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. Transit options may include light rail, Metro, 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.

## Sec. 2.2.5. Employment Zones

### A. In General

The EG, ELS, and EOF zones permit nonresidential uses including office, technology, and general commercial uses with limited residential use at varying intensities and heights. The EG, ELS, and EOF 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 EG, ELS, 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 allowed density in a given area. The intent of the EG, ELS, and EOF zones is 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; and
5. establish minimum requirements for the provision of public benefits.

### B. Employment General (EG)

1. The EG zone is intended to provide areas 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.
2. Building form standards allow flexibility in building, circulation, and parking lot layout. A maximum of 2 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.

### 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.

## Sec. 2.2.6. Industrial Zones

### A. Light Industrial (IL)

The IL 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.

### B. Heavy Industrial (IH)

The IH zone is intended to provide land for industrial activities 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. 2.2.7. Overlay Zones

### A. In General

The NP, SPA and TDR Overlay zones provide regulations and standards that are necessary to achieve the planning goals and objectives for development of a particular area.

### B. Neighborhood Preservation (NP) Overlay

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; and



- 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 Article 4 establishing:
  - a. The area within the applicable master plan subject to the NP Overlay 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.

### C. Special Protection Area (SPA) Overlay

- 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 Article 4.
- 3. Particular additional controls on impervious surfaces and environmental protections may be specified by the applicable master or sector plan.

### D. Transferable Development Rights (TDR) Overlay

- 1. The TDR Overlay zone is intended to allow the purchase of development rights from the Agricultural Reserve (AR) zone in order to protect the county's agricultural and rural heritage.
- 2. The TDR Overlay zone is mapped on particular areas in the county that may purchase transferable development rights (TDRs) from the AR zone.
- 3. 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 intended to supersede underlying zone classification.
- 4. 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.
- 5. 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.

## Div. 2.3. Floating Zone Intent Statements

### Sec. 2.3.1. In General

The Residential Floating, Commercial/Residential Floating, and Employment Floating zones are intended to provide an alternative to development under the restrictions of the Euclidean zones mapped by Sectional Map Amendment (the Agricultural, Rural, Residential, Commercial/Residential, Employment, Industrial, and Overlay zones). In exchange for flexible uses, use standards, development standards, and general requirements, a Floating zone application must file a rezoning application and Floating Zone Map Amendment that has substantial opportunities for public input and discussion to ensure compatibility with the respective setting. The intent of the Floating zones is to:

- A. implement the objectives of the General Plan and applicable Master or Sector Plan;
- B. provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved Floating Zone Map Amendment that protects adjacent properties;
- C. provide an environment within the layout of a site that contributes to a sense of community and creates a distinctive neighborhood character;
- D. encourage the preservation and enhancement of natural amenities and cultural resources and to provide a minimum amount of open space;
- E. provide for a more efficient arrangement of land uses, buildings, circulation systems, and infrastructure; and
- F. 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.

### Sec. 2.3.2. Residential Floating

- A. The Residential Floating zones (RDF, TF, and AF) are intended to allow development of primarily residential uses with limited accessory commercial uses allowed to provide for daily needs of the community.
- B. Use restrictions, building types, density, building heights, development standards, and general requirements are flexible to respond to various settings, but are finalized through an approved Floating Zone Map Amendment and Site

Plans based on evaluation of compatibility and impacts on surrounding communities.

- C. A minimum site area is required for application of a Residential Floating zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

### Sec. 2.3.3. Commercial/Residential Floating

- A. The Commercial/Residential Floating zones (CRNF, CRTF, and CRF) are intended to allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings.
- B. 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.
- C. Use restrictions, density, building heights, development standards, and general requirements, however, are finalized through an approved Floating Zone Map Amendment and Site Plans based on evaluation of compatibility and impacts on surrounding communities.
- D. A minimum site area is required for application of a Commercial/Residential Floating zones; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

### Sec. 2.3.4. Employment Floating

- A. The Employment Floating zones (EGF, EOFF, and ELSF) are intended to allow development of mixed-use centers and communities primarily with office uses and supporting housing, and accessory retail at a range of densities and heights flexible enough to respond to various settings.
- B. Uses are restricted to commercial uses with generally higher jobs-to-housing ratios, housing to support a portion of the proposed workforce, and accessory retail to provide basic services to employees and residents.

- C. Use restrictions, density, building heights, development standards, and general requirements, however, are finalized through an approved Floating Zone Map Amendment and Site Plans based on evaluation of compatibility and impacts on surrounding communities.
- D. A minimum site area is required for application of a Employment Floating zone; other base criteria must be met to ensure adequate circulation, building relationships, amenities, and open space.

## Div. 2.4. Zoning Map

[To be completed]

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