

1 **Sec. 1. Division 59-C-15 is amended as follows:**

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3 **DIVISION 59-C-15. COMMERCIAL/RESIDENTIAL ZONES**

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5 **59-C-15.1. Zones Established.**

6 **59-C-15.11.** The Commercial/Residential zones are established as combinations of  
7 zone categories and a sequence of 4 factors: maximum total floor area ratio  
8 (FAR), maximum non-residential FAR, maximum residential FAR, and maximum  
9 building height.

10 (a) There are three commercial/residential (CR) categories with variable uses,  
11 density and height limits, general requirements, development standards, and  
12 public benefit requirements to respond to different settings. These zone  
13 categories are:

- 14 (1) CR Neighborhood (“CRN”);
- 15 (2) CR Town (“CRT”); and
- 16 (3) CR Metro (“CR”).

17 (b) The CR category is followed by a number and a sequence of three additional  
18 symbols: C, R, and H, each followed by a number where:

- 19 (1) the number following the CR category is the maximum total FAR;
- 20 (2) the number following the “C” is the maximum non-residential FAR;
- 21 (3) the number following the “R” is the maximum residential FAR; and
- 22 (4) the number following the “H” is the maximum building height in feet.

23 (c) The Commercial/Residential Zones will be applied on the zoning map that  
24 will show, for each property classified under a CR zone, the zone category  
25 and the four regulated factors (total, non-residential, and residential density  
26 and height).

27 (d) This Division uses examples and illustrations to demonstrate the intent of  
 28 the CR zones. These examples and illustrations do not add, delete, or  
 29 modify any provision of this Division.

30 **59-C-15.12. Density and Height Allocation.**

31 **59-C-15.121. Density and Height Limits.**

32 (a) Each unique sequence of CRN, CRT, or CR, and C, R, and H is established  
 33 as a zone under the following limits:

Category	Max Total FAR	Max C or R FAR	Max H
CRN	0.5 to 1.5	0.25 to 1.5	40 to 65
CRT	0.5 to 4.0	0.25 to 3.5	40 to 150
CR	0.5 to 8.0	0.25 to 7.5	40 to 300

34 (b) Zones may be established and mapped at densities in increments of 0.25 and  
 35 heights in increments of 5 feet with the ranges indicated in the table.

36 **59-C-15.122. Density Averaging.**

37 Permitted density may be averaged over 2 or more directly abutting or confronting  
 38 properties in one or more CRN, CRT, or CR zones, provided that:

- 39 (a) the properties are subject to the same site plan or sketch plan;
- 40 (b) the resulting lots or parcels are created by the same preliminary subdivision  
 41 plan or satisfy a phasing plan established by an approved sketch plan;
- 42 (c) the maximum total, non-residential, and residential density limits apply to  
 43 the entire development, not to individual lots or parcels;
- 44 (d) no building may exceed the maximum height set by the zone;
- 45 (e) uses are subject to the provisions of the zone category; and
- 46 (f) the total allowed maximum density on a resulting lot or parcel that is  
 47 adjacent to or confronting a lot or parcel in an applicable residential zone  
 48 may not exceed that allowed by the zone.

49 **59-C-15.13. Applicability.**

50 The CRN, CRT, and CR zones can only be applied when specifically  
 51 recommended by an approved and adopted master or sector plan and only by  
 52 sectional map amendment.

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*Examples:*

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- An area zoned CRN-1.5, C1.0, R1.0, H45 allows a total FAR up to 1.5, with maximum non-residential and residential FARs of 1.0, thereby requiring an equal mix of uses to obtain the total FAR allowed. The height for any building in this zone is limited to 45 feet.
- An area zoned CR-6.0, C3.0, R5.0, H200 allows a non-residential FAR up to 3.0, a residential FAR up to 5.0, and a mix of the two uses could yield a total FAR of 6.0. This combination allows for flexibility in the market and shifts in the surrounding context. The height for any building in this zone is limited to 200 feet.
- An area zoned CRT-3.0, C3.5, R3.5, H100 allows complete flexibility in the mix of uses, including buildings with no mix, because the maximum allowed non-residential and residential FARs are both equivalent to the total maximum FAR allowed. The height for any building in this zone is limited to 100 feet.

68 **59-C-15.2. Description and Objectives of the CR Zones.**

69 The CRN, CRT, and CR zones permit a mix of residential and non-residential uses  
 70 at varying densities and heights. The zones promote economically,  
 71 environmentally, and socially sustainable development patterns where people can  
 72 live, work, recreate, and have access to services and amenities while minimizing  
 73 the need for automobile use. The objectives of the CRN, CRT, and CR zones are  
 74 to:

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- (a) implement the policy recommendations of applicable master and sector plans;
- (b) target opportunities for redevelopment of single-use areas and surface parking lots with a mix of uses;

- 79 (c) reduce dependence on the automobile by encouraging development that  
80 integrates a balanced combination of housing types, mobility options,  
81 commercial services, and public facilities and amenities;
- 82 (d) allow a flexible mix of uses, densities, and building heights appropriate to  
83 various contexts to ensure compatible relationships with adjoining  
84 neighborhoods; and
- 85 (e) standardize optional method development by establishing minimum  
86 parameters for the provision of public benefits.

87 **59-C-15.3. Definitions Specific to the CR Zones.**

88 The following words and phrases, as used in this Division, have the meaning  
89 indicated. The definitions in Division 59-A-2 otherwise apply.

90 **Applicable Residential Zone:** zones governed by Division 59-C-1 and Division  
91 59-C-9 are included in all references in this Division to “an applicable  
92 residentially-zoned property” or equivalent phrases.

93 **Car share space:** a parking space that serves as the location of an in-service  
94 vehicle used by a vehicle-sharing service.

95 **Cultural institutions:** public or private institutions or businesses including: art,  
96 music, and photographic studios; auditoriums or convention halls; libraries and  
97 museums; recreational, performance, or entertainment establishments,  
98 commercial; theater, indoor; theater, legitimate.

99 **Day care facilities and centers:** facilities and centers that provide daytime care  
100 for children and/or adults, including: child daycare facility (family day care,  
101 group day care, child day care center); daycare facility for not more than 4  
102 senior adults and persons with disabilities; and day care facility for senior  
103 adults and persons with disabilities.

104 **Frontage:** a property line shared with an existing or master-planned public or  
105 private road, street, highway, or alley right-of-way or easement boundary.

106 **Limits of Disturbance:** an area defined by a perimeter within which all  
107 construction work must occur as established on a certified site plan.

108 **Live/Work unit:** Buildings or spaces within buildings that are used jointly for  
109 non-residential and residential purposes where the residential use of the space  
110 may be secondary or accessory to the primary use as a place of work.

111 **Manufacturing and production, artisan:** The manufacture and production of  
112 commercial goods by a skilled manual worker or craftsperson, such as jewelry,  
113 metalwork, cabinetry, stained glass, textiles, ceramics, or hand-made food  
114 products.

115 **Public Arts Trust Steering Committee:** A committee of the Arts and Humanities  
116 Council that allocates funds from the Public Arts Trust.

117 **Public owned or operated uses:** Activities that are located on land owned by or  
118 leased and developed or operated by a local, county, state, or federal body or  
119 agency.

120 **Recreational facilities, participatory:** Facilities used for sports or recreation.

121 **Reconstruction:** Building the same or less floor area on or within the footprint of  
122 a demolished or partially demolished building.

123 **Renovation:** An interior or exterior alteration that does not affect a building's  
124 footprint.

125 **Seasonal Outdoor Sales:** A lot or parcel where a use or product is offered  
126 annually for a limited period of time during the same calendar period each year.  
127 The availability or demand for the use or product is related to the calendar  
128 period, such as Christmas trees, pumpkin patches, or corn mazes.

129 **Tenant Footprint:** The horizontal area measured within the exterior walls for the  
 130 ground floor of the main structure allocated to each non-residential tenant or  
 131 owner-occupant.

132 **Transit proximity:** Transit proximity is categorized in two levels: 1. proximity  
 133 to an existing or master-planned Metrorail Station; 2. proximity to an existing  
 134 or master-planned station or stop along a rail or bus line with a dedicated, fixed  
 135 path. All distances for transit proximity are measured from the transit station  
 136 or stop portal.

137 **59-C-15.4. Methods of Development and Approval Procedures.**

138 The CRN zones allow development only under the standard method. The CRT  
 139 and CR zones allow development under the standard method and may allow  
 140 development under the optional method.

141 **59-C-15.41. Standard Method.**

142 Standard method development is allowed under the following limitations and  
 143 requirements.

- 144 (a) In the CRN zones, the maximum total, non-residential, and residential  
 145 density and maximum height for any property is set by the zone shown on  
 146 the zoning map.
- 147 (b) In the CRT and CR zones, the maximum standard method density and  
 148 height is the lesser of the density and height set by the zone shown on the  
 149 zoning map or:

Category	Maximum Total Density (FAR)	Maximum Building Height (feet)
CRT	1.5	65
CR	1.5	80

- 150 (c) A site plan approval under Division 59-D-3 is required for a standard  
151 method development only if it:
- 152 (1) is adjacent to or confronting a property in an applicable residential  
153 zone and requests a maximum total density exceeding 0.5 FAR;
  - 154 (2) requests a gross floor area exceeding 10,000 square feet;
  - 155 (3) requests a building height exceeding 40 feet; or
  - 156 (4) contains 10 or more dwelling units.

157 **59-C-15.42. Optional Method.**

158 Optional method development is allowed under the following limitations and  
159 requirements.

- 160 (a) The maximum total, non-residential, and residential density and height for  
161 any property is set by the zone shown on the zoning map.
- 162 (b) A sketch plan must be submitted under Section 59-C-15.43. Site plan(s)  
163 must be submitted under Division 59-D-3 for any development on a  
164 property with an approved sketch plan.
- 165 (c) Public benefits must be provided under Section 59-C-15.8.

166 **59-C-15.43. Sketch Plan.**

167 Any optional method development in the CRT and CR zones requires an approved  
168 sketch plan. Any required preliminary plan of subdivision or site plan may not be  
169 submitted before a sketch plan has been approved.

- 170 (a) A sketch plan application must contain:
  - 171 (1) a justification statement that addresses how the project meets the  
172 requirements and standards of this Division and describes how the  
173 development will further the objectives of the applicable master or  
174 sector plan;
  - 175 (2) illustrative plans showing:

- 176 (A) building densities, massing, heights, and the anticipated mix of  
177 uses;
- 178 (B) locations of public use and other open spaces;
- 179 (C) pedestrian, bicycle, and vehicular circulation, parking, and  
180 loading; and
- 181 (D) relationships between existing or proposed adjacent buildings  
182 and rights-of-way;
- 183 (3) a table of proposed public benefits and the incentive density  
184 requested for each; and
- 185 (4) a general phasing outline of structures, uses, rights-of-way,  
186 sidewalks, dedications, public benefits, and future preliminary and  
187 site plan applications.
- 188 (b) Procedure for a sketch plan:
- 189 (1) Before filing a sketch plan application, an applicant must comply  
190 with the provisions of the Manual for Development Review  
191 Procedures, as amended, that concern the following:
- 192 (A) notice;
- 193 (B) posting the site of the application submittal; and
- 194 (C) holding a pre-submittal meeting.
- 195 (2) A public hearing must be held by the Planning Board on each sketch  
196 plan application no later than 90 days after the filing of an optional  
197 method development application, unless a request to extend this  
198 period is requested by the applicant, Planning Board staff, or other  
199 interested parties. A request for an extension must be granted if the  
200 Planning Board finds it not to constitute prejudice or undue hardship  
201 on any interested party. A recommendation regarding any request for



202 extension must be acted upon by the Planning Board on or before the  
203 90-day hearing period expires. Notice of the extension request and  
204 recommendation by Staff must be posted no fewer than 10 days  
205 before the item's agenda date.

206 (3) No fewer than 10 days before the public hearing on a sketch plan,  
207 Planning Board staff must submit its analysis of the application,  
208 including its findings, comments, and recommendations with respect  
209 to the requirements and standards of this division and any other  
210 matters that may assist the Planning Board in reaching its decision on  
211 the application. This staff report must be included in the record of the  
212 public hearing.

213 (4) The Planning Board must act within 30 days after the close of the  
214 record of the public hearing, by majority vote of those present and  
215 voting based upon the hearing record, to:

216 (A) approve;

217 (B) approve subject to modifications, conditions, or binding  
218 elements; or

219 (C) disapprove.

220 (c) In approving a sketch plan, the Planning Board must determine[] that the  
221 following elements are appropriate in concept and appropriate for further  
222 detailed review at site plan. The Planning Board must find that the sketch  
223 plan:

224 (1) meets the objectives, general requirements, and standards of this  
225 Division;

226 (2) furthers the objectives of the applicable master or sector plan;[]

- 227 (3) achieves compatible internal and external relationships between  
228 existing and proposed buildings, open space, and uses;
- 229 (4) provides satisfactory general vehicular, pedestrian, and bicyclist  
230 access, circulation, parking, and loading;
- 231 (5) proposes an outline of public benefits that supports the requested  
232 incentive density; and
- 233 (6) establishes a feasible and appropriate provisional phasing plan for all  
234 structures, uses, rights-of-way, sidewalks, dedications, public  
235 benefits, and future preliminary and site plan applications
- 236 (d) During site plan review, the Planning Board may approve modifications to  
237 the binding elements or conditions of an approved sketch plan.
- 238 (1) If changes to a sketch plan are requested by the applicant, notice of  
239 the site plan application must identify those changes requested. The  
240 applicant has the burden of persuading the Planning Board that such  
241 changes should be approved.
- 242 (2) Other changes may be requested by Planning Board staff, the  
243 Planning Board, or another interested party. If changes are  
244 recommended after the application is made but before posting of  
245 Planning Board staff's recommendation, notice of the site plan  
246 hearing must identify changes requested.
- 247 (3) In acting to approve a sketch plan modification as part of site plan  
248 review, the Planning Board must make the findings required under  
249 Section 59-C-15.43[(c)] in addition to those findings required under  
250 Section 59-D-3.

251 **59-C-15.5. Land Uses.**

252 No use is allowed in the CRN, CRT, or CR zones except as indicated below:

- 253 - *Permitted Uses* are designated by the letter “P” and are permitted  
 254 subject to all applicable regulations.  
 255 - *Limited Uses* are designated by the letter “L” and are permitted  
 256 subject to all applicable regulations and the additional restrictions  
 257 under Section 59-C-15.51.  
 258 - *Special Exception Uses* are designated by the letters “SE” and may be  
 259 authorized as special exceptions under Article 59-G.  
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Use	CRN	CRT	CR
<b>(a) Agricultural</b>			
Farm and country markets	L	P	P
Farm, limited to crops, vegetables, herbs, and ornamental plants	P	P	P
Nursery, horticultural – retail or wholesale		P	P
Seasonal outdoor sales	P	P	P
<b>(b) Residential</b>			
Dwellings	P	P	P
Group homes, small or large	P	P	P
Hospice care facilities	P	P	P
Housing and related facilities for senior adults or persons with disabilities	P	P	P
Life care facilities	P	P	P
Live/Work units	P	P	P
Personal living quarters	P	P	P
<b>(c) Commercial Sales and Service</b>			
Advanced technology and biotechnology		P	P
Ambulance or rescue squads, private	SE	L	P
Animal boarding places	SE	SE	SE
Automobile filling stations		SE	SE
Automobile rental services, excluding storage of vehicles and supplies	P	P	P
Automobile rental services, including storage of vehicles and supplies		L	L
Automobile repair and services	L	L	P
Automobile sales, indoors	L	L	P
Automobile sales, outdoors		L	P
Clinic	L	P	P
Conference centers		P	P
Eating and drinking establishments	L	P	P
Health clubs and gyms	L	P	P
Home occupations, major	SE	SE	SE
Home occupations, registered and no-impact	P	P	P
Hotels and motels	L	P	P

Laboratories		P	P
Dry cleaning and laundry pick-up stations	P	P	P
Offices, general	P	P	P
Recreational facilities, participatory	L	P	P
Research, development, and related activities		P	P
Retail trades, businesses, and services of a general commercial nature with each tenant footprint up to 5,000sf	P	P	P
Retail trades, businesses, and services of a general commercial nature with each tenant footprint between 5,000sf and 15,000sf	L	P	P
Retail trades, businesses, and services of a general commercial nature with each tenant footprint between 15,000sf and 60,000sf		P	P
Retail trades, businesses, and services of a general commercial nature with each tenant footprint over 60,000sf		L	P
Self-storage facilities		SE	SE
Veterinary hospitals and offices with boarding facilities	SE	L	P
Veterinary hospitals and offices without boarding facilities	P	P	P
Warehousing, not including self-storage, less than 10,000 square feet		P	P
<b>(d) Institutional &amp; Civic</b>			
Charitable and philanthropic institutions	L	P	P
Cultural institutions	L	P	P
Day care facilities and centers with over 30 users	L	L	P
Day care facilities and centers with up to 30 users	P	P	P
Educational institutions, private	L	P	P
Hospitals		P	P
Parks and playgrounds, private	P	P	P
Private clubs and service organizations	L	P	P
Publicly owned or publicly operated uses	P	P	P
Religious institutions	P	P	P
<b>(e) Industrial</b>			
Manufacturing and production, artisan	P	P	P
Manufacturing, compounding, processing, or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries, synthetic molecules, and projects resulting from biotechnical and biogenetic research and development		L	P
Manufacturing and assembly of medical, scientific, or technical instruments, devices, and equipment		L	P
<b>(f) Other</b>			
Accessory buildings and uses	P	P	P
Bus terminals, non-public		P	P
Parking garages, automobile		P	P
Public utility buildings, structures, and underground facilities	P	P	P
Radio and television broadcast studios		P	P
Rooftop mounted antennas and related unmanned equipment buildings, cabinets, or rooms	P	P	P

261 **59-C-15.51. Limited Uses.**

262 **59-C-15.511. Applicability.** Uses designated by an “L” in the land use table must  
263 comply with the requirements of this Section if they are on properties that are:

264 (a) Located adjacent to a property in an applicable residential or agricultural  
265 zone; or

266 (b) Separated from such a property only by the right-of-way of a primary,  
267 secondary, or tertiary residential street.

268 Where these circumstances do not apply, the use is considered a permitted use.

269 **59-C-15.12. Restrictions and requirements of limited uses.**

270 (a) No structures, parking spaces, or driveway entrances associated with a  
271 limited use may be located within 100 feet of the adjacent agriculturally- or  
272 residentially-zoned property line or, when separated by an applicable right-  
273 of-way, within 100 feet of the confronting property line.

274 (b) When adjacent to an agriculturally- or residentially zoned property and not  
275 separated by an applicable right-of way:

276 (1) the required 100-foot setback must contain at least an 8-foot evergreen  
277 hedge or a 6-foot solid wall or fence plus 1 deciduous tree planted at a  
278 minimum of every 30 feet; and

279 (2) illumination levels may not exceed 0.1 footcandles at the subject  
280 property line.

281 (3) For the 100-foot setback area, these requirements replace any  
282 applicable surface parking landscaping requirements in Section 59-C-  
283 15.635.

284 (c) If the required distance between a driveway entrance for a limited use and  
285 the adjacent or confronting agriculturally- or residentially-zoned property  
286 precludes access to the property, the driveway may be built closer than

287 100 feet subject to reasonable mitigating requirements above the  
 288 minimum standards under Section 59-C-15.12(b), such as additional  
 289 visual or noise buffering.

290 **59-C-15.6. General Requirements.**

291 Development in the CRN, CRT, and CR zones must comply with the following  
 292 requirements.

293 **59-C-15.61. Master Plan and Design Guidelines Conformance.**

294 Development that requires a site plan must be consistent with the applicable  
 295 master or sector plan, unless the Planning Board finds that events have occurred to  
 296 render the relevant master or sector plan recommendation no longer appropriate,  
 297 and must substantially conform to any design guidelines approved by the Planning  
 298 Board that implement the applicable plan.

299 **59-C-15.62. Bicycle Parking Spaces and Commuter Shower/Change Facility.**

300 In place of the requirements of Article 59-E regarding bicycle parking spaces,  
 301 development in the CRN, CRT, and CR zones must comply with the following  
 302 provisions.

303 (a) Bicycle Parking Spaces

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Use	Publicly Accessible Bike Spaces	Private, Secure Bike Spaces
(1) Residential		
In a building containing less than 20 dwelling units	2	4
In a building containing 20 or more dwelling units	0.1 per unit to a maximum requirement of 10	0.5 per unit to a maximum requirement of 100

In any group living arrangement expressly for senior citizens	0.1 per unit, not fewer than 2, to a maximum requirement of 100	0.1 per unit, not fewer than 2, to a maximum requirement of 100
(2) Non-Residential		
Total non-residential floor area under 10,000sf	2	2
Total non-residential floor area between 10,000sf and 100,000sf	2 per 10,000sf	1 per 10,000sf, not fewer than 2, to a maximum requirement of 10
Total non-residential floor area greater than 100,000sf	20	1 per 10,000sf, not fewer than 10, to a maximum requirement of 100.

305 (b) For office uses with a total non-residential floor area of 100,000sf or  
 306 greater, one shower/change facility is required for each gender available  
 307 only to employees when the building is accessible.

308 **59-C-15.63. Parking.**

309 In place of the requirements of Article 59-E regarding parking space numerical  
 310 requirements, landscaping, and surface parking design, development in the CRN,  
 311 CRT, and CR zones must comply with the following provisions. All standards and  
 312 requirements of Article 59-E that are not modified by this Section must be  
 313 followed.

314 **59-C-15.631. Parking Ratios.**

315 Parking spaces must be provided according to the following minimums and  
 316 maximums. The minimum number of spaces required is equal to the number of  
 317 parking spaces that would otherwise be required by Division 59-E-3 multiplied by  
 318 the applicable factor in the table, or to the ratio indicated. When maximums are

319 imposed, no more parking than would otherwise be required by Division 59-E-3  
 320 may be provided.

Use	CRN		CRT		CR			
	Up to ½ mile	Greater than ½ mile	Up to ½ mile	Greater than ½ mile	Up to ¼ mile	¼ to ½ mile	½ to 1 mile	Greater than 1 mile
Distance from a level 1 or 2 transit station or stop								
<b>(a) Residential</b>								
Maximum:	None	None	59-E	None	59-E	59-E	59-E	None
Minimum:	0.8	1.0	0.7	0.8	0.6	0.7	0.8	0.9
<b>(b) Retail and restaurant non-residential uses (gross leasable indoor area; no parking spaces are required for outdoor patron area)</b>								
Maximum:	59-E	None	59-E	None	59-E	59-E	59-E	None
Minimum:	0.6	0.8	0.4	0.6	4 per 1,000 square feet	4 per 1,000 square feet	4 per 1,000 square feet	0.8
<b>(c) All other non-residential uses</b>								
Maximum:	59-E	None	59-E	None	59-E	59-E	59-E	None
Minimum:	0.6	0.8	0.4	0.6	0.2	0.4	0.6	0.8



321 (d) The appropriate parking rates apply to the gross floor area of each use  
322 within each distance category.

323 **59-C-15.632. Accepted Parking Spaces**

324 Parking requirements must be met by any of the following:

- 325 (a) providing the spaces on site;
- 326 (b) constructing publicly available on-street parking; or
- 327 (c) participating in:
  - 328 (1) a parking lot district;
  - 329 (2) a shared parking program established by municipal resolution or;
  - 330 (3) entering into an agreement for shared parking spaces in a public or  
331 private facility within ¼ mile of the subject lot, if the off-site parking  
332 facility is not in an agricultural (Division 59-C-9), planned unit  
333 development (Division 59-C-7), or residential (Division 59-C-1)  
334 zone, unless otherwise allowed by this Chapter.

335 Every “car-share” space provided reduces the total number of required spaces by 6  
336 spaces for a non-residential use or 3 spaces for a residential use.

337 *Example:* A non-residential project on a CR-zoned site requiring at least 100 spaces under  
338 Article 59-E would be required to provide a maximum of 100 spaces on site. If that site was  
339 within ¼ to ½ mile of a transit station, the minimum requirement for parking would be 40 spaces  
340 (100 x 0.40 = 40). If 2 car-share spaces were provided, that requirement would be 28 for non-  
341 residential use or 34 for residential use.

342 **59-C-15.633. Parking Space Location and Access.**

343 The design of surface parking spaces must comply with the following:

- 344 (a) parking spaces on or above grade must not be located between the street and  
345 the main front wall of the building or the side wall of the main building on a  
346 corner lot; and
- 347 (b) if a site is adjacent to an alley, the primary vehicular access to the parking  
348 facility must be from that alley.

349 **59-C-15.634. Drive-Through Facility Design.**

350 Any drive-through facility must comply with the following:

- 351 (a) no part of a drive-through service facility, including the stacking area, may
- 352 be located within 100 feet of a property line shared with an applicable
- 353 residentially-zoned property;
- 354 (b) no drive-through service window, drive aisle, or stacking area may be
- 355 located between the street and the main front wall of the main building;
- 356 (c) no drive-through service window, drive aisle, or stacking area may be
- 357 located between the street and the side wall of the main building on a corner
- 358 lot unless permanently screened from any street by a 5-foot or higher wall or
- 359 fence; and
- 360 (d) any development with a drive-through service facility must submit a site
- 361 plan under Section 59-D-3.

362 **59-C-15.635. Landscaping and Lighting.**

363 Except for areas used for internal driveway or sidewalk connections between lots

364 or parcels that are not in applicable residential zones, landscaping for surface

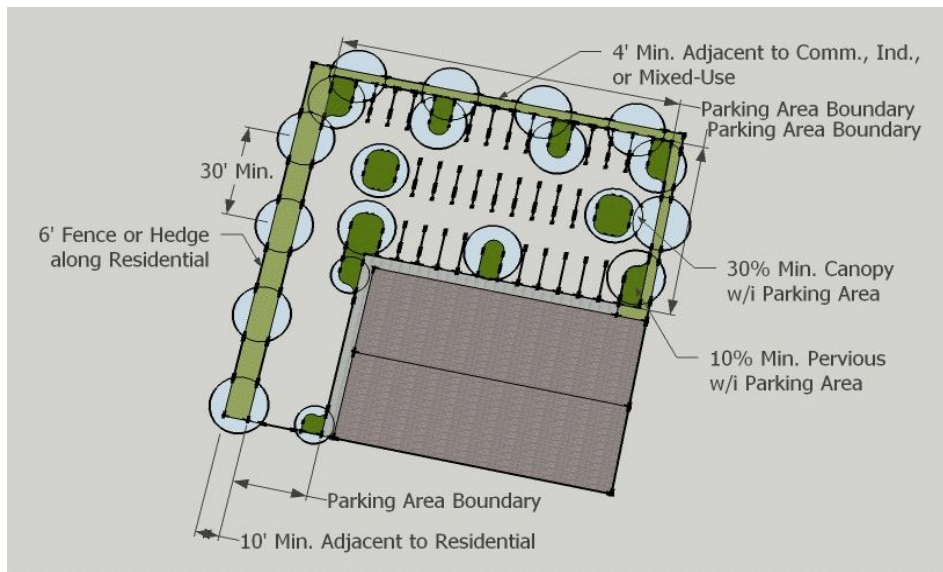
365 parking spaces must satisfy the following requirements:

366

<b>Minimum Landscape Standards for Surface Parking</b>	
Subject	Requirement
(a) Property line adjacent to a right-of-way	No less than 6-foot wide continuous soil panel (excluding any easements) with stormwater facilities, planting bed, or lawn including a minimum 3-foot high continuous evergreen hedge or fence; plus one deciduous tree per 30 feet of street frontage or per the applicable streetscape standards.
(b) Property line adjacent to a lot or parcel in an applicable residential zone	No less than 10-foot width continuous soil panel (excluding any easements) with stormwater facilities, planting bed, or lawn including a minimum 6-foot high continuous evergreen hedge or fence; plus one deciduous tree per 30 feet of frontage.

(c) Property line adjacent to a lot or parcel in any zone not subject to (b), above	No less than 4-foot width continuous soil panel (excluding any easements) with stormwater facilities, planting bed, or lawn; plus one deciduous tree per 30 feet.
Internal Pervious Area	No less than 10 percent of the parking facility area comprised of individual areas of at least 100 square feet each.
Tree Canopy Coverage	No less than 30 percent of the parking facility area (at 15 years growth).
Lighting	Per the Illuminating Engineering Society of North America standards, or County equivalent, with full or partial cut-off fixtures and no more than 0.5 footcandle illumination at any property line subject to (b), above.

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*Surface Parking Landscape Requirements Illustrative*

370 **59-C-15.636. Waiver of parking provisions.**

371 The Director, Planning Board, or Board of Appeals may waive any requirement of  
 372 Section 59-C-15.63 not necessary to accomplish the objectives of this Division  
 373 and Section 59-E-4.2, and in conjunction with such a waiver may adopt reasonable  
 374 mitigating requirements above the minimum standards. At least 10 days notice of  
 375 any request for a waiver under this Section must be provided to all adjoining  
 376 property owners, affected citizen associations, and Planning Department Staff, if  
 377 applicable, before a decision may be made.

378 **59-C-15.7. Development Standards.**

379 Development in the CRN, CRT, and CR zones must comply with the following  
380 standards.

381 **59-C-15.71. Density and Height.**

382 Maximum density and height are specified by the zone established on the zoning  
383 map under the provisions of Section 59-C-15.1.

384 **59-C-15.72. Setbacks.**

385 (a) Where a property is adjacent to a lot or parcel in an applicable residential  
386 zone any building:

387 (1) must have a minimum setback of 25 feet or the setback required by  
388 the adjacent property, whichever is greater; and

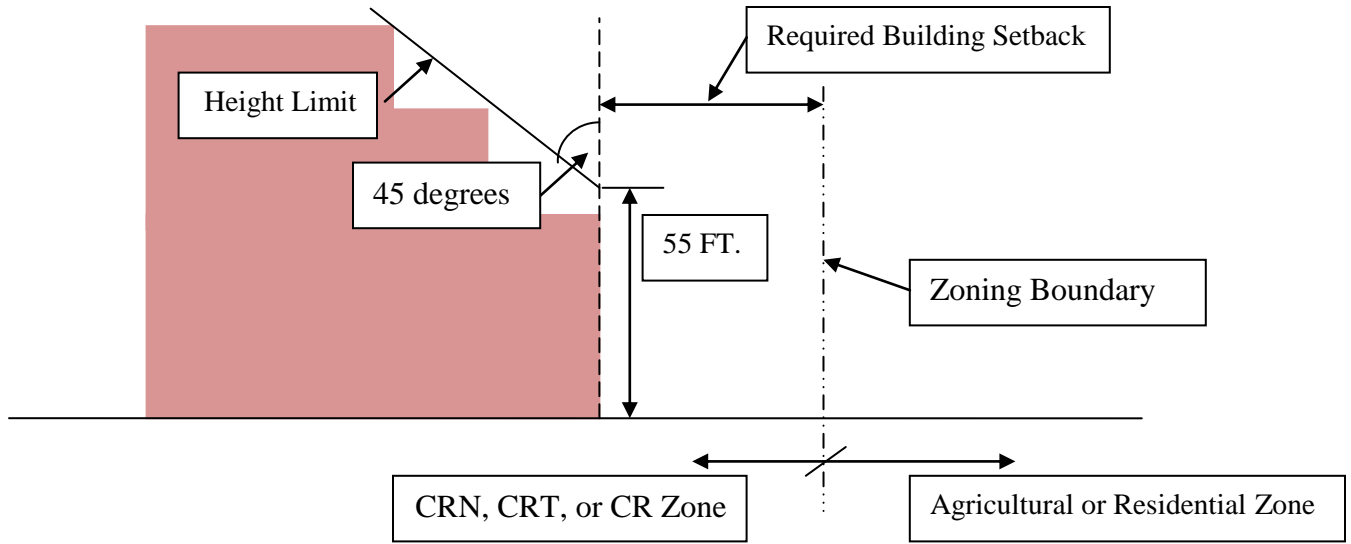
389 (2) must not project beyond a 45 degree angular plane projecting over the  
390 subject property measured from a height of 55 feet at the setback line  
391 determined above, with the exception of those features exempt from  
392 height and setback restrictions under Section 59-B-1.

393 (b) The development of a new building in place of a building existing when a  
394 CRN, CRT, or CR zone is applied may be built to the previously allowed  
395 setback if the height of the new building is not increased above the height of  
396 the former building.

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Angular Plan Setback Illustration

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**59-C-15.73. Public Use Space.**

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- (a) Public use space is not required for any standard method project that does not require a site plan. If a site plan is required for the proposed project, public use space is required as follows:

Gross Tract Area	Minimum Public Use Space
Up to 10,000sf	None
10,001sf up to 3 acres	10% of net tract area
Over 3 acres	10% of limits of disturbance

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- (b) Projects using the optional method of development must provide public use space as follows:

Minimum Required Public Use Space (% of net tract area)				
Acres (Gross)	Number of Existing, Proposed, and Master-Planned Right-of-Way Frontages			
	1	2	3	4+
< 1/2	0	0	0	5
1/2 - 1.00	0	0	5	10
1.01 - 3.00	0	5	10	10
3.01 - 6.00	5	10	10	10
6.01 +	10	10	10	10

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- 410 (c) Public use space must be:
- 411 (1) rounded to the next highest 100 square feet;
- 412 (2) be easily and readily accessible to the public; and
- 413 (3) contain amenities such as seating options, shade, landscaping,
- 414 artwork, or fountains.
- 415 (d) Instead of providing on-site public use space, an applicant may satisfy all or
- 416 part of the requirement by one or more of the following means, subject to
- 417 Planning Board approval:
- 418 (1) implementing public park or public use space improvements of an
- 419 equal or greater size within or near the applicable master or sector
- 420 plan area; or
- 421 (2) making a payment in part or in full for design, construction,
- 422 renovation, restoration, installation, and/or operation within or near
- 423 the applicable master or sector plan area if the payment is:
- 424 (A) equal to the cost of constructing an equal amount of public use
- 425 space and associated amenities on-site per square foot plus the
- 426 fair market value of the application property per square foot;
- 427 (B) used to implement the open space, recreation, and cultural
- 428 goals of the applicable master or sector plan; and
- 429 (C) made within 30 days of the release of any building permit for
- 430 the subject application.

431 **59-C-15.74. Residential Amenity Space.**

- 432 (a) Any building containing 20 or more dwelling units must provide amenity
- 433 space for its residents as follows:
- 434

<b>Required Residential Amenity Space</b>	
<b>Type of Amenity Space</b>	<b>Area of Amenity Space</b>
Indoor space in a multi-purpose room, fitness room, or other common community room(s), at least one of which must contain a kitchen and bathroom.	A minimum of 20 square feet per market-rate unit up to 5,000sf.
Passive or active outdoor recreational space.	A minimum of 20 square feet per market-rate unit, of which at least 400 square feet must adjoin or be directly accessible from the indoor amenity space, up to 5,000sf.

- 435 (b) Additional amenity space is not required for Moderately Priced Dwelling  
 436 Units (MPDUs) or Workforce Housing Units (WFHUs) on a site within a  
 437 metro station policy area or where the Planning Board finds adequate  
 438 recreation facilities and open space area available within ½ mile of the  
 439 subject site. If such a finding cannot be made, amenity space must be  
 440 provided for each MPDU and WFHU per the rate in the table above.
- 441 (c) The provision of residential amenity space may be counted towards meeting  
 442 the required recreation calculations under the M-NCPPC Recreation  
 443 Guidelines, as amended.