

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

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3 **DIVISION 59-C-15. COMMERCIAL/RESIDENTIAL [~~CR~~] ZONES**

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

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

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

13 These [[context designations]]zone categories are:

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

17 (b) The [[context designations are]]CR category is followed by a number and
18 [These zones are identified by] a sequence of three additional symbols: [CR,
19]C, R, and H, each followed by a number where:

- 20 [(a)] (1) the number following the CR category[[context designation
21]]“CR” is the maximum total FAR;
- 22 [(b)] (2) the number following the [symbol] “C” is the maximum non-
23 residential FAR;
- 24 [(c)] (3) the number following the [symbol] “R” is the maximum residential
25 FAR; and
- 26 [(d)] (4) the number following the [symbol] “H” is the maximum building
27 height in feet.

Comment [JCS1]: Introduction of context designations.

Comment [JCS2]: “Context designation” replaced with “category” to be less ... artistic.

Comment [JCS3]: Reformatted to reflect context designation and new numbering.

Comment [JCS4]: “symbol” is redundant.

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

31 ~~[(e)](d) This Division uses examples and illustrations to demonstrate~~
 32 ~~[[applications and]]the intent [of the provisions]of the Commercial/Residential~~
 33 ~~zones. These examples and illustrations [in this Division] do not add, delete, or~~
 34 ~~modify any provision of this Division. [Examples are provided only to~~
 35 ~~demonstrate particular applications of the provisions in the Division. Examples~~
 36 ~~are not intended to limit the provisions.]~~

Comment [JCS5]: Moved language.

Comment [JCS6]: Redundant language - if the examples and illustrations don't "add, delete, or modify" - they don't "limit" either.

37 **59-C-15.12. Density and Height Allocation.**

Comment [JCS7]: New heading.

38 **59-C-15.121. Density and Height Limits.**

Comment [JCS8]: New section to set out ranges for each context.

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

<u>Context</u> <u>Category</u>	<u>Min/Max</u> <u>Total FAR</u> <u>Range</u>	<u>Min/Max</u> <u>x C or R</u> <u>FAR</u> <u>Range</u>	<u>Min/Max</u> <u>x R FAR</u>	<u>Density</u> <u>Incremen</u> <u>t</u>	<u>Min/Max</u> <u>H Range</u> <u>(feet)</u>	<u>Height</u> <u>Incremen</u> <u>t (feet)</u>
<u>CRN</u>	<u>0.5/1.5</u>	<u>0.25/1.5</u>	<u>0.25/1.5</u>	<u>0.25</u>	<u>40/65</u>	<u>5</u>
<u>CRT</u>	<u>0.5/4.0</u>	<u>0.25/3.5</u>	<u>0.25/3.5</u>	<u>0.25</u>	<u>40/115</u> <u>0</u>	<u>5</u>
<u>CR</u>	<u>0.5/8.0</u>	<u>0.25/7.5</u>	<u>0.25/7.5</u>	<u>0.25</u>	<u>40/300</u>	<u>5</u>

Comment [JCS9]: "range" removed to avoid confusion; increments moved to (b) below.

41 (b) Zones may be established and mapped at densities in increments of 0.25 and
 42 heights in increments of 5 feet within the ranges [of the minimums and
 43 maximums] indicated in the table.

Comment [JCS10]: New language clarifying that max ranges are not allowed defacto, only when mapped.

44 ~~[(a) the maximum total FAR must be established as an increment of 0.25 from~~
 45 ~~0.5 up to 8.0;~~

Comment [JCS11]: Language replaced by table above.

- 46 ~~(b) the maximum non-residential and residential FAR must be established as an~~
- 47 ~~increment of 0.25 from 0.25 up to 7.5; and~~
- 48 ~~(c) the maximum height must be established as an increment of 5 feet up to 100~~
- 49 ~~feet and an increment of 10 feet from 100 feet up to 300 feet.]~~

50 **59-C-15.122[121]. Density Averaging.**

51 Permitted density may be averaged over 2 or more directly abutting or confronting
52 properties [lots] in one or more CRN, CRT, or CR zones, provided that:

- 53 (a) the properties [lots] are subject to the same site plan or sketch plan ~~[[and~~
- 54 ~~provide public benefits as required for the sum of their total densities]];~~
- 55 (b) the resulting lots or parcels are created by the same preliminary subdivision
- 56 plan or satisfy ~~[[per]]~~ a phasing plan established by an approved sketch plan;

- 57 (c) the maximum total, ~~[density and]~~ non-residential, and residential density
- 58 limits apply to the entire development, not to individual lots or parcels;
- 59 (d) no building may exceed the maximum height set by the zone;

- 60 (e) uses are subject to the provisions of the zone category ~~[[underlying zone~~
- 61 ~~allowances and restrictions]];~~ and
- 62 ~~[[public benefits must be provided under the phasing element of an approved~~
- 63 ~~sketch plan;]~~

- 64 (f) the total allowed maximum density on a resulting [of a] lot or parcel [zoned
- 65 CR] that is adjacent to or confronting a lot or parcel that is in an applicable
- 66 ~~[[single family]]~~ residential or agricultural zone ~~[[d]]~~ ~~[[agriculturally zoned~~
- 67 ~~(under Division 59-C-9) or single]]~~ ~~[[one]]~~ ~~[[family residentially zoned (under~~
- 68 ~~Division 59-C-1)]]~~ ~~[[or agriculturally zoned]]~~ ~~[[lot]]~~ ~~[[s]]~~ ~~[[or parcel]]~~ ~~[[s]]~~ may not
- 69 ~~[be] exceed~~ ~~ed~~ that allowed by the zone. ~~]; and~~

- 70 ~~(g) the resulting development must conform to the design and land use~~
- 71 ~~objectives of the applicable master or sector plan and design guidelines.]~~

Comment [JCS12]: New numbering section and title.

Comment [JCS13]: Use of "property" to ensure "lots or parcels" are covered by provisions.

Comment [JCS14]: Consolidated two outline points. Deleted per JZ.

Comment [JCS15]: New language needed to provide for density averaging when "sending" lots for later phases have not been recorded yet.

Comment [JCS16]: Language on uses necessary to accommodate new use table by context.

Comment [JCS17]: Consolidated with (a) above.

Comment [JCS18]: Provision generally changed for clarity and consistency.

Comment [JCS19]: Redundant, any sketch plan must be consistent with the master plan.

72 **59-C-15.13. Applicability.** ~~[[The application of the CRN, CRT, and CR zones is~~
 73 ~~appropriate where environmental impacts from sprawl and green field~~
 74 ~~development can be avoided by co-locating housing, jobs, services, and amenities~~
 75 ~~in existing and emerging commercial and mixed use centers and corridors.]]~~ The
 76 CRN, CRT, and CR zones can only be applied when specifically recommended by
 77 an approved and adopted master or sector plan and only by ~~[[the]]~~ sectional map
 78 amendment ~~[[process]]~~.

Comment [JCS20]: New section title. New provision providing guidance on application of zones taken from 15.2 and expanded. Deleted per JZ.

Examples:

- An area zoned CRN-2.0, C1.0, R1.0, H~~[[80]]~~60 allows a total FAR ~~of up to 2.0,~~ 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 ~~[[80]]~~60 feet.
- An area zoned CR-6.0, C3.0, R5.0, H200 allows ~~[[a residential FAR of up to 5.0,]]~~ a non-residential FAR ~~of up to 3.0,~~ a residential FAR of 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-4.0, C4.0, R4.0, H~~100~~160 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~~160 feet.

Comment [JCS21]: Examples generally modified to reflect new context designations and for consistency.

98 **59-C-15.2. Description and Objectives of the CR Zones.**

99 The CRN, CRT, and CR zones permit a mix of residential and non-residential uses
 100 ~~[[according to context designation]]~~ at varying densities and heights. The zones
 101 promote economically, environmentally, and socially sustainable development
 102 patterns where people can live, work, **recreate,** and have access to services and
 103 amenities while minimizing the need for automobile use. ~~[[The application of the~~
 104 ~~CR zones is appropriate where ecological impacts can be moderated by co-~~

Comment [JCS22]: New reference to expand description to all context designations.

Comment [JCS23]: Added to reinforce open space and health aspects of zone and benefits.

Comment [JCS24]: Moved to 15.13 above. Put back since 15.13 reverted to original language?

105 | ~~locating housing, jobs, and services.~~ The objectives of the CRN, CRT, and CR
106 | zones are to:

107 | (a) implement the policy recommendations of applicable master and sector
108 | plans;

109 | (b) target opportunities for redevelopment of ~~[[auto-oriented,]]~~ single-use
110 | areas~~[[,]]~~ and surface parking lots with a mix of uses;

111 | (c) reduce dependence on the automobile by encouraging development that
112 | integrates a balanced combination of housing types, mobility options,
113 | commercial services, and public facilities and amenities;

114 | (d) allow a flexible mix of uses, densities, and building heights appropriate to
115 | various contexts to ensure compatible relationships with adjoining
116 | neighborhoods; and ~~encourage an appropriate balance of employment and~~
117 | ~~housing opportunities and compatible relationships with adjoining~~
118 | ~~neighborhoods;~~

Comment [JCS25]: New objective to reflect need to take into account variable uses across new contexts.

Comment [JCS26]: Redundant language when (c) above is modified and the new (d) is added.

119 | ~~(e) establish the maximum density and building height for each zone, while~~
120 | ~~retaining appropriate development flexibility within those limits; and]~~

Comment [JCS27]: Unnecessary language.

121 | (e) ~~(f)~~ standardize optional method development by establishing minimum
122 | ~~requirements]~~ parameters for the provision of ~~[[the]]~~ public benefits ~~[that~~
123 | ~~will support and accommodate density above the standard method limit].~~

Comment [JCS28]: Some requirements will be in guidelines – “parameters” more broadly reflects what is in the zoning language. End of sentence is unnecessary – death with in 15.8.

124 | **59-C-15.3. Definitions Specific to the CR Zones.**

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

127 | **Applicable ~~[[Single-Family]]Residential or Agricultural Zone:~~** zones governed
128 | by Division 59-C-1 and Division 59-C-9 are included in all references in this
129 | Division to “an applicable single-family zoned property” or
130 | ~~[[similar]]~~ equivalent phrases.

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

133 **Cultural institutions:** public or private institutions or businesses including: art,
134 music, and photographic studios; auditoriums or convention halls; libraries and
135 museums; recreational, performance, or entertainment establishments,
136 commercial; theater, indoor; theater, legitimate.

Comment [JCS29]: Added to ensure existing performance spaces can continue or new ones can be accommodated.

137 **Day care facilities and centers:** facilities and centers that provide daytime care
138 for children and/or adults, including: child daycare facility (family day care,
139 group day care, child day care center); daycare facility for not more than 4
140 senior adults and persons with disabilities; and day care facility for senior
141 adults and persons with disabilities.

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

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

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

Comment [JCS30]: Added due to revision of public use space requirement for standard method projects over 3 acres in 15.74.

149 **Manufacturing and production, artisan:** The manufacture and production of
150 commercial goods by a skilled manual worker or craftsman, such as jewelry,
151 metalwork, cabinetry, stained glass, textiles, ceramics, or hand-made food
152 products.

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

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

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

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

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

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

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

170 **Transit proximity:** Transit proximity is categorized in two levels: 1. proximity
171 to an existing or master-planned Metrorail Station; 2. proximity to an existing
172 or master-planned station or stop along a rail or bus line with a dedicated, fixed
173 path.

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Comment [JCS31]: Added to implement changes to "retail trades" in the land use table.