Article 59-6. General Development Requirements

Division 6.1. Site Access

Section 6.1.1. Intent

The intent of these site access requirements is to ensure safe and convenient vehicular, bicycle, and pedestrian circulation within and between lots on the same block face and to reduce traffic congestion.

Section 6.1.2. Applicability

Division 6.1 applies to development in the Residential Multi-Unit, Commercial/Residential, Employment, Industrial, and Floating zones if:

A. an apartment, multi use, or general building type is proposed; and

B. a site plan or conditional use approval is required.

Section 6.1.3. General Access Requirements

A. Any development must:

1. allow a vehicle, pedestrian, or bicycle to enter and exit the property to and from a street or an abutting site safely;
2. limit vehicle access across a primary pedestrian, bicycle, or transit route wherever feasible;
3. allow a vehicle to enter and exit any on-site parking area in a forward motion; and
4. allow a vehicle to access any pad site from within the site.

B. Land that is located in a Residential Detached zone must not be used for driveway or vehicular access to any land that is not in a Residential Detached zone, except:

1. in a Historic District; or
2. where such access has been previously approved for a property with a legally existing nonresidential use.

Section 6.1.4. Driveway Access

A. Driveway dimensions must satisfy the following table:

Zone	Width (min)	Width (max)	Radius (max)
R-30, R-20, R-10			
One-way	12'	16'	10'
Two-way	20'	24'	10'
CR, CRT, CRN, EOF, LSC, GR, NR			
One-way	12'	18'	10'
Two-way	20'	32'	15'
IL, IM, IH	30'	40'	30'

B. The applicable deciding body may require a wider driveway if there is an unusual traffic, grade, or site condition.

C. If on-site parking is accessible from an improved alley with a right-of-way of at least 20 feet in width:

1. access must be from the alley;
2. and new curb cuts along the public right-of-way must be limited, to the extent practicable.

D. A maximum of 2 driveways may be permitted for every 300 feet of site frontage along any street.

E. Unless the road is classified as a residential road, a vehicle must access a corner lot with only one driveway or a through lot from the street with the lower roadway classification.

Division 6.2. Parking, Queuing, and Loading

Section 6.2.1. Intent

The intent of the vehicle and bicycle parking, queuing, and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner.

Section 6.2.2. Applicability

A. Under Division 6.2, any use must provide off-street parking that permits a vehicle to enter and exit the property. Any change in floor area, capacity, use, or parking design requires recalculation of the parking requirement under Division 6.2, and may be subject to a payment under Chapter 60. The parking ratios of Division 6.2 do not apply to any:

1. structure on the National Register of Historic Places; or
2. expansion or cumulative expansions of less than 500 square feet in gross floor area or impervious cover.

B. An applicant must not reduce the area of an existing off-street parking facility below the minimum number of parking spaces required under Division 6.2 unless an alternative compliance plan is approved.

Section 6.2.3. Calculation of Required Parking

The minimum number of vehicle and bicycle parking spaces required in all zones is the sum of the number of spaces required for each applicable land use in the tables in Section 6.2.4.B and Section 6.2.4.C, unless the total number is reduced under Section 6.2.3.H.

A. In General

1. To calculate the required number of vehicle and bicycle parking spaces from the tables in Section 6.2.4, a fractional space must be rounded up to the nearest whole number.
2. If the required number of parking spaces is calculated based on number of employees, the time when the maximum number of employees is present must be used.
3. A parking space that provides an electric charging station must count toward the minimum number of parking spaces required.
4. Any parking space provided for handicapped persons, up to 10 motorcycle/scooter spaces, and any car-share space count toward the minimum number of parking spaces required. Car-share spaces do not count against the parking maximum.
5. Any on-street parking space in a right-of-way counts toward the minimum number of required parking spaces if the space is:
   a. not located within a Parking Lot District;
   b. abutting or confronting the subject property;
   c. constructed by the applicant; and
   d. for a Retail/Service Establishment or Restaurant use, or a car-share space.

   Any such space removed by a public agency at a later date is not required to be replaced on-site.

B. Handicapped Spaces

The applicant must provide the minimum number of parking spaces required for handicapped persons under State law.

C. Motorcycle/Scooter Parking

Any parking facility with more than 50 parking spaces must provide at least 2% of the number of vehicle spaces, up to a maximum requirement of 10, for a motorcycle or scooter; more than 10 motorcycle or scooter spaces may be provided but any such additional spaces must not count toward the minimum number of parking spaces required.

D. Car-Share Spaces

1. A parking facility with 50 to 149 parking spaces must have a minimum of one car-share parking space. One additional car-share parking space is required for each 100 parking spaces more than 149, up to a maximum requirement of 5. A parking facility may provide more car-share parking spaces than required.
2. If the property owner cannot find a car-share organization willing to make

use of the spaces, the property owner may use the spaces for publicly-available parking. If a County recognized car-share organization notifies the property owner that the organization wants to use the car-share spaces, the property owner must make the spaces available to the car-share organization within 90 days after receiving written notice of interest from the County recognized car-share organization.

E. Bicycle Parking

1. Long-term bicycle parking spaces are for residents and employees. Short-term bicycle parking spaces are for patrons and visitors.
2. Section 6.2.4.C shows the percent of total bicycle spaces that must be for long-term parking. The rest of the bicycle spaces must be short-term spaces.

F. Off-Site Parking by Agreement

An applicant may satisfy the required number of vehicular parking spaces through off-site parking on property located within ¼ mile of the subject property if the off-site property is plat-restricted, deed-restricted, or is under a joint use agreement. The plat or deed restrictions must specify that the property provides the required number of parking spaces for a use on another property. The plat or deed restrictions may be lifted if substitute off-site parking is provided, or if the use requiring the parking ceases to exist. A joint use agreement must:

1. be for a property under the control of the involved parties;
2. be approved by the deciding body;
3. have a minimum term of 5 years; and
4. require the parties to notify DPS within 3 days after any changes to the joint use arrangement and provide DPS with a minimum of one month notice of any pending termination of the agreement.
5. If the parking available under a joint use agreement is reduced the use-and-occupancy permit for the development that was approved in reliance on the joint use agreement must be amended, or revoked, as appropriate, due to the reduced parking unless an alternative compliance plan is approved.
6. A property owner must obtain a new use-and-occupancy permit, including proof of sufficient parking, if there is a change in use of the property or in the joint use agreement.

G. Parking Minimums and Maximums

1. Parking Lot District

a. In a Parking Lot District, an applicant may provide fewer parking spaces than required, after all adjustments are made under Section 6.2.3.H, if payment is made under Chapter 60.

b. In a Parking Lot District, the maximum number of allowed parking spaces is equal to the parking maximum indicated in the parking table under Section 6.2.4.B, and may not be exceeded.

2. Reduced Parking Area

a. In a Reduced Parking Area, an applicant may provide fewer parking spaces than required, after all adjustments are made under Section 6.2.3.H, only under Alternative Compliance (see Division 6.8).

b. In a Reduced Parking Area, an applicant may provide more parking spaces than allowed by the maximum if all of the parking spaces provided in excess of the maximum number allowed are made available to the public and are not reserved, or if approved under Alternative Compliance (see Division 6.8).

H. Adjustments to Vehicle Parking

1. In General

a. Reduced parking rates under Section 6.2.3.H are not mandatory. The maximum number of parking spaces allowed in a Parking Lot District or Reduced Parking Area is based on the baseline maximum in the parking table under Section 6.2.4.B.

b. Adjustments under Section 6.2.3.H to the minimum number of required parking spaces must not result in a reduction below 50% of the baseline parking minimum or shared parking model minimum.

2. Special Uses

a. The parking minimum resulting from a Special Uses adjustment may not be further reduced by additional adjustments under Section 6.2.3.H.

b. Restricted Housing Types

The baseline parking minimum in the parking table under Section 6.2.4.B may be reduced for restricted housing types by multiplying the following adjustment factor times the baseline minimum:

Housing Type	Adjustment Factor
MPDUs and Workforce Housing	0.50
Age-Restricted Housing	0.75
Senior Housing	0.50

c. Religious Assembly

i. The deciding body may reduce the required number of parking spaces:

(a) to 0 0.15 spaces per fixed seat for a Religious Assembly located within 500 feet of any commercial or industrial parking lot where sufficient spaces are available during the time of services to make up the difference; or

(b) to 0.125 per fixed seat for a Religious Assembly used by a congregation whose religious beliefs prohibit the use of motor vehicles in traveling to or from religious services conducted on their Sabbath and principal holidays. The required number of parking spaces may be off-site if the Religious Assembly is located in a Parking Lot District or Reduced Parking Area or within 500 feet of any commercial parking lot where sufficient spaces are available during the time of services or other proposed use of the building.

ii. The parking space requirement does not apply to any existing building or structure located in a Commercial/Residential, Employment, or Industrial zone that is used for Religious Assembly, if the existing parking meets the requirements for any commercial or industrial use allowed in the zone.

3. Shared Parking

a. An applicant proposing development with more than one use may submit a shared parking analysis using the Urban Land Institute Shared Parking Model (Second Edition, 2005) instead of using the parking table in Section 6.2.4.B.

b. The minimum number of required parking spaces under the shared parking model may be adjusted under Section 6.2.3.H.4 through Section 6.2.3.H.6.

4. Car-Share Space

One car-share space located near an entrance is equal to 2 required parking spaces for residential uses or 3 required parking spaces for commercial uses.

5. Unbundled Residential Space

In a Parking Lot District or Reduced Parking Area, if residential parking for Townhouse Living and Multi-Unit Living is sold or rented separately from the purchase or lease of a residential unit, the baseline minimum parking requirement is:

Use	Baseline Minimum
Townhouse Living	0.75
Multi-Unit Living	
Efficiency	0.50
1 Bedroom	0.50
2 Bedroom	0.75
3+ Bedroom	0.75

6. Federal Tenants

The minimum number of parking spaces required for Office used by a federal government tenant under a long-term lease is 1.5 spaces per 1,000 square feet of Office gross floor area.

7. Adjustments Allowed Only in Commercial/Residential and Employment Zones

a. NADMS Percentage Goal

i. The baseline parking minimum or shared parking model minimum may be reduced by the Non-Auto Driver Mode Share (NADMS)

percentage goal recommended in the applicable master plan, up to a maximum reduction of 20%.

ii. The baseline maximum vehicle parking standard must not be changed by the NADMS percentage goal.

iii. The NADMS percentage goal adjustment must be calculated before any other adjustment is taken.

b. Carpool/Vanpool Space

One carpool or vanpool space located near an entrance is equal to 3 required parking spaces. A carpool or vanpool space that is unoccupied after 9:30 a.m. may be made available to all vehicles if a sign is posted on the property notifying the public.

c. Bike-Share Facility

A bike-share facility with a minimum of 10 spaces may be substituted for 3 vehicle parking spaces if the bike-share facility is accepted by the Department of Transportation as part of an approved comprehensive plan of bike-sharing stations.

d. Changing Facilities - Showers and Lockers

The deciding body may reduce the required number of vehicle parking spaces by 3 spaces for each additional changing facility provided above the minimum required under Section 6.2.6.A.4. A changing facility must include a shower and lockers provided separately for each gender.

Section 6.2.4. Parking Requirements

A. Using the Parking Tables

Uses on the parking table match the allowed uses and use groups in Article 59-3. The number of required spaces is based on a metric specific to each use, such as 1,000 square feet of gross floor area (GFA). The number of vehicle parking spaces required also depends upon whether the property is located in or outside of a Parking Lot District or Reduced Parking Area.

B. Vehicle Parking Spaces

USE or USE GROUP	Metric	Agricultural, Rural Residential, Residential, and Industrial Zones	Commercial/Residential and Employment Zones		
			Within a Parking Lot District or Reduced Parking Area		Outside a Parking Lot District or Reduced Parking Area
		Baseline Minimum	Baseline Minimum	Baseline Maximum	Baseline Minimum
AGRICULTURAL					
Agricultural Auction Facility	1,000 SF of GFA	5.00	--	--	--
Agricultural Processing	1,000 SF of GFA	1.50	--	--	--
Farm Supply, Machinery Sales, Storage, and Service	1,000 SF of GFA, excluding storage area	5.00	1.00	2.00	2.00
Nursery					
Nursery (Retail)	1,000 SF of Sales Area	6.00	3.00	6.00	6.00
Nursery (Wholesale)	1,000 SF of Total Floor Area	1.50	--	--	--
Slaughterhouse	1,000 SF of GFA	1.50	--	--	--
Winery	1,000 SF of GFA, and If the winery conducts public tours	1.50 10.00	--	--	--
Accessory Agricultural Uses					
Farm Market, On-site	Market	3.00	0.00	0.00	3.00
RESIDENTIAL					
Household Living					
Single-Unit Living Two-Unit Living Townhouse Living	Dwelling Unit	2.00	1.00	2.00	2.00
Multi-Unit Living	Efficiency Dwelling Unit	1.00	1.00	1.00	1.00
	1 Bedroom Dwelling Unit	1.25	1.00	1.25	1.25
	2 Bedroom Dwelling Unit	1.50	1.00	1.50	1.50
	3+ Bedroom Dwelling Unit	2.00	1.00	2.00	2.00
Group Living					
Dormitory	Bed	0.25	0.25	0.25	0.25
Independent Living Facility for Seniors or Persons with Disabilities Personal Living Quarters	OR: Dwelling Unit or PLQ	1.00	0.50	1.00	1.00
Residential Care Facility	plus, Employee	0.50	0.50	0.50	0.50
Accessory Residential Uses					
Attached Accessory Apartment Detached Accessory Apartment	Accessory Dwelling Unit (in addition to residential spaces)	1.00	--	--	--
Dwellings for Caretakers/Watchkeepers	Accessory Dwelling Unit	1.00	1.00	1.00	1.00
Farm Tenant Dwelling	Dwelling Unit	1.00	--	--	--
Home Occupation (Low Impact) Home Occupation (Major Impact)	Non-Resident Employee	1.00	1.00	1.00	1.00
	plus, Each Client Allowed per Hour (in addition to residential spaces)	1.00	1.00	1.00	1.00
Home Health Practitioner (Low Impact) Home Health Practitioner (Major Impact)	Home Health Practitioner	1.00	1.00	1.00	1.00
	Non-Resident Employee	1.00	1.00	1.00	1.00
	plus, Each Client Allowed per Hour (in addition to residential spaces)	1.00	1.00	1.00	1.00
Live/Work Units	Accessory Dwelling Unit	--	1.00	1.00	1.00

USE or USE GROUP	Metric	Agricultural, Rural Residential, Residential, and Industrial Zones: Baseline Minimum	Commercial/Residential and Employment Zones: Within a Parking Lot District or Reduced Parking Area: Baseline Minimum	Commercial/Residential and Employment Zones: Within a Parking Lot District or Reduced Parking Area: Baseline Maximum	Commercial/Residential and Employment Zones: Outside a Parking Lot District or Reduced Parking Area: Baseline Minimum
CIVIC AND INSTITUTIONAL					
Ambulance, Rescue Squad (Private)	Employee	1.00	0.50	1.00	1.00
	plus, Each Vehicle Operated in Connection with the Use (adequately sized space)	1.00	1.00	1.00	1.00
Charitable, Philanthropic Institution	Resident and Employee	1.00	0.50	1.00	1.00
	OR: 1,000 SF of Recreational GFA	5.00	1.00	3.50	3.50
	OR: 1,000 SF of Office GFA	4.00	2.00	4.00	4.00
Cultural Institution	1,000 SF of GFA	1.25	0.50	2.00	1.25
Day Care Facility					
Family Day Care Group Day Care	Non-Resident Employee (in addition to residential spaces) Required spaces may be allowed on the street abutting the site	1.00	0.50	1.50	1.00
Day Care Center	1,000 SF of GFA	3.00	3.00	4.00	3.00
Educational Institution (Private)	Student (Grades 9 - 12)	0.25	0.15	0.25	0.25
	Employee	1.00	0.25	0.50	0.50
Hospital	1,000 SF of GFA	1.75	1.75	5.00	1.75
Private Club, Service Organization	1,000 SF of GFA	2.50	1.50	2.25	2.25
Religious Assembly	Fixed Seat	0.25	0.15	0.25	0.25
	OR: 1,000 SF of Assembly Area	20.00	10.00	14.00	14.00
Swimming Pool (Community)	Every 7 Persons Legally Permitted to Occupy Pool	1.00	0.50	1.00	1.00
COMMERCIAL					
Animal Services					
Animal Boarding and Care	Employee	1.00	1.00	3.00	1.00
		plus 3			plus 3
Veterinary Office/Hospital	Employee	1.00	1.00	2.50	1.00
	plus, Each Doctor Practicing Simultaneously	2.50	2.00	3.50	2.50
		(Minimum of 5)	--	--	(Minimum of 5)
Eating and Drinking					
Country Inn Restaurant	1,000 SF for Patron Use, (excluding outdoor seating area in the Commercial/ Residential and Employment zones)	10.00	4.00	12.00	4.00
Funeral and Interment Services					
Cemetery Crematory Funeral Home, Undertaker	Capacity of Assembly Area	0.33	0.25	1.00	0.33
	Employee	1.00	1.00	1.00	1.00
	plus, Each Vehicle Operated in Connection with the Use	1.00	1.00	1.00	1.00
Landscape Contractor	Employee	0.50	--	--	--
	plus, Each Vehicle Operated in Connection with the Use	1.00	--	--	--

USE or USE GROUP	Metric	Agricultural, Rural Residential, Residential, and Industrial Zones	Commercial/Residential and Employment Zones		
			Within a Parking Lot District or Reduced Parking Area		Outside a Parking Lot District or Reduced Parking Area
		Baseline Minimum	Baseline Minimum	Baseline Maximum	Baseline Minimum
Lodging					
Bed and Breakfast Hotel, Motel	Guest Room (in addition to any residential spaces) plus,	1.00	0.33	1.00	0.50
	1,000 SF of Meeting Room, Dining	--	2.00	10.00	6.00
Medical and Dental					
Clinic Medical, Dental Laboratory	1,000 SF of GFA	4.00	In CRN, NR zones: 2.00 In CRT, CR, GR, EOF, LSC zones: 1.00	4.00	4.00
Office and Professional					
Life Sciences Office Research and Development	1,000 SF of GFA	2.80	2.00	3.00	2.25
Recreation and Entertainment					
Adult Entertainment Campground Conference Center Golf Course, Country Club Health Clubs and Facilities Recreation and Entertainment Facility Shooting Range	1,000 SF of GFA	10.00	1.00	5.00	2.50
	OR: Every Seat/Guest Space	0.25	0.25	1.25	0.25
	OR: Each Campsite	1.00	1.00	5.00	1.00
	OR: Each Court	2.00	2.00	5.00	2.00
Retail Sales and Service					
Combination Retail Retail/Service Establishment Rural Antique Shop Rural Country Market	1,000 SF of Gross Leasable Area	5.00	3.50	6.00	5.00
Vehicle/Equipment Sales and Rental					
Heavy Vehicle Sales and Rental Light Vehicle Sales and Rental	1,000 SF of Gross Leasable Area	4.00	1.00	2.50	2.50
Vehicle Service					
Automobile Storage Lot Car Wash Filling Station Repair	1,000 SF of GFA	4.00	1.00	2.50	2.50
Accessory Commercial Uses					
Commercial Kitchen	Each Kitchen User	1.00	--	--	--
INDUSTRIAL					
Animal Research Facility	1,000 SF of GFA	--	1.00	3.00	1.50
Dry Cleaning Facility (Up to 3,000 SF)	1,000 SF of GFA	1.50	1.00	3.00	1.50
Dry Cleaning Facility (Over 3,000 SF)	1,000 SF of GFA	1.50	--	--	--

USE or USE GROUP	Metric	Agricultural, Rural Residential, Residential, and Industrial Zones	Commercial/Residential and Employment Zones		
			Within a Parking Lot District or Reduced Parking Area		Outside a Parking Lot District or Reduced Parking Area
		Baseline Minimum	Baseline Minimum	Baseline Maximum	Baseline Minimum
Manufacturing and Production					
Artisan Manufacturing and Production Heavy Manufacturing and Production Light Manufacturing and Production Medical/Scientific Manufacturing and Production	1,000 SF of GFA	1.50	1.00	3.00	1.50
Transportation					
Bus, Rail Terminal/Station	1,000 SF of GFA	1.50	1.00	3.00	1.50
Warehouse					
Freight Movement Mineral Storage Storage Facility	1,000 SF of GFA	1.50	1.00	3.00	1.50
Self-Storage	10,000 SF of GFA for Storage Units without Driveway Access	1.00	1.00	3.00	1.00
	OR: 1,000 SF of Office Space GFA for Storage Units with Driveway Access	3.00	1.00	3.00	1.50
	plus, Employee	1.00	1.00	1.00	1.00
Waste-Related					
Recycling Collection and Processing	1,000 SF of GFA	1.50	--	--	--
All Other Industrial Uses Not Specifically Listed, Except Utilities	1,000 SF of GFA	1.50	1.00	3.00	1.50

C. Bicycle Parking Spaces

USE or USE GROUP	Metric	Agricultural, Rural Residential, Residential, and Industrial Zones		Commercial/Residential and Employment Zones	
		Minimum (Maximum)	% Long-Term	Minimum (Maximum)	% Long-Term
RESIDENTIAL					
Household Living					
Multi-Unit Living	Dwelling Unit (20+ Units Only)	0.35 (100 max)	95%	0.50 (100 max)	95%
Group Living					
Dormitory Independent Living Facility for Seniors or Persons with Disabilities Personal Living Quarters Residential Care Facility	Dwelling Unit (20+ Units Only)	0.25 (50 max)	95%	0.25 (50 max)	95%
CIVIC AND INSTITUTIONAL					
Charitable, Philanthropic Institution	5,000 SF of GFA	1.00 (5 max)	85%	1.00 (5 max)	85%
Cultural Institution	10,000 SF of GFA	0.50 (10 max)	15%	1.00 (10 max)	15%
Day Care Facility					
Group Day Care Day Care Center	5,000 SF of GFA	1.00 (5 max)	85%	1.00 (5 max)	85%
Educational Institution (Private)	5,000 SF of GFA	1.00 (50 max)	15%	1.00 (50 max)	15%
Hospital	25,000 SF of GFA	1.00 (50 max)	85%	1.00 (50 max)	85%
Private Club, Service Organization	10,000 SF of GFA	0.50 (10 max)	15%	1.00 (10 max)	15%
Swimming Pool (Community)	5,000 SF of GFA	1.00 (25 max)	15%	0.50 (25 max)	15%
COMMERCIAL					
Eating and Drinking					
Restaurant	10,000 SF of GFA	1.00 (10 max)	15%	1.00 (10 max)	15%
Lodging					
Hotel, Motel	10 Guest Rooms	--	--	1.00 (25 max)	100%
Medical and Dental					
Clinic Medical, Dental Laboratory	5,000 SF of GFA	0.50 (25 max)	85%	1.00 (25 max)	85%
Office and Professional					
Life Sciences Office Research and Development	5,000 SF of GFA	0.50 (100 max)	85%	1.00 (100 max)	85%
Recreation and Entertainment					
Conference Center Health Clubs and Facilities Recreation and Entertainment Facility	10,000 SF of GFA	0.50 (50 max)	15%	1.00 (50 max)	15%
Retail Sales and Service					
Retail/Service Establishment	10,000 SF of GFA	0.75 (50 max)	15%	1.00 (50 max)	15%
INDUSTRIAL					
Manufacturing and Production					
Light Manufacturing and Production Medical/Scientific Manufacturing and Production	10,000 SF of GFA	0.50 (15 max)	100%	1.00 (25 max)	100%
Transportation					
Bus, Rail Terminal/Station	100 average daily riders	3.5 (100 max)	85%	7.00 (100 max)	85%

Section 6.2.5. Vehicle Parking Design Standards

A. Building Type Exemptions

The vehicle parking design standards under Section 6.2.5.D and Section 6.2.5.F through Section 6.2.5.H do not apply to a:

1. detached house;
2. duplex; or
3. townhouse that provides parking on individual lots.

B. Location

Each required parking space must be within ¼ mile of an entrance to the establishment served by such facilities.

C. Access

Each parking space must have access to a street or alley open to use by the public. Vehicle access crossing primary pedestrian, bicycle, or transit routes must be limited wherever feasible.

D. Marking

1. Any off-street parking area must be arranged and marked to provide for orderly and safe loading, unloading, parking, and storage of vehicles.
2. Each individual parking space must be clearly marked, and directional arrows and traffic signs must be provided as necessary for traffic control.
3. Each space or area for compact parking must be clearly marked to indicate the intended use.

E. Size of Spaces

1. Each parking space must satisfy the following minimum dimensional requirements:

	Standard Space		Compact Space	
Parking Angle	**Width**	**Length**	**Width**	**Length**
Perpendicular	8.5'	18'	7.5'	16.5'
60 to 75 degrees	10'	23'	8.5'	21'
45 to 59 degrees	12'	26.5'	not allowed	not allowed
Parallel	7'	21'	6'	19.5'

2. A parking space may be reduced by 2 feet in length where the overhang will not conflict with pedestrian, bicycle, or vehicular circulation.
3. Within a Parking Lot District or Reduced Parking Area, up to 20% of all required spaces may be compact spaces. Outside of a Parking Lot District or Reduced Parking Area, up to 10% of all required spaces may be compact spaces.
4. If a column or other obstruction would interfere with opening a car door, then the minimum stall width of the affected space must be increased by one foot.
5. Tandem parking is allowed for dwelling units. Two parking spaces in tandem must have a combined minimum dimension of 8.5 feet in width by 36 feet in length. When used for residential purposes, both tandem parking spaces must be assigned to the same dwelling unit.
6. Valet parking may be allowed to satisfy the parking requirement if:
   a. an attendant or mechanized system to park vehicles is available during all business hours of the associated use; and
   b. the number of valet spaces equals the number of required parking spaces. Valet spaces do not require individual striping, and may use tandem or mass parking of vehicles.

F. Drive Aisles

1. If a drive aisle has parking stalls along the sides it is an interior drive aisle. A drive aisle with no parking stalls along the sides is an entrance or exit drive aisle.
2. A drive aisle must have the following minimum width based on the configuration of the adjacent parking spaces and travel direction:

Parking Type	One Way	Two Way
Perpendicular	20'	20'
60 to 75 degrees	18'	20'
45 to 59 degrees	16'	20'
Parallel	10'	20'
None	10'	20'

G. Parking Separation

1. Each parking space must be separated from any road, street, alley, or sidewalk by curbing or wheel stops.
2. Any road, street, alley, sidewalk, or other public right-of-way must be protected from vehicular overhang by wheel stops, curbs, spacing between the right-of-way line and the parking area, or other method approved by DPS.

H. Walkways

An off-street parking facility must have pedestrian walkways or sidewalks as needed for pedestrian safety. A pedestrian walkway or sidewalk must be distinguished by stripes, wheel stops, curbs, or other methods approved by the applicable deciding body.

I. Drainage

Any off-street parking facility must be drained to prevent damage to abutting properties and public streets, and must be constructed of material that will assure a surface resistant to erosion. All drainage must satisfy the principles of Environmental Site Design (ESD) as specified in the Stormwater Management Manual adopted by the County.

J. Facilities for Conditional Uses in Residential Detached Zones

Any off-street parking facility for a conditional use that is located in a Residential Detached zone where 3 or more parking spaces are provided must satisfy the following standards:

1. Location

Each parking facility must be located to maintain a residential character and a pedestrian-friendly street.

2. Setbacks

a. The minimum rear parking setback equals the minimum rear setback required for the detached house.

b. The minimum side parking setback equals 2 times the minimum side setback required for the detached house.

c. In addition to the required setbacks for each parking facility:

i. the required side and rear parking setbacks must be increased by 5 feet for a parking facility with 150 to 199 parking spaces; and

ii. the required side and rear parking setbacks must be increased by 10 feet for a parking facility with more than 199 parking spaces.

K. Commercial Vehicle Parking for Properties with a Residential Use

1. In General

a. Vehicles and machinery used primarily for Farming may be parked without restriction.

b. Parking of a tow truck with a vehicle attached is prohibited.

c. A commercial vehicle under Section 6.2.5.K must be owned or used by an occupant of the dwelling.

2. AR, R, RC, and RNC Zones

a. On any lot or parcel up to 0.5 acre, one light commercial vehicle and one unoccupied recreational vehicle may be parked at any one time.

b. On any lot or parcel more than 0.5 acre and less than 2 acres, up to 3 light commercial vehicles and one unoccupied recreational vehicle may be parked at any one time. One additional recreational vehicle may be used for dwelling purposes on the property for up to 3 days in any month.

c. On any lot or parcel more than 2 acres, there are no restrictions on commercial and recreational vehicle parking.

3. RE-2, RE-2C, and RE-1 Zones

a. Up to 3 light commercial vehicles and one unoccupied recreational vehicle may be parked on any lot or parcel in the RE-2, RE-2C, or RE-1 zone at any one time. One additional recreational vehicle may be used for dwelling purposes on the property for up to 3 days in any month.

b. Any property zoned RE-1 that does not have a minimum lot area of 40,000 square feet, must satisfy the requirements for Surface Parking in R-200, R-90, and R-60 under Section 6.2.5.L.

4. R-200, R-90, R-60, and R-40 Zones

One light commercial vehicle and one recreational vehicle may be parked on any lot or parcel in the R-200, R-90, R-60, or R-40 zone; however, the recreational vehicle may only be used for dwelling purposes for up to 3 days in any month.

5. TLD, TMD, THD, R-30, R-20, and R-10 Zones

One light commercial vehicle may be parked in a garage on any lot or parcel in the TLD, TMD, THD, R-30, R-20, or R-10 zone.

L. Surface Parking in R-200, R-90, R-60, and R-40 Zones

1. Parking for any vehicle or trailer in the area between the lot line and the front building line must be on a surfaced parking area.
2. Except as provided in Section 6.2.5.L.3, the maximum surfaced parking area between the lot line and the front building line, excluding the surfaced parking area in a driveway on a pipestem or flag-shaped lot, is:
   a. in the R-200 and R-90 zones, 30% or 320 square feet, whichever is greater; and
   b. in the R-60 and R-40 zones, 35% or 320 square feet, whichever is greater.
3. A surfaced parking area may exceed the size limits in Section 6.2.5.L.2 if:
   a. the surfaced parking area existed before October 26, 2010 and is not increased in size;
   b. the property has primary access from a primary residential street, minor arterial road, major highway, arterial, or any state road, and is equal to or less than 50% of the area between the lot line and the front building line;
   c. the property is a stone or rock quarry in the R-200 zone; or
   d. DPS grants a waiver to protect public safety.
4. Parking a vehicle in the area between the lot line and front building line on a non-surfaced parking area or on less than 160 square feet of surfaced parking area for each vehicle is prohibited.
5. One vehicle may be parked for every 160 square feet of surfaced parking area.
6. Temporary parking for visitors, loading, or unloading is permitted on any area for a maximum of 12 days per year. Temporary parking may also be permitted for cleaning vehicles and trailers if the vehicles are not heavy commercial vehicles.
7. Servicing a heavy commercial vehicle is prohibited.

Section 6.2.6. Bicycle Parking Design Standards

A. Long-Term Spaces

1. Location, Access, and Security

a. Each long-term bicycle parking space must be provided within a building, covered parking garage, or bicycle locker located near the building or structure and the street or other bicycle right-of-way.

b. Each space must be available and accessible for all building tenants during the building's hours of operations. For residential tenants, each space must be accessible 24 hours a day, 7 days a week.

c. A long-term bicycle parking space in a garage:
   i. must be clearly marked as a long-term bicycle parking space;
   ii. must be located no lower than the first complete parking level below grade, and no higher than the first complete parking level above grade;
   iii. must be in a well-lit, visible location near the main entrance or elevators; and
   iv. should be separated from vehicle parking by a barrier that minimizes the possibility of a parked bicycle being hit by a car.

d. If a long-term bicycle parking space is in an enclosed area, the facility must not be accessible to anyone without authorized access.

e. If a locker is provided, the locker must be securely anchored.

f. Each facility must be well-maintained and well lit.

2. Space Dimensions

a. Each long-term bicycle parking space must have:

i. a minimum vertical clearance of 75 inches for spaces other than lockers;

ii. a minimum vertical clearance of 48 inches for a locker;

iii. a minimum length of 72 inches and width of 24 inches if a bicycle is placed horizontally; and

iv. a minimum length of 40 inches and width of 24 inches if a bicycle is placed vertically.

b. A bicycle parking facility must have an aisle a minimum of 4 feet in width between rows of bicycle parking spaces and the perimeter of the area devoted to bicycle parking.

c. If a room or common locker is not divided into individual spaces, each 12 square feet of floor area is counted as one bicycle parking space.

d. If a bicycle parking facility has a manufactured metal locker or stall, each locker or stall devoted to bicycle parking is counted as one bicycle parking space.

3. Signs

If a long-term bicycle parking facility is not visible from the street or main building entrance, the property owner must post a sign in a lobby or common area indicating the location of the bicycle parking.

4. Changing Facilities – Showers and Lockers

a. Any individual tenant space with more than 50,000 square feet of nonresidential gross floor area (excluding retail or uses with less than 50 employees during the largest shift), must have one shower and changing facility for each gender, unless the development has shower and changing facilities in a common area that is available to all tenants. One additional shower and changing facility per gender must be installed for every additional 50,000 square feet of nonresidential gross floor area (excluding retail), up to a maximum of 3 for each gender.

b. If a long-term bicycle storage facility is required for a nonresidential use, the facility must have a minimum of 0.3 clothing lockers for each required long-term storage space for each gender. Each clothing locker must be:

i. a minimum of 12 inches wide, 18 inches deep, and 36 inches high;

ii. available for use during all hours that employees are on-site; and

iii. installed adjacent to the showers and changing facilities in a safe and secured area.

c. Section 6.2.6.A.4 does not apply to a public parking facility.

B. Short-Term Spaces

1. Location, Access, and Security

a. Each short-term bicycle parking space must be:

i. available to the public;

ii. located in a convenient, well-lit area that is clearly visible to both a visitor to the building and a person who is on the sidewalk that accesses the building's main entrance; and

iii. within 90 feet from:

(a) the main entrance of any building; or

(b) at least one main entrance of a building with more than one main entrance; unless

(c) the applicable deciding body approves an alternative location during the site plan or conditional use process.

b. Each parking facility is prohibited from obstructing pedestrian traffic or interfering with the use of the pedestrian area.

c. Any sidewalk rack that is parallel to the curb must be located 2 feet from the curb face.

d. Any sidewalk rack aligned perpendicular to the curb must be located so that the nearest vertical component of the rack is a minimum of 4 feet from the curb.

e. Each sidewalk rack must be a minimum of 14 feet from any stand-alone fire hydrant.

f. Each parked bicycle must be accessible without moving another bicycle.

g. A bicycle parking facility must have an aisle a minimum of 4 feet in width behind all occupied parking racks to allow room for bicycle maneuvering.

2. Racks

A bicycle rack must:

a. permit a bicycle frame and one wheel to be locked to the rack with a high security lock;

b. permit a bicycle to be securely held with its frame supported in at least 2 places;

c. be offset a minimum of 30 inches on center;

d. be durable and securely anchored;

e. have a locking surface thin enough to allow standard u-locks to be used, but thick enough so the rack cannot be cut with bolt cutters;

f. have aisles a minimum width of 48 inches between racks;

g. have a minimum depth of 72 inches between each row of parked bicycles; and

h. perform as well as an inverted u-rack.

Section 6.2.7. Queuing Design Standards

A. Spaces Required

1. A Restaurant must have a minimum of 5 queuing spaces for each drive-thru lane.
2. Any non-Restaurant use must have a minimum of 3 queuing spaces for each drive-thru lane.

B. Design

1. A queuing space must be the same size as a standard parallel parking space under Division 6.2.
2. A vehicle must be able to use a drive-thru facility without encroaching on or interfering with the public use of streets and sidewalks.
3. Any aisle to accommodate queuing must be clearly marked or physically separated from driveway aisles, parking spaces, and pedestrian walkways.
4. Each queuing space must satisfy the parking lot landscaping and lighting requirements in Section 6.2.9.

Section 6.2.8. Loading Design Standards

A. Applicability

The required number of off-street loading spaces is determined by the number of dwelling units, gross floor area of the use, and the type of use. The table in Section 6.2.8.B designates the number of loading spaces required. Outdoor storage, sales, or display areas must be added to gross floor area if these areas contain materials that are received or distributed by trucks. If a development has 2 or more uses, the off-street loading space requirement is the highest number of spaces required of any one use.

B. Required Off-Street Loading Spaces

1. Multi-Unit Living Uses

Metric	Required Number of Spaces (min)
Under 50 dwelling units	None
50 dwelling units and above	1

2. Office and Professional, Group Living, Hospital, Educational Institution (Private), and Hotel and Motel Uses

Metric	Required Number of Spaces (min)
Up to 25,000 SF of GFA	None
25,001 to 250,000 SF of GFA	1
250,001 to 500,000 SF of GFA	2
500,001 to 750,000 SF of GFA	3
750,000 SF of GFA and above	4

3. Retail Sales and Services, Manufacturing and Production, and Warehouse Uses

Metric	Required Number of Spaces (min)
Up to 15,000 SF of GFA	None
15,001 to 50,000 SF of GFA	1
50,001 to 200,000 SF of GFA	2
200,001 to 350,000 SF of GFA	3
350,001 SF of GFA and above	4

C. Location and Design

1. Location

a. An off-street loading space must be located within the same development as the building or use served.

b. An off-street loading space is prohibited from projecting into a sidewalk, street, or public right-of-way.

c. An off-street loading space is prohibited from being located between the front building line and the lot line.

2. Dimensions

The size of a loading space is determined by the size of delivery vehicles serving the site. The minimum size of a loading space is:

a. 10 feet wide, 30 feet long, and 14 feet high if it serves single-unit trucks and similar delivery vehicles; and

b. 12 feet wide, 55 feet long, and 15 feet high if it serves larger freight vehicles.

3. Maneuvering

The size of a maneuvering area is determined by the size of the delivery vehicles serving the site. Each maneuvering area for loading spaces must not conflict with parking spaces or with the maneuvering areas for parking spaces. A maneuvering area must be located on-site and be a minimum of:

a. 30 feet for spaces serving single-unit trucks and similar delivery vehicles; and

b. 50 feet for spaces serving larger freight vehicles .

4. Surfacing

Each off-street loading space must be paved with a durable, all-weather material, such as concrete or asphalt.

5. Safe Design

Each loading space must be designed and located to minimize conflicts with other vehicular, bicycle, and pedestrian traffic.

Section 6.2.9. Parking Lot Landscaping and Outdoor Lighting

A. Applicability

Section 6.2.9 applies to any:

1. surface parking lot with 10 or more spaces;
2. structured parking facility; or
3. property with a conditional use requiring 3 to 9 spaces that abuts an Agricultural, Rural Residential, or Residential Detached zoned property that is vacant or improved with an agricultural or residential use.

B. Parking Lot Requirements for Conditional Uses Requiring 3 to 9 Spaces

1. If a property with a conditional use requiring 3 to 9 parking spaces is abutting Agricultural, Rural Residential, or Residential Detached zoned property that is vacant or improved with an agricultural or residential use, the parking lot must have a perimeter planting area that:

   a. satisfies the minimum specified parking setback under Article 59-4 or, if not specified, is a minimum of 8 feet wide;

   b. contains a hedge, fence, or wall a minimum of 4 feet high; and

   c. has a minimum of 1 understory or evergreen tree planted every 30 feet on center.

2. The Hearing Examiner may increase the perimeter planting requirements for a conditional use application under Section 7.3.1.

C. Parking Lot Requirements for 10 or More Spaces

1. Landscaped Area

a. A surface parking lot must have landscaped islands that are a minimum of 100 contiguous square feet each comprising a minimum of 5% of the total area of the surface parking lot. Where possible, any existing tree must be protected and incorporated into the design of the parking lot.

b. A maximum of 20 parking spaces may be located between islands.

c. A landscaped area may be used for a stormwater management ESD facility.

2. Tree Canopy

Each parking lot must maintain a minimum tree canopy of 25% coverage at 20 years of growth, as defined by the Planning Board's Trees Technical Manual, as amended.

3. Perimeter Planting

a. The perimeter planting area for a property that abuts an Agricultural, Rural Residential, or Residential Detached zoned property that is vacant or improved with an agricultural or residential use must:

i. be a minimum of 10 feet wide;

ii. contain a hedge, fence, or wall a minimum of 6 feet high;

iii. have a canopy tree planted every 30 feet on center; and

iv. have a minimum of 2 understory trees planted for every canopy tree.

b. The perimeter planting area for a property that abuts any other zoned property, right-of-way, or an Agricultural, Rural Residential, or Residential Detached zoned property that is improved with a civic and institutional, commercial, industrial, or miscellaneous use must:

i. be a minimum of 6 feet wide;

ii. contain a hedge or low wall a minimum of 3 feet high; and

iii. have a canopy tree planted every 30 feet on center; unless

iv. the property abuts another parking lot, in which case a perimeter planting area is not required.

4. Lighting

Parking lot lighting must satisfy Section 6.4.4, General Outdoor Lighting Requirements.

D. Structured Parking Requirements

1. A structured parking garage must have a living green wall or public artwork along 50% of the ground floor of any garage wall facing a right-of-way, residential property, or open space.

2. The roof illumination of a structured parking garage must satisfy Section 6.4.4, General Outdoor Lighting Requirements, except:

a. any lighting fixture located within 30 feet of the deck perimeter must be 15 feet or less in height; and

b. any fixture located elsewhere on the deck must be 30 feet or less in height.

E. Interim Conditions

The Planning Board may allow a parking lot that is constructed as an interim use under a sketch plan or site plan with an approved phasing plan to deviate from Section 6.2.9 if the Planning Board finds that a compatible, safe, and efficient alternative is provided.

Division 6.3. Open Space and Recreation

Section 6.3.1. Intent

Open space can provide adequate light, air, circulation, and recreation and encourage preservation and enhancement of natural resources, including improvement of water and air quality.

Section 6.3.2. Applicability

The following table summarizes the types of open space that are required by zone, development method, and building type. This table does not define legal requirements and is only provided for the convenience of the reader. Detailed applicability is included with each open space type in Section 6.3.4 to Section 6.3.7; open space area requirements are provided in the Section references in the following table:

Zone	Division References for Amount of Open Space Required	Rural Open Space	Common Open Space	Public Open Space	Amenity Open Space
RC	4.3.	CD			
RNC	4.3	All	MPDU		
RE-2C, RE-1, R-200, R-90, R-60, R-40	4.4		MPDU or CD		
TLD, TMD, THD	4.4		T or MPDU		
R-30, R-20, R-10	4.4		T, A, or MPDU		
CRN, CRT, CR, LSC	4.5		T	A, MU, or G	
GR, NR, EOF, IL, IM, IH	4.6 or 4.7		T		A, MU, or G
For Floating zones, open space is required under the equivalent Euclidean zone that determines uses.					

KEY: All = All development
MPDU = Optional method MPDU Development
A = Apartment Building Type
G = General Building Type
CD = Optional method Cluster Development
T = Townhouse Building Type
MU = Multi Use Building Type
Blank Cell = Not required

Section 6.3.3. Allowed and Prohibited Features in Open Space

A. Allowed Features

The following table summarizes the allowed features in each type of open space:

Feature	Rural Open Space	Common Open Space	Public Open Space	Amenity Open Space
Conservation area or land trust for natural, archeological or historical resources	A	A	x	x
Open space such as a lawn, garden, ornamental planting area, patio, walk and pathway	x	A	A	A
Open space such as a plaza, promenade, arcade, urban park, or town square	x	x	A	A
Pedestrian or non-motorized multipurpose trail	A	A	A	A
Natural resource-based recreation	A	A	A	A
Facility-based recreation	x	A	A	A
Public space or amenity recommended by an approved urban renewal plan	x	x	A	x
Above-ground utility rights-of-way	A	A	A	A
Water body, such as a lake, pond, and floodway	A	A	x	x
Non-structural, natural, and ESD stormwater management facility	A	A	A	A
Utility	A	A	A	A
Other conservation-oriented use compatible with the purpose of Division 6.3	A	A	A	A

KEY: A = Allowed in open space x = Not allowed in open space

B. Prohibited Features

An open space must not include:

1. a street;
2. a parking or maneuvering area for vehicles;
3. an individual wastewater disposal area, or drain field for community systems;
4. a Transitory Use;

5. any activity prohibited by the applicable deciding body and recorded on the legal instrument providing for permanent protection; or
6. any use prohibited in rural open space under Section 6.3.4.A.4.

Section 6.3.4. Rural Open Space

A. General Requirements

1. Applicability

a. All optional method Cluster Development in the RC zone must provide rural open space.

b. All development in the RNC zone must provide rural open space.

2. Defined

Rural open space means land that is managed as farmland or in a natural state as allowed under Section 6.3.4.B.1.d.

3. Amount of Rural Open Space

The Planning Board may approve a minor variation in the master plan recommended rural open space if it finds that the variation would retain or enhance both the quality and character of the rural open space, but the Planning Board must not approve less rural open space than the zone requires.

4. Uses in Rural Open Space

a. In the RC zone, the following uses allowed under Article 59-3 are prohibited in any rural open space area:

i. Agricultural Processing;

ii. Farm Supply, Machinery Sales, Storage, and Service;

iii. Nursery (Retail);

iv. Nursery (Wholesale);

v. Slaughterhouse;

vi. Seasonal Outdoor Sales;

vii. Farm Tenant Dwelling not associated with a farm in the rural open space;

viii. Independent Living Facility for Seniors or Persons with Disabilities;

ix. Residential Care Facility (Up to 8 Persons);

x. Residential Care Facility (9 - 16 Persons);

xi. Residential Care Facility (Over 16 Persons);

xii. Charitable, Philanthropic Institution;

xiii. Group Day Care (9 - 12 Persons);

xiv. Day Care Center (13 - 30 Persons);

xv. Day Care Center (Over 30 Persons);

xvi. Private Club, Service Organization;

xvii. Public Use (Except Utilities);

xviii. Religious Assembly;

xix. Animal Boarding and Care;

xx. Veterinary Office/Hospital;

xxi. Media Broadcast Tower;

xxii. Country Inn;

xxiii. Cemetery;

xxiv. Landscape Contractor;

xxv. Shooting Range (Outdoor);

xxvi. Rural Antique Shop; and

xxvii. Mining, Excavation.

b. In the RNC zone, the following uses allowed under Article 59-3 are prohibited in any rural open space area:

i. Equestrian Facility (3+ horses);

ii. Farm Supply, Machinery Sales, Storage, and Service;

iii. Nursery (Retail);

iv. Nursery (Wholesale);

v. Winery;

vi. Farm Market, On-site;

vii. Seasonal Outdoor Sales;

viii. Townhouse Living;

ix. Independent Living Facility for Seniors or Persons with Disabilities;

x. Residential Care Facility (Up to 8 Persons);

xi. Residential Care Facility (9 - 16 Persons);

xii. Residential Care Facility (Over 16 Persons);

xiii. Charitable, Philanthropic Institution;

xiv. Cultural Institution;

xv. Group Day Care (9 - 12 Persons);

xvi. Day Care Center (13 - 30 Persons);

xvii. Day Care Center (Over 30 Persons);

xviii. Educational Institution (Private);

xix. Playground, Outdoor Area (Private);

xx. Private Club, Service Organization;

xxi. Public Use (Except Utilities);

xxii. Religious Assembly;

xxiii. Swimming Pool (Community);

xxiv. Animal Boarding and Care;

xxv. Veterinary Office/Hospital;

xxvi. Cable Communications System;

xxvii. Telecommunications Tower;

xxviii. Cemetery;

xxix. Landscape Contractor;

xxx. Rural Antique Shop;

xxxi. Rural Country Market; and

xxxii. Public Utility Structure.

B. Design Requirements

1. Guidelines for Development

a. In addition to any other requirements of Division 6.3 and Chapter 50 (Section 50-39), rural open space must:

i. be used to minimize any potential nuisance or conflict and maximize compatibility between residential and agricultural uses within the proposed development and between the proposed and existing development;

ii. limit the disturbance of the area to become rural open space to the maximum extent possible during construction of residential lots and associated infrastructure; and

iii. be recorded within a separate lot or parcel with a protective easement or covenant recorded in the land records.

b. In the RNC zone, all publicly or privately held land in the rural open space area must be preserved in perpetuity, either by dedication as parkland or by application of an easement or covenant in a recordable form approved by the Planning Board. The easement or covenant must:

i. restrict uses in the rural open space under Article 59-3 and Section 6.3.4.A.4;

ii. provide for the management of any natural or agricultural features under the approved site plan; and

iii. prohibit any development or subdivision within the rural open space area not expressly allowed.

c. Rural open space used for a farm in the RC zone must be a minimum of 25 acres, unless the Planning Board finds that a smaller farm will implement the intent of Division 6.3 and the zone.

d. Rural open space may be managed by:

i. reforestation;

ii. woodland, meadow, wetland, or agricultural management;

iii. streambank or floodplain protection; or

iv. non-structural stormwater management; however, in the RNC zone, the Planning Board may allow a structural stormwater management facility in the rural open space if the location and appearance of the facility is consistent with the general intent of the RNC zone, and substantially conforms with the recommendations of the applicable master plan for use of the open space.

2. Open Space Allocation

Before adding other types of land areas in rural open space, rural open space must include:

a. floodplain;

b. stream buffer area;

c. jurisdictional wetland under federal law (Section 404) as defined by the Army Corps of Engineers;

d. habitat for state- or federally-listed endangered or threatened species;

e. historic, archaeological and cultural site, cemetery and burial ground;

f. agricultural land containing prime farmland soil or other soil of statewide importance;

g. an area containing existing healthy trees greater than 12 inches DBH;

h. an area that connects the site to neighboring rural open space, trails, or greenways;

i. areas containing highly erodible soils or soils with severe limitations for development due to drainage problems;

j. forest areas not included in the environmental buffer; and

k. viewsheds recommended for preservation by the applicable master plan.

3. Configuration of Rural Open Space

a. The minimum width for any rural open space is 75 feet unless the Planning Board grants an exception for items such as a trail easement or linear park when their purpose meets the intent of Section 6.3.4.

b. A minimum of 60% of the rural open space must be contiguous or separated only by a residential street.

c. Where feasible, the rural open space must adjoin any neighboring area of open space, other protected area, or non-protected natural area that would be a candidate for inclusion as part of a future area of protected rural open space.

Section 6.3.5. Common Open Space

A. General Requirements

1. Applicability

Common open space is required for any:

a. optional method development in an RNC or Residential Detached zone;

b. development with a townhouse or apartment building type in a Residential Townhouse or Residential Multi-Unit zone;

c. townhouse development in a Commercial/Residential or Employment zone; and

d. Floating zone, as required under the equivalent Euclidean zone that determines uses.

2. Defined

Common open space means an outdoor area that is intended for recreational use by residents and their visitors. Common open space does not include private individual lots.

B. Design Requirements

1. Common open space must be located in a central position or central positions in the neighborhood bordered by streets or building lots. It may be public or private. Common open space may also be placed in a location taking advantage of an important adjacent natural feature or open space.

2. The minimum width for any required common open space is 50 feet unless the deciding body grants an exception for items such as a trail easement, a mid-block crossing, or a linear park, by finding that its purpose meets the intent of Division 6.3.

3. A minimum of 50% of the required common open space must be in one contiguous area or only separated by a residential street. Any other areas must

be a minimum of 2,000 square feet each and connected by sidewalks, paths, or trails.

Section 6.3.6. Public Open Space

A. General Requirements

1. Applicability

Any development with an apartment, multi use, or general building type in a Commercial/Residential, LSC, Commercial/Residential Floating, or LSCF zone must provide the required public open space under the applicable development standards.

2. Defined

Public open space means space devoted to public use or enjoyment that attracts public appreciation due to its location and amenities.

3. Public Open Space Alternatives

a. Development with a civic and institutional use in the LSC zone may provide up to 50% of the required public open space as amenity open space under Section 6.3.7, if the Planning Board finds that the amenity open space better serves the public interest due to health and safety concerns.

b. Up to 5% of public open space may be used for outdoor café areas.

B. Design Requirements

1. Standard Method Development

Under standard method development, public open space must:

a. abut a public sidewalk or other public pedestrian route;

b. be a minimum of 15 feet wide;

c. include seating and shade;and

d. be in a contiguous space.

2. Optional Method Development

Under optional method development, public open space must:

a. abut a public sidewalk or other public pedestrian route;

b. include space for pedestrian circulation, landscaping, seating, shade, water features, artwork, or recreation; and

c. be in a contiguous space or spaces that abut other public open space or sidewalks or pedestrian routes and are not so fragmented and disconnected that they do not satisfy the intent of Division 6.3.

C. Off-Site Options

The Planning Board may find that the requirement for public open space is satisfied in whole or in part by:

1. making public park or public open space improvements in an area at least as large as the required public open space located within or near the applicable master plan area; or

2. paying all or part of the cost to design, construct, renovate, restore, install, or operate a public open space located within or near the applicable master plan area if the payment:

a. equals the cost of constructing the same amount of public open space and any associated amenity on-site per square foot plus the fair market value of the land per square foot;

b. implements the open space, recreation, and cultural goals of the applicable master plan; and

c. is made within 30 days after the release of any building permit for the subject application.

Section 6.3.7. Amenity Open Space

A. General Requirements

1. Applicability

Any development in the Industrial zones and development of any apartment, multi use, or general building type in the GR, NR, EOF, GRF, NRF, or EOFF zones must provide amenity open space under Section 6.3.7.

2. Defined

Amenity open space means an outdoor area providing recreational and natural amenities for the use and enjoyment of employees and visitors.

B. Design Requirements

1. The minimum width for any required amenity open space is 15 feet except for a sidewalk, pathway, or trail.
2. Amenity open space must provide space for pedestrian circulation, landscaping, seating, shade, water features, artwork, or recreation.

Section 6.3.8. Open Space Landscaping and Outdoor Lighting

A. Overview of Required Open Space Landscaping

The following table summarizes the open space landscaping requirements:

Open Space Type	Farming	Native Species	Permeable Area (min)	Tree Canopy (min)
Rural Open Space	Allowed	Required	90%	No Minimum
Common Open Space	Allowed	Preferred	80%	20%
Public Open Space	Allowed in Community Garden	Preferred	10%	10%
Amenity Open Space	Allowed	Preferred	10%	10%

B. Open Space Landscaping Requirements

1. General

Open space landscaping and lighting must protect environmentally sensitive areas and address the recreation needs of the proposed community.

2. Farming

Any Farming or Urban Farming use under the applicable use standards for each zone in Section 3.2.6 and Section 3.2.9 is allowed in open space.

3. Native Species

Rural open space must contain native species only.

4. Permeable Area

Permeable area provides some portion of each open space type with landscaping, carbon sequestration, rainwater infiltration, and heat island mitigation. Any permeable area must be pervious, open to the sky, and covered with live plant material or mulch. Permeable area includes any water body, bioretention area, or other ESD stormwater facility.

5. Tree Canopy

Tree canopy provides shade, carbon sequestration, and heat island mitigation. Tree canopy size is calculated at 20 years of growth, as defined by the Planning Board's Trees Technical Manual, as amended.

6. Plant Distance from Paved Surface

Any shrub or tree must be located a minimum of 24 inches from the center to any paved surface, except for any street tree planted along a sidewalk.

C. Open Space Lighting

1. In rural open space and common open space, illumination at the property line must be 0.1 footcandles or less.
2. In public open space and amenity open space, illumination at the property line must be:
   a. 0.1 footcandles or less if the subject property abuts a property that is in an Agricultural, Rural Residential, or Residential zone that is vacant or improved with an agricultural or residential use; and
   b. 0.5 footcandles or less if the subject property abuts any other property, excluding street lights within the right-of-way.

Section 6.3.9. Recreation Facilities

The Planning Board must adopt guidelines that detail the standards and requirements for recreation facilities. The guidelines must:

A. be consistent with the purposes of this Chapter;

B. be in addition to any standards, requirements, or rules in this Chapter; and

C. establish the minimum standards for development of a property with more than 19 residential units.

Division 6.4. General Landscaping and Outdoor Lighting

Section 6.4.1. Intent

Division 6.4 provides minimum standards for quantity, size, location, and installation of landscaping and outdoor lighting on private property. The intent of these standards is to preserve property values, preserve and strengthen the character of communities, and improve water and air quality.

Section 6.4.2. Applicability

Division 6.4 applies to landscaping required under this Chapter, the installation of any new outdoor lighting fixture, and the replacement of any existing outdoor fixture. Replacement of a fixture means to change the fixture type or to change the mounting height or location of the fixture.

Section 6.4.3. General Landscaping Requirements

A. General

1. DPS must not issue a final certificate of occupancy until all trees and plant material have been installed and satisfy Division 6.4.
2. DPS may issue a temporary certificate of occupancy for a period of up to 6 months if planting of the site is impractical, or until the proper planting season to complete the landscaping requirements occurs.
3. Landscaping and lighting must satisfy any applicable design guidelines or streetscape standards.
4. To satisfy Section 6.2.9, Division 6.3, and Division 6.6, a property owner must not place plant material in any utility, stormwater management, or other easement that may result in removal of the plantings, except as allowed under Section 6.2.9, Division 6.3, and Division 6.6.
5. All landscape plans and related documentation must be prepared by a licensed landscape architect.
6. Species included on the Maryland Invasive Species Council's list of invasive aquatic or terrestrial plants must not be used for landscaping.

B. Landscaping Elements

1. Plant Material

a. Any landscaping must be installed under the accepted standards of the American Standard for Nursery Stock, latest edition, as published by the American Association of Nurserymen.

b. Plant material must be true to name, variety, and size and must satisfy all applicable provisions of the American Standards for Nursery Stock, latest edition.

c. Mature plant size is based on the Manual of Woody Landscape Plants, Stipes Publishing, latest edition.

2. Canopy Trees

a. Defined

A canopy tree is a large deciduous tree, typically 40 to 70 feet tall at maturity, with a minimum spread (canopy) of 30 feet. A canopy tree typically has only a single trunk.

b. Size at Time of Planting

Any canopy tree within an open space area, screening area, or surface parking lot must have a minimum caliper of 2 inches or a minimum height of 14 feet when planted.

3. Understory Trees

a. Defined

An understory tree is a small deciduous tree, typically less than 30 feet tall at maturity. Many understory trees have multiple trunks.

b. Size at Time of Planting

i. Any single trunk understory tree located in an open space area, screening area, or surface parking lot must have a minimum caliper of 1.5 inches or a minimum height of 10 feet when planted.

ii. Any multi-trunk understory tree located in an open space area, screening area, or surface parking lot must have a minimum of 3 main stems, each with a minimum caliper of 1.5 inches per stem, or a minimum height of 10 feet, when planted.

4. Evergreen Trees

a. Defined

An evergreen tree (conifer), typically more than 40 feet tall at maturity.

b. Size at Time of Planting

Any evergreen tree located in an open space area, screening area, or surface parking lot must be a minimum of 8 feet in height when planted, measured from the top of the root ball to the tip of the highest branch.

5. Shrubs

a. Defined

i. A large shrub must be of a species that is expected to grow to a minimum height of 8 feet.

ii. A medium shrub must be of a species that is expected to grow to a minimum height of 4 feet.

iii. A small shrub must be of a species that is expected to grow to a minimum height of 2 feet.

b. Size at Time of Planting

i. A large shrub located in an open space area, screening area, or surface parking lot must be in a container with a minimum volume of 5 gallons or be balled and burlapped.

ii. A medium shrub located in an open space area, screening area, or surface parking lot must be in a container with a minimum volume of 3 gallons or be balled and burlapped.

iii. A small shrub located in an open space area, screening area, or surface parking lot must be in a container with a minimum volume of one gallon.

C. Fences and Walls

1. Measurement of Height

Fence or wall height is measured from the lowest level of the grade under the fence or abutting a wall.

2. Height and Placement

a. The maximum height of a fence or wall in any front setback in a Residential zone is 4 feet.

b. A fence, wall other than retaining wall, terrace, structure, shrubbery, planting, or other visual obstruction on a corner lot in a Residential zone can be a maximum height of 3 feet above the curb level for a distance of 15 feet from the intersection of the front and side street lines.

c. A deer fence on a corner lot in a Residential zone must not be located closer to the street than the face of the building.

d. A wall or fence must not be located within any required drainage, utility or similar easement, unless approved by the agency with jurisdiction over the easement.

3. Exemptions from Building Line and Setbacks

Building line and setback requirements do not apply to:

a. deer fencing:

i. in an Agricultural or Rural Residential zone; or

ii. behind the front building line for property in a non-Agricultural or non-Rural Residential zone unless the property adjoins a national historical park.

b. a retaining wall where changes in street grade, width, or alignment have made such structures necessary;

c. any other wall or fence that is 6.5 feet or less in height, is behind the front building line, and is not on a property abutting a national historic park;

d. a rustic fence on a property abutting a national historical park;

e. any boundary fence behind the front building line if the property is located within 100 feet of a parking lot in a national historical park; and

f. deer fencing and any other fence that 8 feet or less in height if the property is farmed and agriculturally assessed.

D. Failure to Maintain Landscaping

1. If the owner of a landscaped area fails to maintain the area according to the standards of Section 6.4.3, the County may issue a notice of violation to the property owner, allowing the property owner 90 days to correct the deficiency. Refer to Division 7.8, Violations, Penalties, and Enforcement for additional procedures.

2. The County may recover the cost of enforcement from the property owner, including reasonable attorney's fees. The County may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the landscaped area to maintain the area. The party with primary responsibility for maintenance of the landscaped area must reimburse the County for the work.

Section 6.4.4. General Outdoor Lighting Requirements

A. Exemptions

Routine lighting fixture maintenance, such as changing a lamp or light bulb, ballast, starter, photo control, housing, lens, and other similar component, is not replacement and may be performed if such changes do not result in a higher lumen output.

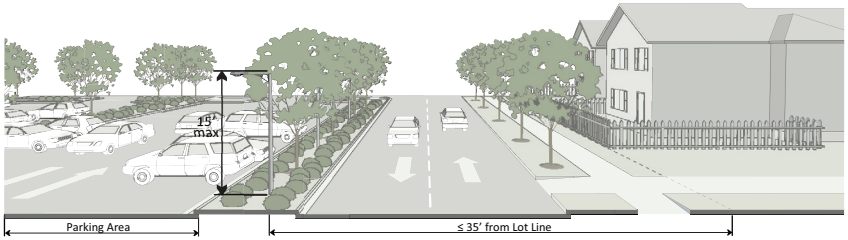
B. Design Requirements

1. Fixture (Luminaire)

To direct light downward and minimize the amount of light spill, any outdoor lighting fixture must be a full or partial cutoff fixture.

2. Fixture Height

A freestanding lighting fixture may be a maximum height of 40 feet in a parking lot with a minimum of 100 spaces, otherwise a freestanding lighting fixture may be a maximum height of 30 feet within a surface parking area and may be a maximum height of 15 feet within a non-vehicular pedestrian area. A freestanding light fixture located within 35 feet of the lot line of any detached house building type that is not located in a Commercial/Residential or Employment zone may be a maximum height of 15 feet. The height of a freestanding lighting fixture must be measured from the finished grade.



3. Light Source (Lamp)

A light source must use only incandescent, fluorescent, light-emitting diode (LED), metal halide, or color-corrected high-pressure sodium, unless the applicable deciding body approves an alternate light source based on new technology.

C. Lighting Types

1. Security Lighting

a. Any building-mounted security light fixture, such as a wall pack, must not project above the fascia or roof line of the building and must be shielded.

b. Any security fixture, including but not limited to a floodlight or wall pack, must not face ground floor residential uses.

c. Any security fixture must not be substituted for parking area or walkway lighting, and must be located in a loading, storage, service, or other similar area.

2. Accent Lighting

Only lighting used to accent an architectural feature, landscaping, or art may be directed upward. The accent lighting fixture must be located, aimed, or shielded to minimize light spill and glare.

3. **Canopy Area Lighting**

   All development that incorporates a canopy area over a Filling Station, automated teller machine, or a similar facility must use a full cutoff fixture with a lens cover flush with the bottom surface of the canopy or recessed within the canopy. Canopy area lighting must be 30 footcandles or less under the canopy as measured horizontally at grade.

4. **Residential Entrances**

   Any entrance to a residential building or multi use building with more than 4 residential units must be adequately lighted to ensure the safety of persons and the security of the building.

5. **Outdoor Recreation Lighting**

   Lighting for any outdoor recreation field must be arranged to prevent direct glare onto any public or private property or street. Lighting of an outdoor playing field/court is prohibited between 11:00 p.m. and 7:00 a.m., unless the applicable deciding body approves other hours.

6. **Commercial Businesses**

   None of the provisions of Section 6.4.4, except for Section 6.4.4.E, apply to lighting for commercial uses placed on or within a building.

D. Excessive Illumination

Except where otherwise stated in this Chapter, on-site illumination must be 0.5 footcandles or less at the lot line, excluding street lights within the right-of-way.

E. Conditional Uses

Outdoor lighting for a conditional use must be directed, shielded, or screened to ensure that the illumination is 0.1 footcandles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or Employment zone.

Division 6.5. Screening Requirements

Section 6.5.1. Intent

The intent of Division 6.5 is to ensure appropriate screening between different building types and uses.

Section 6.5.2. Applicability

A. Method of Development

Division 6.5 only applies to standard method development.

B. Agricultural, Rural Residential, and Residential Detached Zones

In the Agricultural, Rural Residential, and Residential Detached zones, a conditional use in any building type must provide screening under Section 6.5.3 if the subject lot abuts property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use.

1. The conditional use standards under Article 59-3 may exempt the development from this requirement.
2. The Hearing Examiner may increase the amount of screening required for conditional use approval under Section 7.3.1.

C. Residential Townhouse, Residential Multi-Unit, Commercial/Residential, Employment, and Industrial Zones

In the Residential Townhouse, Residential Multi-Unit, Commercial/Residential, Employment, and Industrial zones:

1. A conditional use in a detached house or duplex building type must provide screening under Section 6.5.3 if the subject lot abuts property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use.
   a. The conditional use standards under Article 59-3 may exempt the development from this requirement.
   b. The Hearing Examiner may increase the amount of screening required for conditional use approval under Section 7.3.1.
2. Any use in a townhouse, apartment, multi use, or general building type must provide screening under Section 6.5.3 as indicated in the following table if the subject lot abuts property in an Agricultural, Rural Residential, or Residential zone that is vacant or improved with an agricultural or residential use:

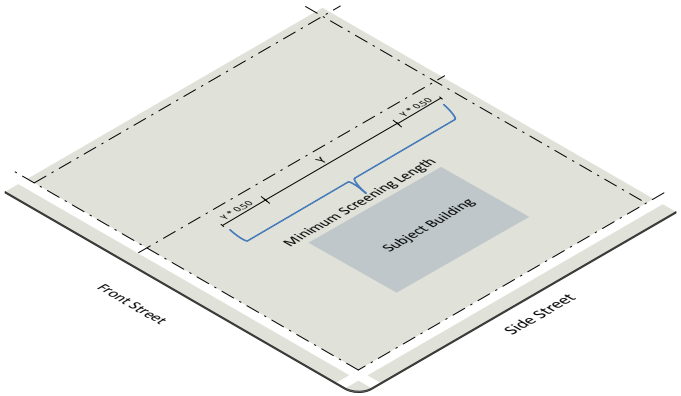
	Abutting Zone		
Building Type	**Agricultural, Rural Residential, Residential Detached**	**Residential Townhouse**	**Residential Multi-Unit**
Townhouse	Y	N	N
Apartment or Multi Use Building	Y	Y	N
General Building, with a non-Industrial use	Y	Y	N
General Building, with an Industrial use	Y	Y	Y

KEY: Y = Screening required N = Screening not required

Section 6.5.3. Screening Requirements

A. Location

1. Screening is required along a lot line shared with an abutting property that is vacant or improved with an agricultural or residential use.
2. Screening may be placed within any required setback. If the required setback is less than the screening width required for the building type in Section 6.5.3, the property must satisfy the required screening width in Section 6.5.3.
3. Screening must be placed between the lot line and the subject structure or use and extend along the lot line. The screening must extend along the full length of the subject structure or use plus an additional 50% in length in each direction or to the end of the shared lot line, whichever is less.



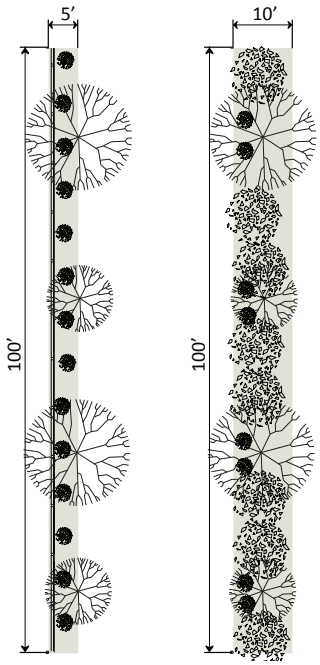
4. Screening is not required between a lot line and the subject structure or use if the structure or use is separated from the lot line by a surface parking lot. Instead, landscaping must be provided under Section 6.2.9.

B. Berms

A berm must have a rounded crown suitable for planting and a stabilized side slope of 40% or less. A berm may meander and be discontinuous if it satisfies the intent of Division 6.5.

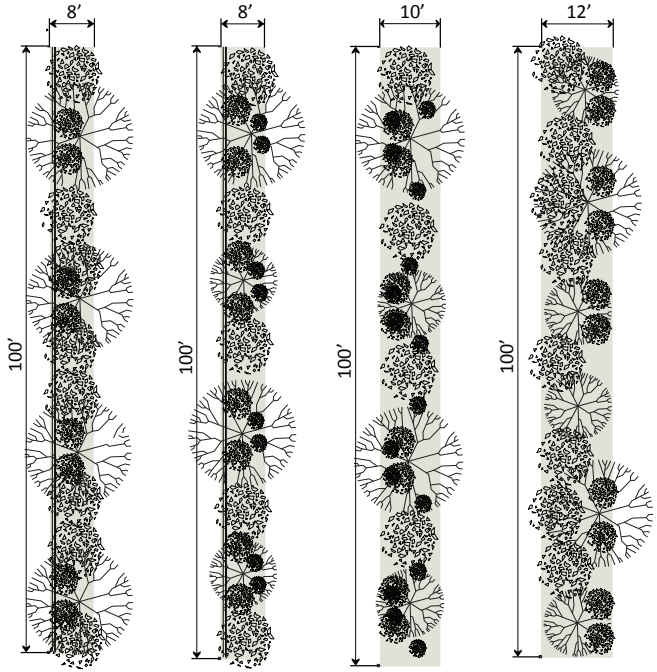
C. Screening Requirements by Building Type

1. Screening is determined by the proposed building type, unless otherwise stated. The minimum screening requirements for each building type are in Section 6.5.3.C.4 through Section 6.5.3.C.8.
2. Plant materials are specified for each 100 linear feet of screening area. Any fractional requirement must be rounded up to the next higher whole number.
3. The applicant may choose any option for the applicable building type or use.



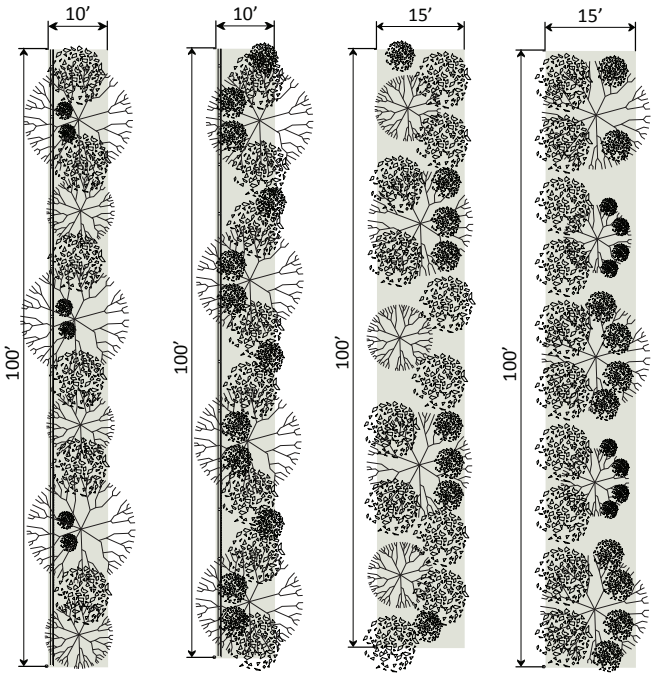
4. Townhouse

	Option A	Option B
Dimensions (min)		
Width	5'	10'
Planting and Screening Requirements		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	2	2
Shrubs (minimum per 100')		
Large	--	8
Medium	--	--
Small	16	8
Wall, Fence or Berm (min)	4' fence or wall	--



5. Apartment Building Up to 60 Feet in Height or Multi Use Building Up to 40 Feet in Height

	Option A	Option B	Option C	Option D
Dimensions (min)				
Depth	8'	8'	10'	12'
Planting and Screening Requirements				
Trees (minimum per 100')				
Canopy	4	2	2	2
Understory or Evergreen	--	2	2	4
Shrubs (minimum per 100')				
Large	8	6	4	8
Medium	8	8	8	12
Small	--	8	8	--
Wall, Fence or Berm (min)	4' fence or wall	4' fence or wall	--	--

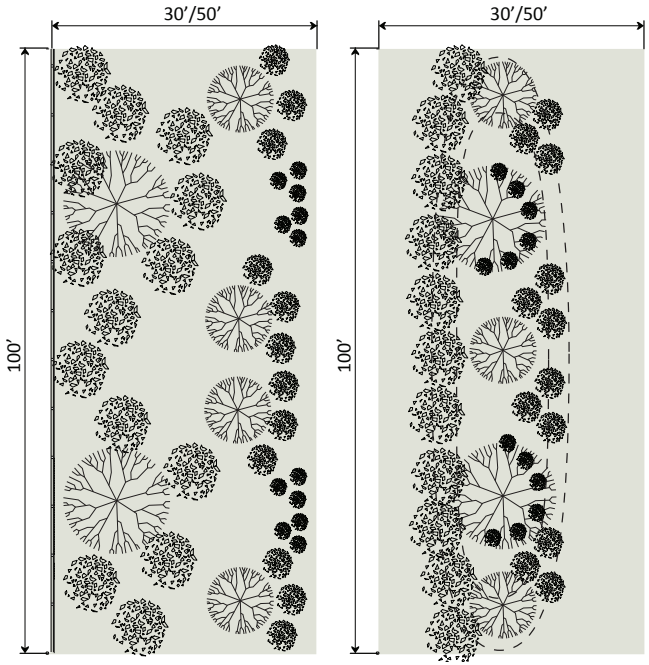


6. Apartment Building Over 60 Feet in Height or Multi Use Building Over 40 Feet in Height

	Option A	Option B	Option C	Option D
Dimensions (min)				
Depth	10'	10'	15'	15'
Planting and Screening Requirements				
Trees (minimum per 100')				
Canopy	3	4	2	3
Understory or Evergreen	3	--	3	2
Shrubs (minimum per 100')				
Large	6	8	11	10
Medium	--	12	8	10
Small	6	--	--	12
Wall, Fence or Berm (min)	4' fence or wall	6' fence or wall	--	--

7. General Building with a Non-Industrial Use; Conditional Use in the Agricultural, Rural Residential, or Residential Detached Zones; and Conditional Use in a Detached House or Duplex in Any Other Zone

	Option A	Option B
Dimensions (min)		
Depth	8'	12'
Planting and Screening Requirements		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	2	4
Shrubs (minimum per 100')		
Large	6	8
Medium	8	12
Small	8	--
Wall, Fence or Berm (min)	4' fence or wall	--



8. General Building with an Industrial Use

	Option A	Option B
Dimensions (min)		
Depth for all zones except IH zone	30'	30'
Depth for IH zone	50'	50'
Planting and Screening Requirements		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	4	3
Shrubs (minimum per 100')		
Large	14	11
Medium	12	12
Small	12	12
Wall, Fence or Berm (min)	6' fence or wall	6' berm

Division 6.6. Outdoor Display and Storage

Section 6.6.1. Intent

Division 6.6 regulates the size, location, height, and screening of all outdoor storage and display to protect public safety, health, and welfare; preserve and enhance property values; and preserve and strengthen the character of communities.

Section 6.6.2. Applicability

A. Division 6.6 applies to any site where merchandise, material, or equipment is displayed or stored outside of a completely enclosed building.

B. Division 6.6 does not apply to:

1. merchandise, material, or equipment for agricultural uses in an Agricultural or Rural Residential zone; and
2. where allowed, the outdoor sale, lease, or rental of motor vehicles and heavy equipment as part of a properly allowed use.

Section 6.6.3. Design Standards

A. Outdoor Display

1. Defined

a. Outdoor display means the outside display of products actively available for sale. The outdoor placement of any propane gas storage rack, ice storage bin, soft drink, or similar vending machine is an outdoor display.

b. Outdoor display does not include merchandise or material in boxes, in crates, on pallets, or other kinds of shipping containers (see outdoor storage).

c. Section 6.6.3 does not apply to Seasonal Outdoor Sales, under Article 59-3.

2. Standards

Any nonresidential use may have an outdoor display if the deciding body approves the applicable plan illustrating the extent of the permitted area for outdoor display. An outdoor display must:

a. be removed and placed inside a fully-enclosed building at the end of each business day, except a propane gas storage rack, ice storage bin, soft drink or similar vending machine may remain outside overnight; and

b. not impede pedestrian use of the sidewalk or parking areas.

B. Outdoor Storage

1. Limited Outdoor Storage

a. Defined

Limited outdoor storage includes:

i. overnight outdoor storage of any vehicle awaiting repair;

ii. outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;

iii. outdoor sales area for building supplies, garden supplies, or plants;

iv. outdoor storage of fleet vehicles; and

v. outdoor storage of any vehicle, boat, recreational vehicle, or other similar vehicle at a storage facility.

b. Standards

Limited outdoor storage is allowed when it is accessory to an allowed use if the deciding body approves the applicable plan illustrating the extent of the permitted area for limited outdoor storage. Limited outdoor storage must satisfy the standards of the zone or the use.

2. General Outdoor Storage

a. Defined

General outdoor storage includes any material associated with industrial uses, such as equipment, lumber, pipe, steel, salvage, or recycled materials.

b. Standards

General outdoor storage is permitted and must:

i. in the Industrial zones, include screening of inventory and equipment under Section 6.5.3, unless the use abuts or confronts property in an Industrial zone; and

ii. in all other zones:

(a) have an approved plan illustrating the extent of the permitted area for general outdoor storage;

(b) be located on property that fronts on and has direct access to a road built to primary or higher standards;

(c) be located on property with a minimum area of 5 acres if abutting an Agricultural, Rural Residential, or Residential zone;

(d) be set back a minimum of 50 feet from any lot line; and

(e) include screening of inventory and equipment under Section 6.5.3, unless the use abuts or confronts property in an Industrial zone.

Division 6.7. Signs

Section 6.7.1. Intent

Division 6.7 regulates the size, location, height, and construction of all signs placed for public view. The requirements are intended to preserve the value of property; to preserve and strengthen community ambiance and character; and, where applicable, to implement the recommendations of an urban renewal plan adopted under Chapter 56. It is the intent of Division 6.7 to:

A. encourage the effective use of signs;

B. maintain and enhance the aesthetic environment of the County while avoiding visual clutter;

C. promote the use of signs to identify buildings and geographic areas;

D. improve pedestrian and vehicle traffic safety;

E. promote the compatibility of signs with the surrounding land uses;

F. promote the economic development and marketing of businesses located within an approved urban renewal area;

G. provide increased flexibility in the number, size, location, design, and operating characteristics of signs for optional method development in an approved urban renewal area; and

H. implement the recommendations of an approved urban renewal plan.

Section 6.7.2. Applicability

A. A property owner must obtain a permit under Division 6.7 before a sign is constructed, erected, moved, enlarged, illuminated, or substantially altered, except for signs covered by Section 6.7.3, Exempt Signs, Section 6.7.11, Limited Duration signs, and Section 6.7.12,Temporary Signs.

B. A property owner must maintain a sign in good repair and in a safe condition. Routine maintenance does not require a permit. Routine maintenance includes painting, cleaning, changing copy where permitted, or changing copy to satisfy a sign concept plan.

C. A sign not listed in Division 6.7 or that does not satisfy the requirements in Division 6.7 may be constructed if the applicant obtains a variance from the Sign Review Board.

Section 6.7.3. Exempt Signs

The following signs are exempt from Division 6.7:

A. A sign on private property does not require a permit when the area of the sign is 2 square feet or less, and:

1. the sign is on private property customarily associated with residential living or decoration.
2. the sign is part of a mailbox or newspaper tube and satisfies government regulations.
3. the sign is a warning to the public about trespass, danger, or safety considerations.

B. A sign legally affixed to a bus shelter or transit center information kiosk under an approved franchise agreement.

C. The following signs do not require a permit and are exempt from the size, placement, and number requirements of Division 6.7, but must satisfy the prohibitions in Section 6.7.4, Prohibited Signs:

1. A sign that is not visible beyond the property lines of the property where the sign is located.
2. A sign erected by, or on the order of, a public officer or utility official and used by a government agency or utility company in the performance of its official duties such as controlling traffic, identifying streets, warning of danger or providing information.
3. A sign required to be displayed by law or regulation.
4. A flag that is displayed on a flagpole.
5. A sign that is cut into the masonry surface or constructed of bronze or other durable material and made an integral part of the structure such as a cornerstone, memorial, plaque, or historical marker.

6. A sign that is an integral part of a dispensing mechanism, such as a beverage machine, newspaper rack, or gasoline pump.
7. An adornment or seasonal decoration.

D. A sign or inflatable device that is located in an urban renewal area that is located in an arts and entertainment district; promotes an entertainment event conducted by an entity located within the urban renewal area of an arts and entertainment district; is erected for a maximum of 30 days; and includes more than 1,500 square feet of surface area, is exempt from the following:

1. The prohibition on animal forms in Section 6.7.4, Prohibited Signs;
2. The size, height and area limitations in Division 6.7;
3. The prohibition on roof signs in Section 6.7.4, Prohibited Signs; and
4. The prohibition on signs in the public right-of-way in Section 6.7.4, Prohibited Signs, if constructed 20 feet or more above the public right-of-way.

Section 6.7.4. Prohibited Signs

A sign not authorized in Division 6.7 is prohibited. The following signs are specifically prohibited and must not be erected or retained. The Sign Review Board must not grant a variance permitting their erection, installation, or maintenance. A prohibited sign must be removed within 24 hours after notification by DPS that the sign must be removed.

A. Obscene Sign

A sign containing obscene statements, words, or depictions that are construed to offend public morals or decency is prohibited.

B. Roof Sign

Unless approved as part of a sign concept plan for an optional method development project located in an urban renewal area, a sign painted on the roof of a building, or supported by poles, uprights or braces extending from or attached to the roof of a building, or projected above the roof of a building, is prohibited. A wall sign is not a roof sign, and for the purposes of Division 6.7 a roof surface constructed at an angle of within 15 degrees of vertical is regarded as wall space. Screening that encloses equipment such as a heating, ventilating and air conditioning unit, an elevator shaft, and stairs located on a roof also are considered wall space.

C. Obstructive Sign

A sign placed in a location that obstructs the view of traffic signs, traffic signals, oncoming traffic, pedestrians, or in any way interferes with the placement or function of any traffic control device as determined by the appropriate transportation jurisdiction is prohibited.

D. Unsafe Sign

A sign determined by DPS to create a safety hazard due to structural or electrical conditions, or by reason of inadequate maintenance, must be repaired to meet safety requirements or removed within 30 days after notice of the unsafe condition.

E. Moved by the Wind

Unless approved as part of a sign concept plan for an optional method development project located in an urban renewal area, placing a sign in the form of a banner, pennant, streamer, ribbon, spinner, balloon, string of lights, or other device that will move in the wind or be moved manually on a lot or parcel is prohibited, unless the sign satisfies Section 6.7.3, Exempt Signs.

F. Sign in the Public Right-of-Way

A sign in the right-of-way is prohibited, except for the following:

1. A sign erected by a government agency or utility company in the performance of its public duties.
2. A sign erected by the appropriate transportation jurisdiction in its right-of-way.
3. A permanent sign allowed to be located in the public right-of-way in Division 6.7, if:
   a. the sign is approved by the Sign Review Board; and
   b. the appropriate transportation jurisdiction issues a permit after approving the structural adequacy, physical location, sight distance, pedestrian access, and other safety characteristics of the sign.

4. A limited duration sign that satisfies Division 6.7.
5. A sign approved as part of a sign concept plan for an optional method development project located in an urban renewal area.

G. Sign Attached to the Property of Others

A sign attached to a structure or property such as a fence, wall, antenna, other sign, tree or other vegetation, or to any public structure such as a utility pole, without permission of the owner is prohibited.

H. Abandoned Sign

A permanent sign, including the structural supports and electrical connections, that was legally erected as a location sign, but the building has not been used for 6 months or more, is considered abandoned. A sign for a seasonal use is considered abandoned only if the site remains unused for 12 months.

I. Off-Site Sign

An off-site sign is prohibited.

Section 6.7.5. Measurements

The following standards are used to measure the area of a sign regulated by Division 6.7.

A. Generally

The sign area is the entire portion of the sign that can be enclosed within a rectangle. The area includes the extreme limits of the letters, figures, designs, and illumination, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed (Figure 1).

B. Supports

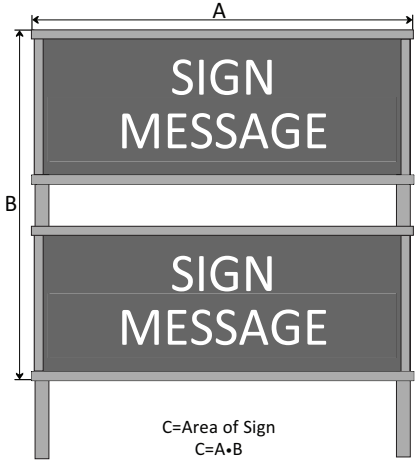
The structure that supports a sign is excluded from the measurement of sign area unless the structure is used as an integral part of the display. A support having a perimeter larger than 4 feet at the widest point, is an integral part of the display.

C. Multiple Sections

The area of a sign that consists of more than one section includes the space between the sections, plus the measurement of the sections of the sign (Figure 2).

Figure 1

Figure 2



D. Multiple Planes

The area of a sign with more than one face or plane, including a 3 dimensional sign, is measured as follows:

1. Generally

All sides of a sign that can be seen at any one time from one vantage point outside the property line of the site where the sign is located are included in the sign area (Figure 3).

2. Parallel Faces

Only the larger of 2 sides is measured if the sides are double faced or back to back. The 2 planes must be parallel and less than 2 feet apart. For parallel signs at least 2 feet apart, the sum of all the planes or sides are used to determine the sign area (Figure 4).

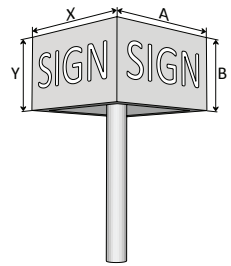
3. "V" Shaped

The area of a 2 sided sign constructed in the form of a "V" is calculated by the same method as parallel faces if the angle of the "V" is less than 30 degrees and the maximum distance between the sides is 5 feet at any point. If the angle is equal to or greater than 30 degrees or the distance between the sides is greater than 5 feet, the sum of all the planes are used to determine the sign area unless the applicant demonstrates that only one side of the sign is visible from any single vantage point outside the property line of the site (Figure 5).

4. 3 Dimensional

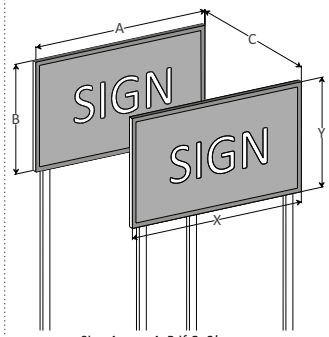
Where 3 dimensional signs are used, the area of the sign is the total surface area of the sides that can be seen from a single vantage point outside the property lines of the site where the sign is located (Figure 6).

Figure 3



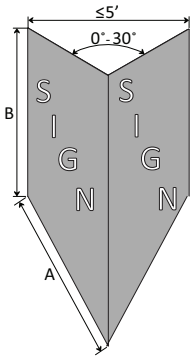
Sign Area = (X•Y) + (A•B)

Figure 4

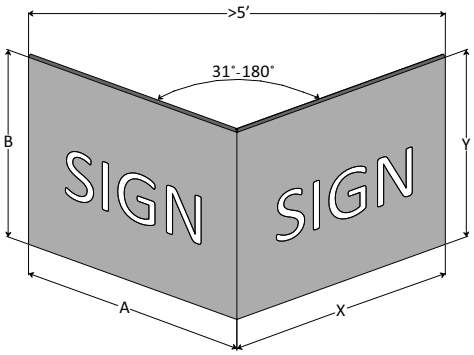


Sign Area = A•B if C<2'
Sign Area = (A•B) + (X•Y) if C≥2'

Figure 5

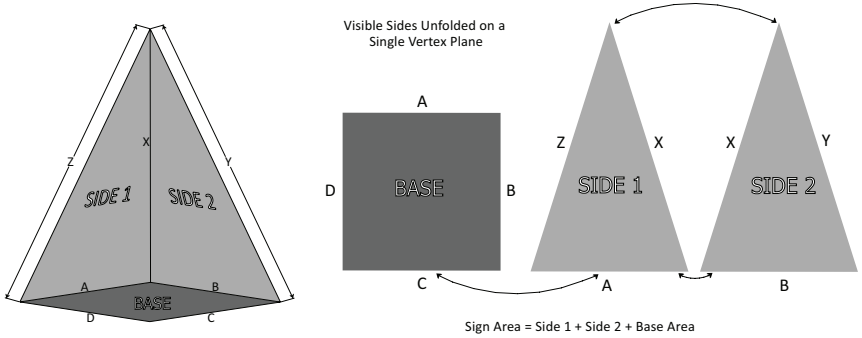


Sign Area = One Face
Sign Area = A•B



Sign Area = Total of Both Faces
Sign Area = (A•B) + (X•Y)

Figure 6



Sign Area = Side 1 + Side 2 + Base Area

Section 6.7.6. Permanent Signs, In General

A permanent sign is one that is intended to remain posted indefinitely. A permit is required to construct a permanent sign and a building permit or electrical permit may be required due to the sign's physical characteristics.

A. Sign Area

1. Unless otherwise provided in Division 6.7, the maximum total sign area of all permanent signs on any lot or parcel is the maximum sign area allocated for the zone in which the sign is located.
2. The maximum sign area for a sign on a lot or parcel within 150 feet of a residential use is 100 square feet.

B. Sign Placement

1. A setback is measured from the portion of the sign nearest to the property line.
2. Height is measured from the portion of the sign which is vertically the farthest from the ground.
3. Unless otherwise provided in Division 6.7, no portion of a sign may:
   a. be erected in a manner that places the top of the sign more than 26 feet above the ground, except for a location sign erected that satisfies Section 6.7.3.D;
   b. extend outside the property upon which it is erected, except for properties with no building setback, or satisfying the standards in Section 6.7.9.A.3 for canopy signs; and
   c. obstruct any building aperture, such as a window, door, ventilation opening, or fire prevention device.

C. Building and Electrical Permits

The applicant for a permanent sign under Division 6.7 must construct and maintain the sign in a manner that satisfies the building and construction requirements of Chapter 8 and the electrical requirements of Chapter 17.

D. Color

1. A sign that contains any color combination that may be confused with a traffic sign or signal is prohibited.
2. A sign back or non-display side of a sign must be a single neutral color where visible from outside the property lines of the site or DPS must include the sign back or non-display side of the sign as sign area.

E. Illumination

When illumination of a sign is permitted, the applicant must satisfy the following requirements:

1. An electrical permit must be obtained under Chapter 17;
2. Sign illumination must use an enclosed lamp design or indirect lighting from a shielded source and be 0.5 footcandles or less at the property line if the subject property abuts a property that is improved with a residential use in any zone or is vacant in a Residential zone;
3. A sign illuminated in a pattern or lighting combination that resembles a traffic signal is prohibited;
4. A sign illuminated by flashing, revolving or intermittent lights, or lights of changing intensity is prohibited; and
5. A sign on a lot or parcel within 150 feet of a residential use must be illuminated only during the hours the entity is open for public business, unless the applicant demonstrates that the sign is located so that no adverse impact will affect the residential use.

F. Structural Limitations

The applicant for a sign must construct and maintain the sign in a manner that satisfies the following structural requirements:

1. A sign shaped like a traffic sign or traffic signal, or that uses wording similar to traffic signals, or interferes with traffic safety is prohibited.
2. A sign must be a geometric shape; a sign shaped to resemble any human or animal form is prohibited.
3. A sign activated by wind is prohibited.
4. A sign with moving parts is prohibited.

5. A sign that has characters that are changed manually or electronically must not be changed more than once each day. This includes a sign that gives the appearance or illusion of movement for a written or printed message. A sign that displays the number of available parking spaces is exempt from this requirement.

G. Historic Preservation Area

The applicant for a sign erected in an historic preservation area must construct and maintain the sign in a manner that satisfies the following criteria:

1. DPS must verify that the historic site or area is designated in the Montgomery County Master Plan for Historic Preservation.
2. DPS must verify that the applicant has received an historic area work permit under the provisions of Chapter 24A before considering a sign permit application for a sign located on an historic resource.
3. DPS must consider the following information in issuing a sign permit:
   a. Size, shape, color, lettering, and location of the sign; and
   b. Compatibility of the sign with the surrounding property, other signs in the area, and the historic nature of the area.

H. Permanent Sign Standards By Zone

The applicant for a permanent sign not listed as allowed in a specific zone or that does not satisfy Section 6.7.6 or the applicable zone must obtain a variance from the Sign Review Board.

Section 6.7.7. Agricultural and Rural Residential Zones

A. Base Sign Area

The maximum total area of all permanent signs on a lot or parcel in the Agricultural and Rural Residential zones is 200 square feet, excluding the additional area allowed by other provisions of Division 6.7.

1. Freestanding Sign

a. One freestanding sign may be erected at each building or driveway entrance.
b. The maximum sign area is 40 square feet.
c. The minimum setback for a sign is 10 feet from the property line.
d. The maximum height of a sign is 10 feet.
e. Illumination is prohibited.

2. Wall Sign

a. One wall sign is allowed.
b. The maximum sign area is 40 square feet.
c. The sign may be placed up to 26 feet above the ground.
d. Illumination is prohibited.

B. Additional Sign Area

In addition to the 200 square feet of total sign area, an additional location sign is allowed for a lot or parcel larger than 5 acres, if it meets the following requirements:

1. One entrance sign is allowed at each entrance to the lot or parcel.
2. The maximum sign area is 40 square feet.
3. The minimum setback for a sign is 10 feet from the property line
4. The maximum height of a sign is 26 feet.
5. The sign may be illuminated (see Section 6.7.6.E).

Section 6.7.8. Residential Zones

A. Base Sign Area

The maximum total area of all permanent signs on a lot or parcel in a Residential zone is 2 square feet, unless additional area is permitted under Division 6.7.

1. Freestanding Sign

a. One freestanding sign is allowed.
b. The minimum setback for a sign is 5 feet from the property line.
c. The maximum height of the sign is 5 feet.
d. Illumination is prohibited.

2. **Wall Sign**

   a. One wall sign is allowed.

   b. The sign may be placed a maximum of 5 feet above the ground.

   c. Illumination is prohibited.

B. Additional Sign Area

1. **Subdivision and Multi-Unit Development Location Sign**

   Additional sign area is allowed for a permanent location sign erected at any entrance to a subdivision or Multi-Unit development if the sign is a ground sign or wall sign located at an entrance to the subdivision or building.

   a. 2 signs are allowed for each entrance.

   b. The maximum sign area is 40 square feet per sign.

   c. If the driveway entrance to the subdivision or development is located in the right-of-way, a revocable permit issued jointly by the Sign Review Board and the appropriate transportation jurisdiction must be obtained to erect the sign.

   d. The maximum height of a sign is 26 feet.

   e. The sign may be illuminated (see Section 6.7.6.E).

2. **Place of Assembly Location Sign**

   Additional sign area is allowed for a permanent location sign for any place of worship, school, library, museum, hospital, or any other publicly owned facility. The sign must be a ground sign or a wall sign located at an entrance to the building or driveway.

   a. 2 signs are allowed at each entrance.

   b. The maximum sign area is 40 square feet.

   c. The minimum setback for a sign is 5 feet from the property line, or, if the driveway entrance to the subdivision is located in the right-of-way, a revocable permit issued jointly by the Sign Review Board and the appropriate transportation jurisdiction must be obtained to erect the sign.

   d. The maximum height of a sign is 26 feet.

   e. The sign may be illuminated (see Section 6.7.6.E).

Section 6.7.9. Commercial/Residential, Employment, and Industrial Zones

A. Base Sign Area

The maximum total area of all permanent signs on a lot or parcel in a Commercial/Residential, Employment, or Industrial zone is 800 square feet, excluding the additional area allowed by other provisions of Division 6.7, without submitting a sign concept plan to DPS. The maximum sign area for an individual sign in these zones is 200 square feet.

1. **Freestanding Sign**

   a. One sign is allowed at each customer entrance to the building or driveway.

   b. The maximum sign area for a lot or parcel is 2 square feet for each linear foot of frontage.

      i. Where a lot or parcel has frontage on more than one street, signs may be erected facing each street, or may be erected at a location which allows it to be seen along each street on which the site has frontage.

      ii. For a lot that has less than 50 feet of frontage, the sign area is based on the length of the lot line closest to the street toward which the sign is to be oriented. The applicant is restricted to using only one street and the property line closest to that street.

   c. A sign must be set back at least ¼ of the distance required for the building setback for the zone.

   d. The maximum height of the sign is the height of the tallest building on the same premises as the sign or 26 feet above the ground, whichever is less.

   e. The sign may be illuminated (see Section 6.7.6.E).

2. **Wall Sign**

   a. One sign is allowed for each customer entrance. A customer entrance includes, but is not limited to, a direct outside entrance to a shop or store, and a direct outside entrance to an enclosed mall or shopping center.

b. The maximum sign area is 2 square feet for each linear foot of building frontage. Building frontage is the side of a building that abuts, parallels, or is nearest to parallel with, a street, a parking area, or other circulation area open to the general public and that has either a main window display or a public entrance to the building. A shop or store with an outside entrance is considered to have its own building frontage, which is the front width of the portion of the building occupied for that use.

c. A sign or supporting structure of a flat wall sign must extend 12 inches or less from the wall.

d. A projecting wall sign may project 42 inches from the building, but not closer than 8 feet to a curb line. The sign may project over a public right-of-way only where there is no building setback.

e. The maximum height of a sign is 26 feet and must meet the following standards:

i. A sign that extends above any portion of the roof or that is placed on any roof surface is prohibited;

ii. A sign that projects over a public right-of-way or public ingress or egress must have a minimum clearance above the ground of 10 feet for a sign that projects over a pedestrian walkway and 18 feet for a sign that projects over a street or driveway.

f. The sign may be illuminated (see Section 6.7.6.E).

3. Canopy Sign

a. The maximum canopy sign area is 2 square feet for each linear foot of building frontage, not to exceed 200 square feet. Building frontage is the side of a building that abuts, parallels, or is nearest to parallel with, a street, a parking area, or other circulation area open to the general public and that has either a main window display or a public entrance to the building. Excluding lighting internal to the canopy which has the sole purpose of lighting the customer area for service or safety, the sign area of an illuminated canopy sign is the total illuminated surface area that can be seen at any one time from one vantage point outside the property lines of the property where the sign is located.

b. The location of a canopy sign is determined by the building permit requirements for the canopy. If no building permit is required, the location requirements are the same as that of a freestanding sign.

c. The height of the sign is determined by the building permit requirements for the canopy and is a maximum of 26 feet. If no building permit is required, the height limits are the same as those of a projecting wall sign.

d. A canopy sign that includes only the name of the business, the address or the official logo of the occupant is a location sign.

e. The sign may be illuminated (see Section 6.7.6.E).

B. Additional Sign Area

1. Location Sign

Additional sign area is allowed for a permanent location sign erected at an entrance to a building or a development if the sign is a ground sign or flat wall sign located at the entrance. The sign must meet the following requirements:

a. A sign may be placed on each face of the building that abuts, parallels, or is nearest to parallel with, a street, a parking area, or other circulation area open to the general public and that has either a main window display or a public entrance to the building, and at each customer entrance to the building and parking area.

b. The maximum sign area is 100 square feet for each sign.

c. The location is the same as provided generally for the zone based on the type of sign. A location sign erected as a ground sign must satisfy the setback restrictions for a freestanding sign, and a location sign erected as a wall sign must satisfy the requirements for a wall sign.

d. The sign may be placed on a wall more than 26 feet from the ground if it is at least 10 feet below the eave or parapet and at least 10 feet from the corner of the building.

e. An entrance sign that is a freestanding location sign must be placed a minimum of 100 feet from another freestanding sign. A wall location sign at an entrance must be placed a minimum of 30 feet from another wall sign.

f. The sign may be illuminated (see Section 6.7.6.E).

2. Freestanding Sign for Sites Larger than 5 Acres

Additional sign area is allowed for a freestanding sign erected at any driveway entrance to an industrial or commercial center that is larger than 5 acres. The sign must meet the following requirements:

a. 2 signs per customer entrance are allowed.

b. The maximum sign area is 200 square feet per sign.

c. A sign must be set back at least ¼ of the distance required for the building setback for the zone.

d. The maximum height of a sign is 26 feet.

e. Each sign or pair of signs must be placed a minimum of 200 feet from another sign or pair of signs.

f. The sign may be illuminated (see Section 6.7.6.E).

Section 6.7.10. Urban Renewal Areas

A. A permanent sign located in an approved urban renewal area as part of an optional method development project need not satisfy the Design Elements and Limitations of Division 6.7 where the Sign Review Board approves the sign as part of a sign concept plan.

B. Before approving any sign concept plan under Section 6.7.10, the Sign Review Board must hold a public hearing on the sign concept plan in the urban renewal area, after giving 30 days notice and verifying that the applicant has satisfied all applicable variance notice requirements.

Section 6.7.11. Limited Duration Signs

A. Permit Requirements

1. A permit is not required for a limited duration sign on private property. A permit application must be approved for each sign to be placed in the public right-of-way.

2. When a permit is required, a limited duration sign must satisfy the following provisions:

a. The sign must be constructed in a manner that does not require a building or electrical permit.

b. Each sign approved by a permit must display and have affixed to the sign information in a format as required by DPS, including the date of expiration of the permit.

c. A permit is issued for one year and may be renewed annually.

d. A limited duration sign is allowed in any zone.

e. A limited duration sign may be relocated upon approval by the DPS.

B. Permit Applications

1. One sign is allowed per permit. An applicant may request up to a maximum of 4 permits. DPS may consider each business location as a separate applicant; however the sign placement must not create a proliferation of signs in that right-of-way, and the applicant may not have the ability to use a permanent sign in lieu of a limited duration sign. Multiple signs that are similar will not receive a permit for the same location within the right-of-way.

2. An application for a limited duration sign permit must include:

a. A description of the sign indicating the, size, shape, dimensions, and colors of the sign, and the time and day of the week during which the sign will be displayed;

b. A drawing of the site or a schematic of the area showing the proposed location of the sign in relation to nearby buildings and streets;

c. The number of signs on the site; and

d. Other information required by DPS to confirm the limited duration sign satisfies Division 6.7 and other Sections of the Chapter.

C. General Requirements for Limited Duration Signs on Private Property

1. The number of signs, area and placement restrictions allowed are the same as for a temporary sign in the zone in which the sign is erected; however, in Residential zones, the maximum sign area of all limited duration signs on a lot or parcel is 10 square feet.

2. A sign erected on private property must have the written permission of the property owner.

D. Requirements for Limited Duration Sign in the Public Right-of-Way

1. The maximum sign area for each sign is 5 square feet.
2. A sign must not be placed on a paved section of the right-of-way, such as a sidewalk, bikeway, driveway apron, emergency lane, or any part of the roadway.
3. A sign must be placed a minimum of 50 feet from any driveway, entrance, or traffic control signal, and a minimum of 5 feet from any other limited duration sign within the public right-of-way.
4. A sign must be placed a minimum of 100 feet from a street intersection.
5. The nearest edge of a sign must be a minimum of 2 feet from a curb or, if no curb exists, a minimum of 6 feet from the edge of the roadway or street.
6. A sign must not be placed on a median strip or highway divider.
7. The maximum height of the sign is 30 inches above the ground.
8. A sign must have its own means of support which is affixed to the ground. The sign installer or permit holder is responsible for satisfying utility restrictions for excavating or driving a support into the ground.
9. A sign must be erected either only on weekends and National Holidays; or for a maximum of 14 consecutive days during any 6-month period.

Section 6.7.12. Temporary Signs

A. Generally

A permit is not required for a temporary sign and the number of temporary signs that may be displayed is not limited.

1. The sign area of a temporary sign is determined by the zone in which the sign is placed, and is in addition to the area allowed for a permanent sign or a limited duration sign. All other aspects of the sign, such as location and height, must satisfy the standards for a permanent sign in the zone.
2. The date of erection of a temporary sign must be written in indelible ink on the lower right corner of the sign. A sign without this information is a permanent or limited duration sign under Division 6.7.

B. Requirements by Zone

The following requirements apply in the zones specified:

1. Agricultural and Rural Residential Zones

The maximum sign area of each temporary sign is 40 square feet and the total sign area is 100 square feet.

2. Residential Zones

The maximum total sign area is 10 square feet; however, the maximum total sign area at any place of assembly is 50 square feet.

3. Commercial/Residential, Employment, and Industrial Zones

a. The maximum sign area of each sign is 50 square feet and the maximum total sign area is 100 square feet.

b. Temporary window signs must satisfy the following additional requirements:

i. The maximum total area of temporary window signs is 20% of the window glass area for each side of the building, minus the area of any permanent window signs.

ii. Signs may be placed in any window if they satisfy the general rules of sign placement under Section 6.7.6.B.

iii. The sign may be illuminated.

Division 6.8. Alternative Compliance

Section 6.8.1. Alternative Method of Compliance

The applicable deciding body may approve an alternative method of compliance with any requirement of Division 6.1 through Division 6.6 if it determines there are unique site or development constraints, such as grade, visibility, an existing building or structure, an easement, a utility line, or use restrictions that preclude safe or efficient development under the requirements of the applicable Division and the alternative design will:

A. satisfy the intent of the applicable Division;

B. modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints;

C. provide necessary mitigation alleviating any adverse impacts; and

D. be in the public interest.