

CORRECTED COPY

Ordinance No: 15-45

Zoning Text Amendment No: 04-26

Concerning: A new Mixed-use Zone

Draft No. & Date: 5 – 3/15/05

Introduced: December 14, 2004

Public Hearing: 1/18/05; 1:30 PM

Adopted: March 15, 2005

Effective: April 4, 2005

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: District Council at the request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- establishing a new Mixed-Use Town Center Zone.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-A-2

Section 59-A-2.1

“DEFINITIONS AND INTERPRETATION

“Definitions”

Add a new section:

DIVISION 59-C-11

ARTICLE 59-D

“MIXED-USE TOWN CENTER ZONE (MXTC)

“ZONING DISTRICTS—APPROVAL
PROCEDURES “

EXPLANATION: ***Boldface** indicates a heading or a defined term.*

*Underlining indicates text that is added to existing laws
by the original text amendment.*

[Single boldface brackets] indicate text that is deleted from

existing law by the original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment No. 04-26 was introduced on December 14, 2004 to establish a new Mixed-Use Town Center Zone. The proposed amendment will establish certain density and other development standards for commercial development with the intent of creating compact, mixed-use town center in shopping center locations.

The Montgomery County Planning Board in its report to the Council recommended that the text amendment be approved with modifications.

The County Council held a public hearing on January 18, 2005, to receive testimony concerning the proposed text amendment. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held worksessions on February 7 and 18, 2005 to review the amendment. The Committee considered all the testimony on the zone and recommended that ZTA 04-26 be approved with amendments. The Committee recommended that the zone be recommended in the master plan and that height, density and mix of uses be consistent with the master plan. The Planning Board should have the authority to reduce height at the time of development for achieve compatibility with surrounding development. The Committee recommended deleting the requirement for project plans in this zone while adding specific review points as part of the subdivision or site plan. The Committee also recommended that the maximum residential density for the optional method be 20 units per acre as opposed to 15 units per acre. The Committee also recommended limiting the size of retail (excluding grocery stores) to 40,000 square feet to limit retail to establishments that serve the local community. To simplify the requirements in the text amendment, the Committee recommended that all public space be expressed as a percentage of the development, that publicly accessible indoor space be included in the definition of public use space and that height be expressed in height instead of stories. The Committee also recommended various modifications to the permitted use tables. The Committee did not support the request of certain property owners to modify or waive setback requirements since the Planning Board has the ability to change setbacks during site plan review.

The District Council reviewed Zoning Text Amendment No. 04-26 at worksessions held on March 8, and March 15, 2005, and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 04-26 will be approved as amended.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. DIVISION 59-A-2 is amended as follows

DIVISION 59-A.2 DEFINITIONS AND INTERPRETATION.

59-A-2.1. Definitions.

* * *

Street [[wall]] facade: A [[street wall is a]] building wall or a portion of the façade of a building facing a street, or other publicly accessible sidewalk, way, or space.

* * *

Sec. 2. DIVISION 59-C-11 is amended as follows:

DIVISION 59-C-11. [RESERVED] MIXED-USE TOWN CENTER
ZONE (MXTC).

[[59-C-11.1. Purpose.

The purpose of the MXTC zone is to create compact, mixed-use town centers in shopping center locations. It is meant for both infill and new development with a variety of building types primarily oriented to pedestrian streets and spaces. It is further the purpose of this zone to achieve the area master or sector plan's goal of creating local town centers, with at least one, but preferably more, streets as the main street of the local community with buildings lined along the street front. The town centers may also include a major public open space and community-oriented uses including, but not limited to, library, services center, community rooms and other civic functions pedestrian connections should connect town centers to the surrounding residential areas.]]

59-C-11.1 Where Applicable

No land may be classified in the MXTC zone unless recommended in an approved and adopted master or sector plan.

28

29 **59-C-11.2. New construction, re-use of existing building, remodeling**
30 **and reconstruction.**

31 [[Where an otherwise]] Any lawful structure or building [[existed in a zone
32 other than this zone prior to (date of adoption of this zone),]] that existed
33 before the applicable Sectional Map Amendment adoption date, [[such
34 existing structure or building]] is a conforming structure and may be
35 continued, structurally altered [[for compliance with the health and building
36 codes]], repaired, renovated or enlarged [[for]] up to 10 percent of the gross
37 building floor area or 10,000 [[sf]] square feet, whichever is less. However,
38 [[A]] any [[new construction, reconstruction of more than 10 percent of the
39 gross floor area or 10,000 sf square feet, or complete demolition and
40 replacement with new construction, of a lot will be]] enlargement of the
41 building that is more than 10 percent of the gross floor area or 10,000 square
42 feet, or construction of a new building [[subject to the controls of this zone]]
43 must comply with the standards of the MXTC zone.

44 **59-C-11.3. Methods of Development [procedures]].**

45 [[Developments in this zone can be approved under either the standard
46 method or the optional method of development.]] Two methods of
47 development are available under the MXTC zone.

48 **(a) Standard Method.**

49 A [[S]] standard method project [[s in this zone]] must comply with the
50 [[Standard method]] applicable development requirements of 59-C-11.5 [[as
51 specified in this chapter. Standard method developments under this zone
52 must be in compliance with]] and the [[maximum density, maximum
53 building height and required street wall]] recommendations of [[an]] the
54 applicable master or sector plan. If residential uses are included in a

development, moderately priced dwelling units must be provided in accordance with Chapter 25A. The maximum dwelling unit density or residential FAR may be increased in proportion to any MPDU density bonus provided on-site.

[[Standard method developments with a lot area of five acres or more, or developments including certain uses with more than 20,000 sf per establishment as specified in Sec 59-C.11.4. Permitted Uses, require approval of a site plan pursuant to Division 59-D-3. Site plan is also required for any modification of street wall requirements pursuant to Section 59-C-11.5.2 (4)]]

(b) Optional Method

[[Developments seeking densities higher than those permitted under standard method of development pursuant to Section 59-C-11.5 of this chapter must be approved under the optional method of development including a project plan under Division 59-D-2 and a site plan under Division 59-D-3.]] Under the optional method of development, building height, and density levels greater than allowed under the standard method of development may be achieved for increased public use space.

[[Developments under the optional method of development must provide public use space and/or public facilities and amenities in accordance with the development standards of Sec 59-C-11.5. Optional method developments under this zone must also be in conformance with the recommendations of the local area master or sector plan.]] An optional method development must comply with the applicable development requirements of 59-C-11.5 and the recommendations of the applicable master or sector plan. If residential uses are included in a development, moderately priced dwelling

units must be provided in accordance with Chapter 25A. The maximum dwelling unit density or residential FAR may be increased in proportion to any MPDU density bonus provided on site.

59-C-11.3.1 Site Plan Approval.

Site plan approval is required for:

1. A standard method development with a lot area of five acres or more;
2. A standard method development that has certain uses with more than 20,000 square feet for each establishment as specified in Sec. 59-C-11.4.;
3. A standard method development proposal for any modification of the maximum front setback or the street facade requirements; or
4. An optional method development project. For an optional method development project, the Board must find that the proposed development
 - a. conforms to recommendations of the applicable approved and adopted master or sector plan.
 - b. is not detrimental to any existing development due to the size, intensity, design, scale and operational characteristics of its uses.
 - c. satisfies the public use space requirements of the zone.
 - d. takes maximum advantage of the topography, vistas, façade articulation, and other urban design elements to create an attractive physical environment.
 - e. provides adequate linkages among different functions or structures, open areas, public amenities, parking, and adjoining properties and streets, and

f. provides adequate parking and loading service areas with appropriate landscaping, screening, and lighting that will not adversely affect adjoining neighborhoods.

59-C-11.4. Permitted uses

No use is allowed except as indicated in the following table:

-Permitted Uses. Uses designated by the letter "P" are permitted on any lot in the zones indicated, subject to all applicable regulations.

-Special Exception Uses. Uses designated by the letters "SE" may be authorized as special exceptions, in accordance with the provisions of Article 59-G.

[-Site Plan Review. Uses designated by the letters "SP" may be permitted only with site plan review in accordance with Division 59-D-

3]]

<u>[[Use Group</u>	
<u>(a) Residential:</u>	
<u>Single-family, multiple-family, group homes, live/work units, housing and related facilities for senior adults or persons with disabilities</u>	<u>P</u>
<u>Hotel or motel</u>	<u>P</u>
<u>(b) General Retail and Commercial:</u>	
<u>Retail stores, offices and professional services:</u>	
<u>Up to 20,000 gsf per establishment</u>	<u>P</u>
<u>More than 20,000 gsf per establishment</u>	<u>SP</u>
<u>Eating and drinking establishment, excluding a drive-in</u>	<u>P</u>
<u>(c) Services</u>	
<u>Places of worship.</u>	<u>P</u>
<u>Educational institutions, non-profit service providers</u>	<u>P</u>
<u>Clinics, hospitals, child and adult day care, animal boarding places</u>	<u>P</u>

Use Group	
(d) Cultural, Entertainment and Recreational:	
Indoor entertainment and recreation establishments such as private recreation centers, health clubs, theaters, and skating rinks: Up to 20,000 gsf per establishment More than 20,000 gsf per establishment	<u>P</u> <u>SP</u>
(e) Uses permitted by special exception	
Cable communications systems, Utility buildings and structures, and telecommunication towers and related facilities	<u>SE</u>
Gas stations, car wash, auto and truck rental, auto repair and service workshops, outdoor automobile sales	<u>SE</u>
Eating and drinking establishment, including drive-in restaurants	<u>SE</u>
Dry cleaning establishments with on-site processing	<u>SE</u>
Outdoor recreation (driving ranges, miniature golf, skating rinks)	<u>SEII</u>

124

(a) Residential²:	
<u>Dwellings</u>	<u>P</u>
<u>Group home, small</u>	<u>P</u>
<u>Group home, large</u>	<u>P</u>
<u>Hotel or Motel</u>	<u>P</u>
<u>Housing and related facilities for the elderly or handicapped</u>	<u>P</u>
<u>Life care facility</u>	<u>P</u>
<u>Personal living quarters</u>	<u>P</u>
(b) Transportation, Communication and Utilities:	
<u>Parking of motor vehicles, off-street, in connection with any use permitted</u>	<u>P</u>
<u>Public utility buildings and structures, telecommunications facilities</u>	<u>SE</u>
<u>Radio and television broadcasting studio</u>	<u>SE</u>
<u>Rooftop mounted antennas and related unmanned equipment building, equipment cabinet or equipment room</u>	<u>P⁶</u>
<u>Taxicab stand</u>	<u>P</u>
(c) Commercial²:	
<u>Antique stores, handicrafts or art sales</u>	<u>P¹</u>
<u>Book store</u>	<u>P¹</u>

<u>Delicatessen</u>	<u>P</u>
<u>Drug store</u>	<u>P¹</u>
<u>Eating and drinking establishment, excluding drive-in</u>	<u>P</u>
<u>Eating and drinking establishment, drive-in</u>	<u>SE</u>
<u>Florist shop</u>	<u>P</u>
<u>Furniture store, carpet or related furnishing sales or service</u>	<u>P¹</u>
<u>Garden supply shop</u>	<u>P¹</u>
<u>Gift shop</u>	<u>P</u>
<u>Grocery store</u>	<u>P¹</u>
<u>Hardware store</u>	<u>P¹</u>
<u>Jewelry store</u>	<u>P</u>
<u>Newsstand</u>	<u>P</u>
<u>Office supply store</u>	<u>P¹</u>
<u>Photographic supply store</u>	<u>P</u>
<u>Pet sales and supply store</u>	<u>P¹</u>
<u>Specialty shop</u>	<u>P¹</u>
<u>Variety and dry goods store</u>	<u>P¹</u>
<u>(d) Services:</u>	
<u>Adult foster care home</u>	<u>P</u>
<u>Ambulance or rescue squad</u>	<u>P</u>
<u>Animal boarding place</u>	<u>SE</u>
<u>Appliance repair shop</u>	<u>P¹</u>
<u>Art, music and photographic studio</u>	<u>P¹</u>
<u>Automobile filling station</u>	<u>SE^{[(2)]3}</u>
<u>Automobile fluid maintenance station</u>	<u>SE^{[(3)]4}</u>
<u>Automobile rental services, excluding automobile storage [[and supplies]]</u>	<u>P⁵</u>
<u>Automobile repair and service</u>	<u>SE^{[(3)]4}</u>
<u>Barber and beauty shop</u>	<u>P</u>
<u>Car wash</u>	<u>SE</u>
<u>Charitable and philanthropic institution</u>	<u>P</u>
<u>Clinic</u>	<u>P</u>

<u>Child daycare facilities:</u>	
<u>Family day care home</u>	<u>P</u>
<u>Group day care home</u>	<u>P</u>
<u>Child day care center</u>	<u>P</u>
<u>Daycare facility for not more than 4 senior adults and persons with disabilities</u>	<u>P</u>
<u>Domiciliary care home for more than 16 residents</u>	<u>P</u>
<u>Dry cleaning and laundry establishment, consisting of no more than 3,000 square feet of gross floor area</u>	<u>P</u>
<u>Dry cleaning and laundry pick-up station</u>	<u>P¹</u>
<u>Duplicating services</u>	<u>P¹</u>
<u>Educational institution</u>	<u>SE</u>
<u>Home occupation, no impact</u>	<u>P</u>
<u>Home occupation, registered</u>	<u>P</u>
<u>Home occupation, major</u>	<u>SE</u>
<u>Hospice care facility</u>	<u>P</u>
<u>Hospitals, veterinary</u>	<u>SE</u>
<u>Laundromat, self-service</u>	<u>P¹</u>
<u>Office, general</u>	<u>P¹</u>
<u>Office, professional</u>	<u>P¹</u>
<u>Place of worship</u>	<u>P</u>
<u>Publicly owned or publicly operated uses</u>	<u>P</u>
<u>Shoe repair shop</u>	<u>P</u>
<u>Tailoring or dressmaking shop</u>	<u>P</u>
<u>Research, development and related activities</u>	<u>P¹</u>
<u>(e) Cultural, Entertainment and Recreational:</u>	
<u>Billiard parlor</u>	<u>P¹</u>
<u>Bowling alley</u>	<u>P¹</u>
<u>Health clubs and gyms</u>	<u>P¹</u>
<u>Libraries and museums</u>	<u>P</u>
<u>Private clubs and service organizations</u>	<u>SE</u>
<u>Recreational or entertainment establishments, commercial</u>	<u>P¹</u>
<u>Theaters, indoor</u>	<u>P¹</u>
<u>(f) Miscellaneous Uses</u>	
<u>Accessory buildings and uses</u>	<u>P¹</u>
<u>Signs in accordance with Article 59-F</u>	<u>P</u>

1. Any non-residential use with more than 20,000 square feet[[foot]] per floor requires approval of a site plan under Division 59-D-3
- 2 A commercial use other than a grocery store, is limited to a maximum of 40,000 square feet of gross floor area.
3. A car wash with up to 2 bays may be allowed as an accessory use to an automobile filling station.
- 4 Not abutting or confronting any lot which is in a residential zone and is not recommended for commercial or industrial use on a master plan; and not within 300 feet of an entrance to a school, park, playground, or hospital.
5. Up to 10 cars may be stored on site.
6. Refer to section 59-A-6.14.

59-C-11.5. Development standards

Development standards applicable to the standard and optional method development [[s in this zone]] are indicated by the letters “S” and “O” [[as set forth in this section]]. [[Residential developments under both methods may increase the number of maximum permitted units to accommodate Moderately Priced Dwelling Units in accordance with the provisions of Chapter 25 A.]]

		S	O
<u>1</u>	<u>Maximum residential density (units/acre)</u>	<u>8</u>	<u>[[15]]</u> <u>20¹</u>
<u>2</u>	<u>Maximum non-residential FAR</u>	<u>0.35</u>	<u>1.0¹</u>
<u>3</u>	<u>Maximum Building height [[(stories)]]</u>	<u>[[3]] 42</u>	<u>[[5¹]]</u> <u>70¹</u>

148

<u>4</u>	<u>Minimum public use space</u>		
	For lots of <u>[[less than 20,000 sf, residential, non-residential, or mixed-use developments (percent of net lot area)] up to 40,000 [[sq)]] sf:</u>	<u>10%³</u>	<u>10 %³</u>
	For lots of more than <u>[[20,000]] 40,000 sf:</u>	<u>10%³</u>	<u>20%³</u>
	<u>[[Residential (lot area per unit)]]</u>	<u>[[200 sf]]</u>	<u>[[200 sf]]</u>
	<u>[[Non-residential (percent of net lot area)]]</u>	<u>[[10 %]]</u>	<u>[[20 %]]</u>
<u>[[5</u>	<u>Minimum required street <u>[[wall]] facade</u></u>	<u>75 %</u>	<u>75 %]]</u>
<u>[[6]]</u> <u>5</u>	<u>Building setbacks:</u>		
	<u>Minimum front setback (feet)</u>	<u>0</u>	<u>0</u>
	<u>Maximum front setback (feet)</u>	<u>10²</u>	<u>10²</u>
	<u>[[From an adjacent residential zone (feet)</u>	<u>20</u>	<u>20]]</u>
	<u>Minimum side or rear setback from another lot in the same zone, or from an adjacent commercial zone (feet)</u>	<u>0</u>	<u>0</u>
	<u>Minimum side or rear setback from an adjacent residential zone (feet)</u>	<u>20</u>	<u>20</u>

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150 ¹ [[Must not exceed any limitations in the master or sector plan.]] A master or
 151 sector plan may establish a building height or density limit up to the maximum of
 152 the zone, and the appropriate mix of commercial and residential development.
 153 Notwithstanding any building height limitation established in a master plan or
 154 sector plan, the Planning Board may further limit the maximum allowable
 155 building height to achieve compatibility with surrounding land uses.

156 ² The Planning Board may allow a maximum front setback greater [[of larger]] than
 157 10 feet [[if it finds that such front setback is needed for public use space or the
 158 development has more than one street frontage, and that such front setback would
 159 not disrupt the continuity of street walls on adjacent properties on the same street
 160 frontage. For corner lots or lots comprising entire block, the Planning Board may
 161 establish which sides would be subject to street wall requirements during the site

plan review based on a layout that best achieves the objective of creating pedestrian oriented streets.]] subject to site plan review and the street [[wall]] façade controls of MXTC zone.

³ Public use space may be provided indoors or outdoors. Development on lots of up to 40,000 square feet may provide a portion or all of the required public use space as green area.

59-C-11.5.1. Street [[wall]] façade requirements.

1. Any [[Developments]] development [[in this zone]] under the MXTC zone must provide at least one street [[wall]] façade for a minimum of 75 percent of the lot frontage along a street or other publicly accessible sidewalk, way or space. The street [[wall]] façade must be located within 10 feet of: 1) the front lot line or; 2) the public use space along a street or other publicly accessible sidewalk, way or space. [[If the local area master plan recommends a location and a minimum height for such street wall, the required street wall should be provided in accordance with those recommendations subject to paragraph 4 and 5 below.]]

2. The ground floor portion of any street [[wall]] façade in a non-residential development must have display windows and principal entrances to stores and retail establishments from the adjoining sidewalk or public use space. Off-street parking structures, if located along required street [[walls]] facades, must have retail or other pedestrian-oriented uses at the ground floor level fronting the street with direct access to the sidewalk or a public use space.

190 [[3. The Director of the Department of Permitting Services may
191 reduce the minimum 75 percent street wall, requirement for
192 smaller lots if it can be demonstrated that no other street
193 frontage or feasible alternative is available to the subject lot, or
194 that a strict application of street wall requirement will preclude
195 the development from having a driveway access to the street.
196 The reduction should be minimum needed to allow one
197 driveway access to the lot. Any other reduction or change in the
198 street wall requirement must be subject to a site plan review and
199 approval by the Planning Board.]]

200
201 [[4.]]

202 3. The Planning Board may modify a street [[wall]] facade
203 requirement [[s]] including the location or the minimum length
204 of a required street [[wall]] facade [[as specified in this zone or
205 as recommended in the local area master plan or sector plan
206 [[through the]] during site plan review [[process pursuant to
207 Division 59-D-3 if deemed appropriate and desirable]] to
208 achieve the objectives of the applicable master or sector plan.
209 For lots with more than one street frontage, the Planning Board
210 may establish which side would be subject to the street facade
211 requirements during site plan review based on a layout that best
212 achieves pedestrian oriented streets.

213
214 **59-C-11.6. Off-Street Parking.**

215 (a) [[Except as modified in this section, r]] Required off-street parking
216 must be provided pursuant to Article 59-E. and off-street parking

spaces for mixed-use projects must be provided pursuant to Sec. 59-E
3.1.

- (b) Off-street parking for two or more properties may be grouped to serve more than one lot or establishment pursuant to Section 59-E-3.4 and may be eligible for reduction in required number of spaces pursuant to Section 59-E. 3.1.

59-C-11.6.1. Internal connection between parking lots.

[[All]] Any new developments pursuant to this zone must provide for a pedestrian and vehicular connection to existing and proposed parking areas on at least one adjoining lot where feasible. The [[Director or the]] Planning Board may [[grant a waiver]] modify this requirement during site plan review if the applicant demonstrates that compliance with this requirement is not feasible or that compliance with the requirement would preclude the [[subject]] lot from meeting the off-street parking requirements on site. The Director may modify this requirement for projects not subject to site plan review.

* * *

Sec. 3. Article 59-D is amended as follows:

**ARTICLE 59-D. ZONING DISTRICTS—APPROVAL
PROCEDURES.**

INTRODUCTION

* * *

- (a) In certain zones, the developer must submit plans for approval, and development must be consistent with the approved plans. Article 59-C indicates under each zone which, if any, of these plans are required. These plans are of 4 kinds, as follows:

244 * * *

245 **[(2) Project plan for optional method of development.** This type
 246 of plan applies [only] in the 6 “CBD” zones, the RMX zones
 247 and the MXTC zone. It is similar to a development plan,
 248 except that it is not a requirement for the approval of a rezoning
 249 application but a precondition for the use of the optional
 250 method of development. (See [d]Division 59-D-2.)]

251 **(2) Project plan for optional method of development.** This type
 252 of plan applies in the 6 “CBD” zones, the RMX zones and the
 253 MXTC zone. It is similar to a development plan, except that it
 254 is not a requirement for the approval of a rezoning application
 255 but a precondition for the use of the optional method of
 256 development. (See Division 59-D-2.)

257 * * *

258 The following table is provided for the convenience of the public,
 259 citing the appropriate sections of Article 59-C and indicating the type
 260 of plans required in each zone. In the event of any conflict between
 261 this table and the provisions of Article 59-C, the latter must govern.

262
 263

Plan Approvals Required

Zone	Section Number	Development Plan (Division 59-D-1)	Project Plan Optional Method (Division 59-D-2)	Site Plan (Division 59-D-3)	Diagrammatic Plan (Division 59-D-4)
R-200	59-C-1.63			M	
R-150				M	
R-90				M	
R-60				M	
R-40				M	
R-T 6.0				X	
R-T 8.0				X	

Zone	Section Number	Development Plan (Division 59-D-1)	Project Plan Optional Method (Division 59-D-2)	Site Plan (Division 59-D-3)	Diagrammatic Plan (Division 59-D-4)
R-T 10.0				X	
R-T 12.5				X	
R-T 15.0				X	
R-4 plex		X		X	
R-30				M	
R-20				M	
R-10				M	
R-H				X	
R-MH		X		X	
C-T				X	
O-M				X	
C-O				H	
C-P				X	
C-2				E	
C-3				X	
C-4				O	
C-6				X	
H-M				X	
C-Inn		X		X	
I-1				H	
I-3				X	
I-4				O	
LSC				X	
R&D				O	
RS				X	
RNC				O	
LDRCZ				X	
Standard Method					
- CBD-0.5				M	

Zone	Section Number	Development Plan (Division 59-D-1)	Project Plan Optional Method (Division 59-D-2)	Site Plan (Division 59-D-3)	Diagrammatic Plan (Division 59-D-4)
- CBD-R1				M	
- CBD-R2				M	
- CBD-1				M	
- CBD-2				M	
- CBD-3				M	
- RE-2/TDR				M	
- RE-2C/TDR				M	
- RE-1/TDR				M	
- R-200/TDR				M	
- R-150/TDR				M	
- R-90/TDR				M	
- R-60/TDR				M	
- RMX-1				M	
- RMX1/TDR				M	
- RMX-2				M	
- RMX-2/TDR				M	
- RMX-3				M	
<u>MXTC</u>	<u>Sec 59-C. 11.3 (a)</u>			[[Required for certain uses and developments of more than 5 acres]] <u>Optional method projects and certain standard method projects.</u>	
Optional Method					
- RMX-3/TDR				M	
- CBD-0.5			X	X	
- CBD-R1			X	X	
- CBD-R2			X	X	

Zone	Section Number	Development Plan (Division 59-D-1)	Project Plan Optional Method (Division 59-D-2)	Site Plan (Division 59-D-3)	Diagrammatic Plan (Division 59-D-4)
- CBD-1			X	X	
- CBD-2			X	X	
- CBD-3			X	X	
- RE-2/TDR				X	
- RE-2C/TDR				X	
- RE-1/TDR				X	
- R-200/TDR				X	
- R-150/TDR				X	
- R-90/TDR				X	
- R-60/TDR				X	
- RMX-1			X	X	
- RMX-1/TDR			X	X	
- RMX-2			X	X	
- RMX2/TDR			X	X	
- RMX-2C			X	X	
- RMX-3			X	X	
- RMX-3/TDR			X	X	
- RMX-3C			X	X	
MXTC			X	X	
P-D	59-C-7.19	X		X	
MXN	59-C-7.79			X	X
MXP		X		X	
Town Sector		X		X	
Planned Neighborhood		X		X	
P-R-C		X		X	
PCC		X		X	
TS-R		X		X	
TS-M		X		X	
M-R-Rec.		X		X	

- 264
265 X- Required.
266 M- Required only if optional regulations for MPDUs are used.
267 H- Required only if over 3 stories or 42 feet in height.
268 N- Required only if development exceeds FAR 0.25.
269 O- Required only for optional method of development.
270 E- Required only for additional height in accordance with subsection 59-C-4.351.
271

272 * * *

273
274 **DIVISION 59-D-2. PROJECT PLAN FOR OPTIONAL METHOD OF DEVELOPMENT,**
275 **CBD ZONES[[,]] [AND] AND RMX ZONES [[AND MXTC ZONE]].**
276 **59-D-2.0 Zones enumerated.**
277

278 The Planning Board is authorized to approve development under the optional method of
279 development procedures described in Section 59-C-6.2 of the CBD zones, Section 59-C-10 of the
280 RMX Zones[[, and Section 59-C-11 of the MXTC Zone]] and the approval procedure set forth in
281 this Division, for the following zones:

282 * * *

283 [[MXTC-Mixed-Use Town Center]]
284

285 **Sec. 4. Effective date.** This ordinance becomes effective 20 days
286 after the date of Council adoption.
287

288 This is a correct copy of Council action.
289
290

291
292 *Linda M. Lauer*

293 Linda M. Lauer, Clerk of the Council