

1 **ARTICLE 3. ZONING DISTRICTS**

2 This article includes regulations for base zoning districts. Districts are organized to implement the policies
3 and action statements of the Comprehensive Plan.

4 **CHAPTER 30 ESTABLISHMENT OF DISTRICTS**

5 Sections:

- 6 30.1 Purpose.
- 7 30.2 Relation to Comprehensive Plan.
- 8 30.3 Establishment of Districts.
- 9 30.4 Purposes of Base Districts.
- 10 30.5 Purposes of Special Districts.

11 **30.1. Purpose.**

12 The purpose of this chapter is to establish zoning districts that will implement the land use concept and the
13 goals and objectives of the Comprehensive Plan.

14 **30.2. Relation to Comprehensive Plan.**

15 Comprehensive Plan goals, objectives, policies, and land use concepts for designated areas are hereby
16 incorporated by reference for the purpose of interpreting legislative intent and providing guidance for
17 administration of this Ordinance. The Comprehensive Plan identifies the following “planning area”
18 designations:

19 1. **Growth Areas**

- 20 a. *Development Districts:* Lexington Park, Leonardtown
- 21 b. *Town Centers:* Charlotte Hall, New Market, Mechanicsville, Hollywood, and Piney Point
- 22 c. *Village Centers:* Callaway, Chaptico, Clements, Loveville, Ridge, St. Inigoes and Valley
23 Lee

24 2. **Rural Areas**

- 25 a. *Rural Preservation Districts*
- 26 b. *Rural Service Centers:* Budds Creek, Avenue, Helen, Oraville, St. James, Park Hall, and
27 Dameron
- 28 c. *Rural Commercial Limited*

29 3. **Protected Areas**

- 30 a. *Neighborhood Conservation Districts*
- 31 b. *Resource Protection Areas*

32 As shown in Table 30.3, base districts are herein established to implement the planning areas of the
33 Comprehensive Plan. These districts designate the desired development types in this Ordinance. Special
34 districts modify or provide additional regulation of the base district. The Official Zoning Maps identify the
35 specific areas to which the base and special district regulations apply.

36 **30.3. Establishment of Districts.**

37 Zoning districts are hereby identified in Table 30.3A, established in order to:

- 38 1. Allow, regulate, and restrict the location and use of buildings and land for agriculture, forestry,
39 aquaculture, trade, industry, residence, parks and recreation, transportation, communications and
40 public facilities, and other purposes.
- 41 2. Allow, regulate, and restrict the location, height and size of buildings and structures, the size of
42 yards, setbacks, and other open spaces, and the density of population;
- 43 3. Establish site development and design standards and requirements for adequate public facilities
44 and services.

45 Special districts identified in Table 30.3B include corresponding overlay districts and floating zones
46 established to add to or modify the regulation of the base zoning districts.

1 **Table 30.3A: Base and Zoning Districts**

Base Districts	Zoning Districts
Rural and Residential Districts	Section: 31.1 Rural Preservation District (RPD) Section: 31.2 Rural Service Center (RSC) Section: 31.3 Rural Commercial Limited (RCL) Section: 31.4 Residential, Low Density (RL) Section: 31.5 Residential, Low Density – Transitional (RL-T) Section: 31.6 Residential, High Density (RH) Section: 31.7 Residential, Neighborhood Conservation (RNC)
Commercial and Mixed Use Districts	Section: 31.8 Residential Mixed Use (RMX) Section: 31.9 Village Center Mixed use (VMX) Section: 31.10 Town Center Mixed use (TMX) Section: 31.11 Downtown Core Mixed Use (DMX) Section: 31.12 Corridor Mixed Use (CMX) Section: 31.13 Community Commercial (CC)
Industrial and Office Districts	Section: 31.14 Office and Business Park (OBP) Section: 31.15 Industrial (I)
Commercial Marine Districts	Section: 31.16 Commercial Marine (CM)

2 **Table 30.3B: Special Districts**

Special Districts	Overlay Districts and Floating Zones
Overlay Districts	Chapter 41, Critical Area (IDA, LDA, RCA) Chapter 42, Historic Resources (H) Chapter 43, Air Installations Compatible Use Zones, (AICUZ), and Airport Environs, (AE), Zones
Floating Zones	Chapter 44, Planned Unit Development (PUD)

3 **30.4. Purposes of Base Districts**

4 The purposes of the base districts shall be considered when requests for conditional use, rezoning, floating
 5 zone approvals, or variances from the provisions of this Ordinance are made.

- 6 1. The purposes of the **Rural Districts** are to:
- 7 a. Preserve prime farm-land, timber-land, and mineral resource land and encourage resource
 8 based industries agriculture, forestry, mining, fisheries, aquaculture, and tourist-oriented
 9 and outdoor recreation businesses.
 - 10 b. Accommodate land-intensive rural industrial activities outside growth areas.
 - 11 c. Limit form, type and extent of development in rural areas in order to conserve the land
 12 and resource base needed to maintain and support preferred land uses.
 - 13 d. Permit low-density residential development that is designed to preserve or enhance the
 14 County's rural character.
 - 15 e. Allow home occupations and supplemental income-producing activities, subject to
 16 standards, at a scale and intensity that do not unduly change the character of the area.
 - 17 f. Allow continuing non-conforming commercial and residential activities on existing
 18 parcels throughout the district but limit their expansion or creation outside of crossroads
 19 areas designated or traditionally used for such activities.
 - 20 g. Provide for continuation of commercial uses and accommodate new construction of
 21 commercial uses in specifically designated areas where such uses and/or commercial
 22 zoning predate the Comprehensive Plan and where such continuation or construction
 23 would not detract from the rural character of the area.
- 24 2. The purposes of **Residential Districts** are to:
- 25 a. Provide for residential development consistent with the Comprehensive Plan.
 - 26 b. Encourage cluster design that preserves open space.

- 1 c. Emphasize quality of life in developing a variety of community types by:
- 2 (1) Providing opportunities for a variety of housing types throughout the County;
- 3 and
- 4 (2) Promoting open space-oriented site designs, waterfront access, and a mix of
- 5 private and public services, facilities, and amenities; and
- 6 (3) Promoting safe, affordable, and energy-efficient housing stock; and
- 7 (4) In growth areas, accommodating mixed use communities that offer housing,
- 8 employment, transportation, shopping, recreation and education with reduced
- 9 need for automobile travel.
- 10 d. Allow home occupations and supplemental income-producing activities, subject to
- 11 standards, at a scale and intensity that do not unduly change the character of the
- 12 neighborhood.
- 13 e. Allow for the provision of services and facilities needed to accommodate planned
- 14 population densities.
- 15 3. The purposes of **Commercial and Mixed Use Districts** are to:
- 16 a. Provide and protect land within growth areas for commercial and mixed use development
- 17 consistent with the Comprehensive Plan.
- 18 b. Accommodate a central core with mixed uses surrounded by larger intermixed blocks of
- 19 residential, commercial, industrial, and business uses in growth areas by:
- 20 (1) Accommodating infill development with standards that correct inefficient
- 21 transportation and land use patterns; and
- 22 (2) Avoiding new strip development along the principal roadways.
- 23 c. Encourage cluster design that preserves open space and environmentally sensitive lands.
- 24 d. Encourage adaptive reuse of historic structures, and protect and incorporate historic
- 25 landscapes into site designs.
- 26 e. Provide standards for landscaping, site and building design, signage, access, lots
- 27 coverage and open space that foster efficient use of land and urban development patterns.
- 28 f. Allow for the provision of services and facilities needed to accommodate scale and
- 29 intensity of planned development.
- 30 4. The purposes of the **Industrial and Office Districts** are to:
- 31 a. Provide and protect areas for industrial and office development consistent with the
- 32 Comprehensive Plan.
- 33 b. Accommodate new and existing technology-based and other industries and businesses in
- 34 campus settings within the growth areas with adequate infrastructure and facilities, and
- 35 provide for nearby services for employees.
- 36 c. Allow for the provision of services and facilities needed to accommodate planned
- 37 employment densities.
- 38 5. The purposes of the **Commercial Marine Districts** are to:
- 39 a. Accommodate and protect areas for commercial marine activities consistent with the
- 40 Comprehensive Plan.
- 41 b. Require compatibility between commercial marine and water-dependent facilities and
- 42 activities and surrounding sensitive environmental resources or adjacent uses.
- 43 c. Provide for continued and expanded fisheries, aquaculture, publicly accessible facilities
- 44 for recreational boating and fishing activities, and tourist-oriented services and facilities
- 45 with waterfront access.
- 46 d. Allow for the provision of services and facilities needed to accommodate new or
- 47 expanded commercial marine activities and waterfront businesses.

1 **30.5. Purposes of Special Districts.**

2 The purpose of a particular special district shall be considered when requests for floating zone or overlay
3 district approvals or variances from the provisions of an overlay district or floating zone are made.

4 1. The purpose of **Overlay Districts** is to:

5 a. Provide specific additional regulations for the protection of existing land uses and natural
6 resources, and to maintain compatibility between adjacent uses.

7 2. The specific purposes of **Floating Zones** are to:

8 a. Allow discretionary review of development proposals by providing flexibility in existing
9 regulations in exchange for meeting or exceeding Comprehensive Plan goals for
10 enhanced site and building design, efficient use of land, increased environmental
11 protection, improved amenities and services and coordinated pedestrian, bicycle and
12 vehicular circulation systems.

13 b. Achieve efficient land use patterns while permitting creative and innovative approaches
14 to the development of rural, residential, commercial and industrial land.

1 **CHAPTER 31 ZONING DISTRICTS**

2 Sections:

- 3 31.1 Purpose of the Rural Preservation District (RPD).
4 31.2 Purpose of the Rural Service Center District (RSC).
5 31.3 Purpose of the Rural Commercial Limited District (RCL).
6 31.4 Purpose of the Residential, Low-Density District (RL).
7 31.5 Purpose of the Residential, Low-Density – Transitional District (RL-T).
8 31.6 Purpose of the Residential, High-Density District (RH).
9 31.7 Purpose of the Residential Neighborhood Conservation District (RNC).
10 31.8 Purpose of the Residential Mixed Use District (RMX).
11 31.9 Purpose of the Village Center Mixed Use District (VMX).
12 31.10 Purpose of the Town Center Mixed Use District (TMX).
13 31.11 Purpose of the Downtown Core Mixed Use District (DMX).
14 31.12 Purpose of the Corridor Mixed Use District (CMX).
15 31.13 Purpose of the Community Commercial District (CC).
16 31.14 Purpose of the Office and Business Park District (OBP).
17 31.15 Purpose of the Industrial District (I).
18 31.16 Purpose of the Commercial Marine District (CM).

19 **31.1. Purpose of the Rural Preservation District (RPD).**

20 The regulations of Rural Preservation Districts are intended to foster agricultural, forestry, mineral resource
21 extraction, and aquacultural uses and protect the land base necessary to support these activities. Low-
22 density residential development in this type of district is permitted subject to performance standards that
23 maintain the rural character of the district in recognition of the fact that a full range of public facilities is
24 not provided or planned. The farmer has the right to farm without being restricted by neighboring
25 residential areas. Restricted hours of operation for farm equipment, restricted odor-producing fertilizers, or
26 mandatory noise reductions may not be imposed on farmers in an RPD zoning district. The general intent
27 of the district is to encourage farming without undue burden on the landowner. In accordance with these
28 intentions, the following provisions for the protection of agricultural uses will apply:

- 29 (1) Any farm use of land is permitted.
30 (2) Operation, at any time, of machinery used in farm production or the primary
31 processing of agricultural products is permitted.
32 (3) Normal agricultural activities and operations in accordance with good husbandry
33 practices, which do not cause bodily injury or directly endanger human health,
34 are permitted and preferred activities, including activities that may produce
35 normal agriculture related noise and odors.
36 (4) The sale of farm products produced on the farm where the sales are made is
37 permitted.

38 **31.2. Purpose of the Rural Service Center District (RSC).**

39 The regulations for the Rural Service Center district provide for crossroads commercial, retail, and business
40 development at designated locations within the County that have traditionally provided very localized
41 services to support agricultural activity and serve rural residents. The RSC designation provides sites for
42 infill development at commercial nodes in the rural areas, consistent with the Comprehensive Plan.
43 Mapped locations are at crossroads in Avenue, Budds Creek, Dameron, Helen, Oraville, Park Hall, and St.
44 James.

45 **31.3. Purpose of the Rural Commercial Limited District (RCL).**

46 The regulations for the Rural Commercial Limited District accommodate existing, small-scale commercial
47 uses serving localized markets in the County that are scattered along the highways and, in some cases,
48 clustered at intersections. Where such existing uses are compatible in scale with the character of the rural
49 area, and are devoted to a local market, their continued operation and opportunity for reasonable expansion

1 is consistent with the policies of the Comprehensive Plan. RCL districts provide for the continuation and
2 limited expansion of such uses.

3 **31.4. Purpose of the Residential, Low-Density District (RL).**

4 The regulations for the Residential Low-Density District are intended to provide for low to medium density
5 residential development in areas designated in the Comprehensive Plan. Compatible institutional uses are
6 allowed, subject to appropriate standards.

7 **31.5. Purpose of the Residential, Low-Density – Transitional District (RL-T).**

8 The regulations for the Residential, Low-Density – Transitional District are intended to protect community
9 character and provide for low density residential development with substantial accommodation for
10 preservation of open space or forest retention for those areas where Development Districts meet Rural
11 Preservation Districts, thus fostering a transition from one area to the other.

12 **31.6. Purpose of the Residential, High-Density District (RH).**

13 The regulations for the Residential High-Density district are intended to provide opportunities for high-
14 density residential development, accessory uses and higher intensity residential services such as day care.
15 Standards promote clustered development while providing additional open space areas for common use by
16 local residents and the adjacent community.

17 **31.7. Purpose of the Residential Neighborhood Conservation District (RNC).**

18 The regulations for the Residential Neighborhood Conservation District are intended to preserve the
19 character of established neighborhoods while providing opportunities for infill development that is
20 consistent with and enhances this prevailing character. All other standards having been met, RNC lots in
21 growth areas may be resubdivided to the base density of the RNC. TDRs may be used to increase density
22 in growth areas. No resubdivision of any lot of record shall be permitted in an RNC outside growth area.

23 **31.8. Purpose of the Residential Mixed Use District (RMX).**

24 The regulations for the Residential Mixed Use District provide opportunities for residential, office,
25 personal, and business development and services subject to standards that will ensure land use
26 compatibility with adjacent residential areas.

27 **31.9. Purpose of the Village Center Mixed Use District (VMX).**

28 The regulations for the Village Center Mixed Use District provide opportunities for residential
29 development and compatible commercial development at locations and at a scale designated by the
30 Comprehensive Plan as village centers. This type of district is not intended to create an urban character.

31 **31.10. Purpose of the Town Center Mixed Use District (TMX).**

32 The regulations for the Town Center Mixed Use District provide opportunities for residential and
33 commercial development within town centers, consistent with the Comprehensive Plan. Standards are
34 intended to create an urban character and make the core area safe, pedestrian friendly, and visually
35 attractive.

36 **31.11. Purpose of the Downtown Core Mixed Use District (DMX).**

37 The regulations for the Downtown Core Mixed Use District provide sites for a broad range of uses within
38 the core of Lexington Park, consistent with the Comprehensive Plan and the Lexington Park Plan.
39 Standards are intended to create an urban character, make the core area safe, pedestrian friendly and
40 visually attractive.

41 **31.12. Purpose of the Corridor Mixed Use District (CMX).**

42 The Corridor Mixed Use District provides sites for a broad range of uses within transportation corridors in
43 growth areas, consistent with the Comprehensive Plan. Standards are intended to accommodate auto-
44 oriented uses but also create a viable, visually attractive environment.

45 **31.13. Purpose of the Community Commercial District (CC).**

46 The Community Commercial District provides for large-scale, and clustered commercial and retail
47 businesses primarily intended to serve the needs of County residents, workers and visitors on lots where
48 both public water and sewer services are provided.

49 **31.14. Purpose of the Office and Business Park District (OBP).**

50 The Office Business Park District provides sites for offices, research and development facilities, limited
51 industrial facilities, and supporting commercial uses in a campus setting.

52 **31.15. Purpose of the Industrial District (I).**

53 The regulations for the Industrial District provide and protect sites for industrial use and office uses.

1 **31.16. Purpose of the Commercial Marine District (CM).**

2 The Commercial Marine District provides and protects shoreline sites for a full range of marine sales and
3 services, including marinas, dry boat storage, boat-yards, boat and equipment sales and rentals, marine-
4 related retail sales, yacht clubs, visitor accommodations, food and beverage sales and eating and drinking
5 establishments.

1 **CHAPTER 32 PROPERTY DEVELOPMENT REGULATIONS**

2 Sections:

- 3 32.1 Basic Standards.
4 32.2 Modifications to Basic Standards.
5 32.3 Supplemental Development Standards.

6 **32.1. Basic Standards.**

7 Schedule 32.1 prescribes basic development regulations for zoning districts. Schedule 32.1 sets forth density and
8 development standards for residential development in a Rural Preservation District (RPD). Supplemental site regulations
9 applicable to all districts are included in Article 6, Site design Standards and Approvals. Site Development and Resource
10 Protection Standards are included in Article 7.

11 **32.2. Modifications to Basic Standards.**

12 Schedule 32.2 identifies modifications that can be used to increase intensity of residential and non-residential
13 development through the use of enhanced site and architectural design, transfer of development rights, and provision of
14 affordable housing. This schedule reduces existing requirements in order to allow greater flexibility in site design and
15 building configuration.

16 **32.3. Supplemental Development Standards.**

17 1. ***Affordable Housing Standards.***

- 18 a. *Household Income Qualifications.* To qualify for a residential density increase for offering affordable
19 housing, at least 12 percent, but not more than 25 percent, of the units in the proposed development
20 shall be reserved for a minimum of 15 years for lower income households. Lower income households
21 are defined as those whose gross income is no greater than 50 percent of the County's median
22 household income for the prior year, as reported by the U.S. Department of Housing and Urban
23 Development or the State of Maryland.
- 24 b. *Location and Design of Lower Income Units.* Lower-income units shall be reasonably dispersed
25 throughout the project and shall be comparable with other units in appearance, use of materials, and
26 finish quality.

27 2. ***Setback from Mandatory Buffers.***

- 28 a. *Front, rear, and side setbacks* for all lots created after the effective date of this Ordinance are as shown
29 in Schedule 32.1 and shall apply from the edge of any road right-of-way and from any Sensitive Areas,
30 as defined in Chapter 71.
- 31 b. *Front, rear, and side setbacks* on lots existing prior to the effective date of this Ordinance shall apply
32 from the edge of any road right-of-way and from any Sensitive Areas, as defined in Chapter 71, except
33 when an application leaves less than 15,000 sq. ft. of the lot buildable or, where public or community
34 water and sewer are available, less than 5,000 sq. ft. of the lot remains. In these cases, setbacks shall be
35 applied from the property line provided there shall be no encroachment or disturbance into the Sensitive
36 Areas, as defined in Chapter 71.

37 3. ***Cluster Development Standards.***

- 38 a. A residential cluster development encourages and permits variation in developments by allowing
39 variation in lot size, lot dimensions, and lot coverage from that which is normally required in the
40 applicable zoning district. Dwelling units are concentrated in a selected area or selected areas of the
41 development tract in order to provide natural habitat or other open space uses (including agriculture) on
42 the remainder of the tract.
- 43 b. The minimum site area for any cluster development shall be three (3) acres unless adjoining similar
44 residential development.
- 45 c. A structure containing three (3) or more dwelling units in a cluster development shall be a minimum of
46 75 feet from the boundary of the site where the site adjoins a single-family dwelling development.
- 47 d. Minimum lot size for a single-family detached dwelling shall be 6,000 square feet.
- 48 e. Proposed residential cluster developments must obtain preliminary plan approval or site plan approval
49 from the Planning Commission before proceeding to final approval.

1 4. ***Alternative Open Space Standards in the RL, RH, and RMX Zones.***

2 The 50% minimum open space requirement may be reduced in the RL, RH and RMX zones, to an amount determined by
3 the Planning Commission that is not less than 30%, when:

4 a. The applicant is providing affordable housing in compliance with Section 32.3.1; or

5 b. The applicant is providing workforce housing in compliance with the Workforce Housing Policy
6 adopted by the Board of County Commissioners.

7 5. ***Implementation of the County Annual Growth Policy.***

8 The Board of County Commissioners have established an Annual Growth Policy for the county that limits the total
9 number of dwelling units that may be approved in each year within planned growth areas and planned rural areas.

10 Approval for development density and intensity in accordance with schedules 32.1 and the timing of approvals for
11 development shall be in accordance with the approved growth policy.

1 **Schedule 32.1 Development Standards**

	RPD	RSC	RCL	RL-T	RL	RH	RNC ⁹	RMX	VMX	TMX	DMX	CMX	CC	OBP	I	CM
Residential Density																
Base Density (units per acre)	1 dwelling per 5 acres subject to footnote 13	none ¹⁴	none ¹⁴	1 ¹⁶	1	10	1	1	1	1	20	1	none	none	none	none ¹⁴
Maximum/Density (units/acre) See Table 32.2 for methods to achieve Residential Density Increase	1 dwelling per 3 acres	none	none	3 ¹⁶	5	20	2	5	5	5	20	15	none	none	none	none
Development Intensity (per acre)																
Base Floor Area Ratio	0.05	0.10	0.25	0.10	0.10	0.30	0.10	0.20	0.20	0.20	0.60	0.40	0.35	0.40	0.40	0.20
Maximum Floor Area Ratio (see Table 32.2 for methods to achieve FAR Increase) (per acre)	0.15	0.30	0.30	0.20	0.20	0.30	0.15	0.35	0.45	0.60	none	0.50	0.50	0.50	0.60	0.30
Minimum Lot Dimensions																
These standards do not apply for detached, townhouse and multi-family development in accordance with cluster provisions in Section 32.3.3.																
Minimum Lot Area	none	none	none	None ¹⁷	none	none	none	none	none	none	none	none	none	none	none	1ac
Width	150	none	none	75	75	none	75	none	80	80	none	80	175	100	100	none
Depth	160	none	none	100	100	60	100	none	100	100	none	100	300	200	200	none
Frontage	75	none	none	50	50	none	50	none	50	50	none	50	100	none	none	none
Principal Structure Minimum Setbacks^{1,2,3,4}																
Minor Collector or lesser	25	25	25	25	25	25	25	25	25	25	5	20	25	25	25	25
Major Collector	35	35	35	35	35	35	35	35	35	35	10	30	35	35	35	35
Arterial	50	50	50	50	50	50	50	50	50	50	50/110 ²	50	50	50	50	50
Side ⁴	15	15	15	10	10	10	10	15	15	15	10	10	20	20	25	25
Rear ⁴	20	20	20	20	20	20	20	25	25	25	20	20	30	25	25	25
Minimum Separation between detached principal structures on a site	2 times the side yard setback															
Other Requirements																
Maximum footprint of a Commercial structure on a site by right	5,000	10,000	15,000	20,000	20,000	none	5,000	20,000	15,000	30,000	50,000	50,000	50,000	50,000	none	none
Maximum footprint of a Commercial structure on a site	6,250 See Footnote 11	12,500	25,000	25,000	25,000	none	6,250	25,000	25,000	50,000	See Footnote 5, 6	See Footnote 5, 6	See Footnote 5, 6	See Footnote 5, 6	none	none
Maximum Height ¹²	40 ⁷	40 ⁷	40 ⁷	40 ⁷	40 ⁷	75	40 ⁷	40 ⁷	40 ⁷	40 ⁷	100	100	100	100	100	60
Minimum Landscaping	none	15%	15%	none	none	15%	20%	20%	20%	20%	20%	20%	none	20%	20%	20%
Minimum Open Space¹⁰																
Useable Open Space for Public and Semi-public or Commercial Use Classifications, (percent of development envelope)	5%	none	none	5%	5%	5%	none	5%	5%	2%	2%	5%	5%	5%	2%	none
Useable Open Space (sq. ft. per residential unit in developments with 25 units or more)	2000	none	none	2000	2000	200	none	2000	200	200	200	200	none	none	none	none
Undeveloped Open space	50%	none	none	50%	50% ¹⁵	50% ¹⁵	50%	50% ¹⁵	20%	20%	15%	20%	20%	none	none	none

07/31/12
07/31/12

2

Footnotes

1. Lots fronting on roads identified as existing or future Arterial Roads in the 2020 Transportation Plan in the Comprehensive Plan shall meet the 50 foot setback.
2. On Great Mills Road (Route 246), from Route 235 to Saratoga Street the minimum front yard setback is 10 feet and the maximum shall be 25 feet.
3. Permitted obstructions in required yards are defined in Section 61.7.
4. In CMX, 50 feet shall be added to a rear and/or side yard setback where the abutting property is an RL or RNC zone, and the required buffer yard shall be twice the depth and plantings of a "C" buffer. Modification of Side or Rear Setback requirements defined in Section 61.7.4. Minimum Accessory structure setback shall be 5 feet from a side or rear lot line.
5. By right footprint may be increased with TDRs by 2,000 sq. ft. per TDR up to 60,000 sq. ft.
6. Additional sq. ft. of footprint above 60,000 sq. ft. in the Development Districts may be achieved @ 1,000 sq. ft. per additional TDR.
7. Principal structures may be erected to a maximum height of 50 feet when the side and rear yards are increased 1 foot for each foot of height in excess of the height restrictions for the zone. Existing buildings constructed as of May 8, 2007 are not considered a non-conforming building height.
8. RESERVED.
9. In the RNC District, setback averaging, as defined in Chapter 91 Rules for Measurement, may be used to determine front yard requirements.
10. An open space credit may be granted as determined by the Planning Commission if a project is connected to, and located within ¼ mile of, an improved public park by a continuous sidewalk.
11. Auction houses may be increased to 20,000 square feet with TDRs in the RPD.
12. Height of all structures subject to site-by-site analysis for compliance with Chapter 43 AICUZ and AE height restrictions. Structures with a building height greater than 45 feet shall install an approved sprinkler system. Height of communication towers is exempt from height restrictions of Schedule 32.1 and regulated by the provisions contained in Chapter 51 of this ordinance.
13. TDR(s) required after initial residential lot or dwelling per Section 26.4.
14. One single-family dwelling is permitted per site.
15. Minimum undeveloped open space may be reduced in these zones per Section 32.3.4.
16. Density in the RL-T in the Critical Area shall not exceed 1 dwelling per 2 acres.
17. In the Critical Area, minimum lot size shall be 2 acres.

SCHEDULE 32.2 MODIFICATIONS TO DEVELOPMENT STANDARDS

		RPD	RSC	RCL	RL-T	RL	RH	RNC	RMX	VMX	TMX	DMX	CMX	CC	OBP	I	CM
Methods for Achieving Residential Density Increase																	
Base Density Increase	Affordable housing (units per acre)	none	none	none	1.00	1.00	1.00	none	1.00	1.00	1.00	none	1.00	none	none	none	none
	Increase in units per acre with purchase of TDRs – See Section 26.4.2	See Section 26.4.2	none	none	2 ⁴	4	10	1 ¹	4	4	4	none	14	none	none	none	none
Methods for achieving Floor Area Ratio Increase																	
Added square feet per TDR		2,000	2,000	2,000	n/a	2,000	none	2,000	2,000	2,000	2,000	2,000 ²	2,000 ²	2,000 ²	2,000 ²	2,000	2,000
Added square feet or percent increase for design enhancements (cumulative footage not to exceed maximum FAR)	FAR increase for LEED Certified Site or Building Design	none	none	none	none	none	0.05	none	0.02	0.50	0.05	0.5	0.5	0.5	0.5	0.5	none
	FAR increase for LEED Silver Certified Site or Building Design	0.03	0.05	0.05	0.05	0.03	0.10	none	0.05	0.10	0.10	0.10	0.10	0.10	0.10	0.10	none
	FAR increase for LEED Gold Certified Site or Building Design	0.05	0.10	0.10	0.10	0.05	0.15	none	0.10	0.15	0.15	0.15	0.15	0.15	0.15	0.15	0.15

1. TDR increase is possible only in growth areas.
2. Additional square feet of first floor "footprint" above 60,000 sq. ft. in development districts may be achieved @ 1,000 sq. ft. per TDR
3. In structure parking and structured parking shall not count toward FAR. Building height calculation shall exclude a single level of parking built within a building that also contains a principal use, except in the AICUZ.
4. Bonus density is not available in the Critical Area.
5. A bonus of one square foot for each square foot of amenity space provided, up to a maximum of 500 square feet per amenity, shall be provided for: (1) Outdoor seating areas, (2) Walking paths, (3) Public art, (4) Public gardens, (5) Plazas, (6) Water features, (7) Other amenity space approved by the Planning Director.