


Edits to Zoning Code Draft 4.0

The following list of edits includes the revisions suggested by the Montgomery County Planning Commission (MCPC) as a result of testing the Zoning Code in November. Additionally, a handful of edits for clarification have been included by staff. The “Completion Schedule Notes” column identifies the source of the suggested edit. If approved, these edits will be incorporated into the draft Zoning Code and Zoning Map for adoption. Edits are listed by page and Section number in the order they appear in the Zoning Code.

Page	Section	Change Description	Change Type	Completion Schedule Notes
		Change the zoning district for Palace Missions at 1622 Spring Mill Rd. (Parcel #400056648012) zoned IN to IC1.	Zoning Map	BOC Request
		Change the zoning district for the even numbered properties from 324-372 West Spring Avenue zoned MDR2 to MDR1(Parcel # 400056208002, 400056204006, 400056200001, 400056196005, 400056192009, 400056188004, 400056184008, 400056180003, 400056176007, 400056172002, 400056168006, 400056164001, 400056160005, 400056156009, 400056152004, 400056148008, 400056144003, 400056140007, 400056136002, 400056132006, 400056128001, 400056124005, 400056120009, 400056116004, 400056112008).	Zoning Map	MCPC Edit B3
ALL	---	Global Edit: Update/Correct all Cross References.	Clarification	Staff Edit
10	1.1.4.a.vi.	Institutional Districts(I): IN, IC1, IC2, IC3, IE1, IE2, IE3, and IH1, IH2, and IH3	Clarification	Staff Edit
ADDIT ON	2.1	<u>Building Coverage: The footprint of a building or structure measured by the horizontal cross section at its greatest outside dimensions at or above the ground level, excluding cornices, eaves, gutters or chimneys projecting not more than 18 inches, bay windows not extending through more than one story and not projecting more than five feet, one-story open porches projecting not more than 10 feet, steps and balconies.</u>	Minor Edit	MCPC Edit G3
ADDIT ON	2.1	<u>Frontage Occupation: The percentage of the Primary Frontage that shall be occupied by a building.</u>	Minor Revision	MCPC Edit A2
ADDIT ON	2.1	<u>Primary Frontage: The frontage of a Lot facing onto a public or private Street, but shall not include a rear alley.</u>	Clarification	MCPC Edit A2
52	3.4.5	Lots shall have a minimum of one frontage facing a street; and shall have the primary entrance on the <u>Primary Frontage</u> front facade .	Clarification	Staff Edit
52	3.4.5.a.	Rowhouses shall have a primary front facade facing onto a public or private street. (Move to 3.8.1.c)	Clarification	Staff Edit
52	3.4.9	Predominate <u>Predominant</u> Setback	Typo	Staff Edit

53	3.5.2.a.	<p>Frontage occupation is regulated according to the underlying zoning district. Frontage Occupation standards apply to all Primary Frontages. The following elements shall be excluded from the Frontage Occupation calculation:</p> <p>3.5.2.a.i. Pedestrianway; 3.5.2.a.ii. Pedestrian Forecourt; 3.5.2.a.iii. Required minimum setbacks; 3.5.2.a.iv. Required change in building plane in compliance with “Section 155-3.9.4.f”; and 3.5.2.a.v. Public Gathering Space.</p>	Minor Revision	MCPC Edit A2
56	FIGURE 3.5.1	<p>FRONTAGE YARD TYPES E. PEDESTRIAN FORECOURT <i>Replace graphic with the image below.</i></p>  <p>ACTIVATION Shall be lined with habitable space on at least two sides.</p>	Minor Revision	MCPC Edit A3
57	3.5.8.d.ii	Move 3.5.8.d.ii and 3.5.8.d.iii up above Figure 3.5.1 Primary Frontage Illustrated on page 54	Clarification	Staff Edit
67	NEW 3.8.1.c.	Rowhouses shall have a primary front facade and a primary entrance facing onto a public or private street. (Moved from 3.4.5.a.)	Clarification	Staff Edit
67	3.8.3.a.	The greatest dimension in length or depth of a multi-family building, shall not exceed 160 50 feet without a change in building plane of at least four feet. Exceptions include:	Minor Revision	MCPC Edit D1
68	3.9.4.f	<p>3.9.4.f. In VC and TC districts:</p> <p>3.9.4.f.i. Storefront facades shall have a minimum 12-inch and maximum 42-inch high solid bulkhead at sidewalks. See “Figure 3.9.1 Storefront Configuration”. Building walls with window and door areas less than 25% of the wall area, including exposed party walls, shall be designed as a Façade with details such as masonry courses, mouldings, and blank windows.</p> <p>3.9.4.f.ii. The greatest dimension in length or depth of a mixed-use building, shall not exceed 50 feet without a change in building plane of at least four feet. The change in building plane may exceed the maximum setback requirement by up to four feet.</p>	Minor Revision	MCPC Edit D1

68	Renumber 3.9.4.g	3.9.4.g . Crawl spaces and basements are regulated as follows: 3.9.4.g.f.i . In LDR and MDR districts: Crawl spaces and basements shall be enclosed or screened with maximum 30% transparency. 3.9.4.g.f.ii . In VC, TC & I districts: Crawl spaces and basements shall be enclosed or screened with maximum 30% transparency on all sides, and may allow pedestrian entry from the rear or interior side.	Clarification	Staff Edit
69	NEW 3.10.6	Shade tree standards in Subdivision & Land Development Code Section 135-30 shall apply in all districts, unless otherwise specified in the underlying district.	Clarification	MCPC Edit E1
75	4.1.9	Landscape buffers shall comply with “Section 155-3.10 Conversion of buildings Landscape Standards ”.	Cross Reference	MCPC Edit
75	4.1.10	Ambience standards shall be according to “Section 155-3.11 2 Ambience Standards.”	Cross Reference	MCPC Edit
85	4.2.9	Landscape buffers shall comply with “Section 155-3.10 1 Landscape Standards.”	Cross Reference	MCPC Edit
85	4.2.10.a.	Noise and lighting regulations shall be according to “Section 155-3.11 2 Ambience Standards.”	Cross Reference	MCPC Edit
86	TABLE 4.2.1	MDR1 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage Occupation 60% min.	Minor Revision	MCPC Edit A2
88	TABLE 4.2.2	MDR2 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage Occupation 60% min.	Minor Revision	MCPC Edit A2
90	TABLE 4.2.3	MDR3 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage Occupation 60% min.	Minor Revision	MCPC Edit A2
94	TABLE 4.3.1	VC DIMENSIONAL STANDARDS Lot Occupation Primary Frontage Occupation 70% min.	Minor Revision	MCPC Edit A2
96	TABLE 4.3.2	TC1 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage Occupation 90% min.	Minor Revision	MCPC Edit A2
98	TABLE 4.3.3	TC2 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage Occupation 70% min.	Minor Revision	MCPC Edit A2

93	4.3.3.e.	The height of a non-residential building in TC1 may be increased to a maximum of four-stories, provided the development Public Gathering Space in complies compliance with “Section 155-4.3.3.e.1-j. is provided.”	Clarification	Staff Edit
100	4.4.2.b.	Institutional Civic (IC1, IC2, IC3) is intended to collectively define communally beneficial land uses, including but not limited to organizations dedicated to the arts and culture, social and religious use, senior housing, wellness and recreation.	Clarification	Staff Edit
100	4.4.2.c.	Institutional Education (IE1, IE2, IE3) is intended to collectively define sites or buildings operated for the provision of full-time or part-time educational services for students of all ages.	Clarification	Staff Edit
100	4.4.2.d.	Institutional Housing (IH1, IH2, IH3) is intended to collectively define sites or buildings operated for the provision of housing and health and long-term care for the elderly and people with disabilities.	Clarification	Staff Edit
100	4.4.3.a.	Property zoned Institutional shall be developed according to the applicable requirements of each individual Institutional District and each Institutional sub-district.	Clarification	Staff Edit
120	TABLE 5.1	USES: COMMERCIAL Add “Mixed-Use” as a Regulated “R” Use in VC, TC, LI, RHR, BMV, CAD	Clarification	Staff Edit
125	TABLE 5.3	USES: RESIDENTIAL (VC, TC1, TC2) Multi-family (small) Multi-family (small) shall be permitted subject to the following regulations: <ul style="list-style-type: none"> • Active G ground floor commercial use is required. The floor area devoted to the ground floor commercial use shall be a minimum depth of 40 feet. • No single-use residential building shall be permitted. • 80% of t The ground floor of the primary front facade shall be devoted to comply with “Section 155-3.9.4 Storefronts”. 	Clarification	MCPC Edit A4
125	TABLE 5.3	USES: RESIDENTIAL (VC, TC1, TC2) Multi-family (large) Multi-family (large) shall be permitted subject to the following regulations: <ul style="list-style-type: none"> • Active G ground floor commercial use is required. The depth of the space devoted to the ground floor commercial use shall be a minimum depth of 40 feet. • No single-use residential building shall be permitted. • 80% of t The ground floor of the primary front facade shall be devoted to comply with “Section 155-3.9.4 Storefronts”. 	Clarification	MCPC Edit A4
125	TABLE 5.3	USES: COMMERCIAL (VC, TC1, TC2) Add “Mixed-Use” as a Regulated “R” Use in VC, TC1, and TC2 Mixed-Use shall be permitted subject to the following regulations: <ul style="list-style-type: none"> • Active ground floor commercial use is required. The depth of the space devoted to the ground floor commercial use shall be a minimum depth of 40 feet. • No single-use residential building shall be permitted. • The ground floor of the primary front facade shall comply with “Section 155-3.9.4 Storefronts”. 	Clarification	Staff Edit

242	8.5.3.a.ii.	VC, TC, BMV , and RHR: 20 feet in width, unless determined by the Township Engineer that a wider driveway is necessary.	Minor Revision	MCPC Edit F2
289	10.12.6.b.	<p>Nonconforming impervious coverage. A lot or lots nonconforming to the impervious coverage provisions in this Chapter shall be subject to the following:</p> <p>10.12.6.b.i. Nonconforming impervious coverage levels may not be increased, unless otherwise permitted by the Zoning Code.</p> <p>10.12.6.b.ii. When more than 75% of the impervious coverage is removed the lot or lots shall conform to the underlying impervious coverage provisions. This requirement does not apply to existing parking lots that are only being restriped or resurfaced.</p> <p>10.12.6.b.iii. When a lot or lots are being developed and less than 75% of the impervious surface is removed, the lot or lots shall be subject to a building coverage limit that is no greater than 80% of the maximum impervious coverage permitted in the underlying zoning district.</p>	Minor Revision	MCPC Edit G3

DRAFT