



Retool Gaithersburg

Overview of Revised Zoning Ordinance

Joint Work Session
 February 26, 2024



Retool Gaithersburg: Project Summary



What is Retool Gaithersburg?

Retool Gaithersburg is a comprehensive initiative to update the City of Gaithersburg's Zoning Ordinance to ensure that the regulations better accommodate the implement the City's vision and goal to support the vibrancy and innovation of the City of Gaithersburg.

Why Retool Gaithersburg?

Cities are always changing.

Zoning should support current policy and trends.

Zoning should be easy to use.

Retool Gaithersburg: Project Summary

Since the October 9th Joint Work Session, we have:

- Revised the proposals shared at the Oct 9th Work Session based on feedback.
- Created a dedicated phone line for questions and comments from the public on the proposal.
- Produced a “Community Leaders Engagement” workbook.
- Produced a full Draft Zoning Ordinance and Annotated Summary.
- Published the Draft Zoning and Summary documents on the project website to receive public comment.



Retool Gaithersburg: Project Goals

The Retool Gaithersburg effort is informed by the following goals:

Develop a zoning ordinance that works for and supports the residents, businesses, and administrators of the City of Gaithersburg

Technical Goals

- Improve the organization and usability.
- Incorporate visual aid to simplify the readability.
- Modernize terminology and definitions

Policy Goals

- Housing Options
- Infill and Adaptive Reuse
- Equity Barriers
- Regulatory Processes

1:15,000
0 0 1,000 Feet
0 0 300 Meters
1 inch = 1,250 feet

MD State Plane
HPGN NAD 83/91

Interchange Ramps
 Freeway
 Toll Expressway
 State Highway
 Secondary Roads
 Private Streets
 Tax Parcels
 City Boundary
 Other Municipalities
 Historic Districts & Sites

Chapter 24 Zoning
 C-1 Local Commercial
 C-2 General Commercial
 C-3 Highway Commercial
 CB Commercial Buffer
 CBD Central Business District*
 CD Corridor Development*
 MXD Mixed Use Development*
 H-M Hotel-Motel
 E-2
 C-P
 I-1 Light Industrial
 I-3 Industrial
 I-4 General Industrial
 R-A Low Density Residential
 R-90 Medium Density Residential
 R-90 Cluster Development



Revised Zoning Ordinance Overview



Revised Zoning Ordinance Overview

The revised Zoning Ordinance is divided into 16 Articles.

Articles	
1	Introductory Provisions
2	Interpretation and Measurement
3	Standard Zoning Districts
4	Floating, Overlay, and Special Zoning Districts
5	Use-Specific Standards
6	Site Standards
7	Off-Street Parking and Loading
8	Signage Standards
9	Historic Preservation
10	Nonconformities
11	Administrative Bodies
12	Permit and Review Procedures
13	Affordable Housing Requirements
14	Adequate Public Facilities
15	Enforcement
16	Definitions

Revised Zoning Ordinance Overview

The following articles were reviewed for consistency and received minor updates in format content and organization.

These items remain largely unchanged from a policy perspective.

Articles		Retained
1	<i>Introductory Provisions</i>	
2	<i>Interpretation and Measurement</i>	
3	<i>Standard Zoning Districts</i>	
4	<i>Floating, Overlay, and Special Zoning Districts</i>	
5	<i>Use-Specific Standards</i>	
6	Site Standards	●
7	<i>Off-Street Parking and Loading</i>	
8	<i>Signage Standards</i>	
9	Historic Preservation	●
10	Nonconformities	●
11	Administrative Bodies	●
12	<i>Permit and Review Procedures</i>	
13	Affordable Housing Requirements	●
14	Adequate Public Facilities	●
15	Enforcement	●
16	<i>Definitions</i>	

Revised Zoning Ordinance Overview

The following articles were significantly revised from a technical perspective.

This includes larger reorganization to general structure, and the inclusion of tables and graphics.

Articles		Retained	Technical
1	Introductory Provisions		●
2	Interpretation and Measurement		●
3	Standard Zoning Districts		●
4	Floating, Overlay, and Special Zoning Districts		●
5	Use-Specific Standards		
6	<i>Site Standards</i>	●	
7	Off-Street Parking and Loading		●
8	Signage Standards		●
9	<i>Historic Preservation</i>	●	
10	<i>Nonconformities</i>	●	
11	Administrative Bodies	●	●
12	Permit and Review Procedures		●
13	<i>Affordable Housing Requirements</i>	●	
14	<i>Adequate Public Facilities</i>	●	
15	Enforcement	●	●
16	Definitions		●

Revised Zoning Ordinance Overview

The following articles were significantly revised from a technical perspective.

This includes larger reorganization to general structure, and the inclusion of tables and graphics.

Articles		Retained	Technical
1	Introductory Provisions		●
2	Interpretation and Measurement		●
3	Standard Zoning Districts		●
4	Floating, Overlay, and Special Zoning Districts		●
5	Use-Specific Standards		
6	<i>Site Standards</i>	●	
7	Off-Street Parking and Loading		●
8	Signage Standards		●
9	<i>Historic Preservation</i>	●	
10	<i>Nonconformities</i>	●	
11	Administrative Bodies	●	●
12	Permit and Review Procedures		●
13	<i>Affordable Housing Requirements</i>	●	
14	<i>Adequate Public Facilities</i>	●	
15	Enforcement	●	●
16	Definitions		●

Revised Zoning Ordinance Overview

The following articles were significantly revised to reflect the policy goals of the project.

This includes the incorporation of changes that reflect the City's goals adopted in documents like the Master Plan and Strategic Plan

Articles		Retained	Technical	Policy
1	Introductory Provisions		●	●
2	Interpretation and Measurement		●	●
3	Standard Zoning Districts		●	●
4	Floating, Overlay, and Special Zoning Districts		●	●
5	Use-Specific Standards			●
6	<i>Site Standards</i>	●		
7	Off-Street Parking and Loading		●	●
8	<i>Signage Standards</i>		●	
9	Historic Preservation	●		●
10	<i>Nonconformities</i>	●		
11	<i>Administrative Bodies</i>	●	●	
12	Permit and Review Procedures		●	●
13	<i>Affordable Housing Requirements</i>	●		
14	<i>Adequate Public Facilities</i>	●		
15	<i>Enforcement</i>	●	●	
16	Definitions		●	●

1:15,000
0 0 1,000 Feet
0 0 300 Meters
1 inch = 1,250 feet

MD State Plane
HPGN NAD 83/91

Interchange Ramps	Chapter 24 Zoning	R-1 Single-Family Detached
Freeway	C-1 Local Commercial	E-2 Medium Density Residential
Toll Expressway	C-2 General Commercial	C-P Community Professional Office
State Highway	C-3 Highway Commercial	I-1 Light Industrial
Secondary Roads	CB Commercial Buffer	I-3 Industrial
Private Streets	CBD Central Business District	I-4 General Industrial
Tax Parcels	CD Corridor Development	R-A Low Density Residential
City Boundary	MXD Mixed Use Development	R-90 Medium Density Residential
Other Municipalities	H-M Hotel-Motel	R-90 Cluster Development
Historic Districts & Sites		



Article 1: Introductory Provisions



Article 1 – Introductory Provisions

What was changed?

Article 1 was updated to include technical language critical to a smooth transition from the prior zoning ordinance to the proposal's revisions and improvements to overall usability. Revisions include:

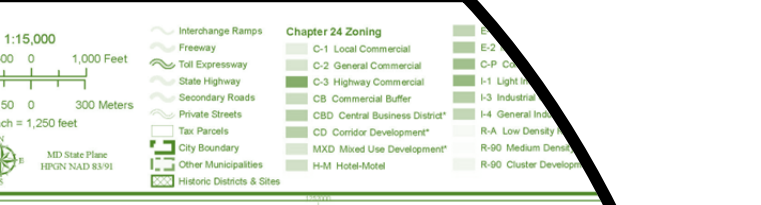
- Continuance provisions for previously approved projects.
- Existing Applications and Permits – Allows for technically complete applications submitted prior to the adoption of the revised zoning ordinance to proceed through their review subject to the prior zoning provisions.
- Inclusion of language that outlines the structure of the zoning ordinance and user-friendly section regarding how to navigate the code

Section 24-1.5 – Navigating the Zoning Ordinance

- (A) **Step One:** Locate your property on the Zoning Map to discover it's applicable zoning district and determine if it's historically designated.
- (B) **Step Two:** Locate the applicable zone or district regulations in Article 3 or Article 4.
- (C) **Step Three:** Determine what uses are allowed in the zone or district in Article 3 or Article 4 in the appropriate "Use Table" based on the applicable/relevant zoning district.
- (D) **Step Four:** Once you identify the zoning district-specific standards that apply to you in Article 3 or Article 4, additionally check the following as applicable:
 - (1) For additional standards that apply to specific uses, make sure to check the use table for any "Use-Specific Standards" in Article 5, which will be referenced in the table in the second column.
 - (2) For additional regulations applicable physical site standards and features check; Article 6 – Site Standards, Article 7 – Off-Street Parking and Loading, and Article 8 – Signage Standards as applicable.
 - (3) For additional regulations applicable to historic designated properties check; Article 9 – Historic Preservation.
- (E) **Step Five:** Determine if any nonconformities exist and how to address them in Article 10.
- (F) **Step Six:** Determine if any zoning approvals, including permits, are necessary for your property and how to apply for them in Article 12.

Why was this changed?

- Continuance and existing applications/permits sections don't penalize applicants that have been actively working with the City for approval while the ordinance was being updated.
- Structure and navigation sections help non-professionals understand where key information is located and how to use the ordinance



Article 2: Interpretation and Measurements



Article 2 – Interpretation and Measurements

What was changed?

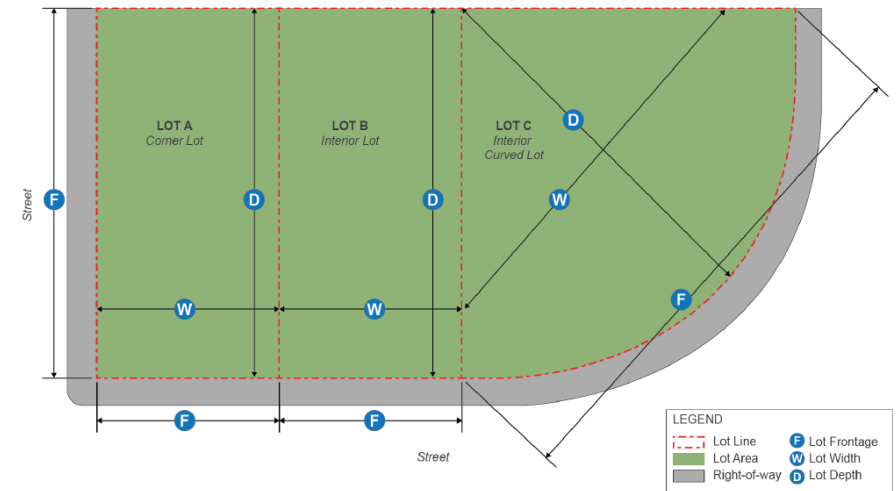
Article 2 was updated to provide a single destination for all rules related to the use of language and methods for calculating the various dimensional standards within the code. Revisions include:

- Clarifying setbacks, yard and frontage for corner lots.
- Clear rules regarding the measurement of height and other standards.
- Inclusion of explanatory graphics
- Simplified organization for exceptions and permitted projections into required yards.

Why was this changed?

- Clearer rules make it simpler for:
 - Homeowners to understand where they can make improvements to their homes.
 - Developers and businesses to better plan the physical form of their developments.

Figure 24-1 – Lot measurement.



Note: The rear yard measurements of "Lot C" shall be determined per the methods of (G)(2) below.

- (C) **Lot Frontage.** For non-floating zoned properties or when required by city council, lot frontage shall be measured by the linear distance measurement between where the side property lines of a lot intersect with the street line or drive aisle.
- (D) **Lot Width.** The lot width shall be the average horizontal distance between the side property lines of a lot.
- (E) **Lot Depth.** The lot depth shall be the mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
- (F) **Front of Building.**
- (1) **Interior lots.** For interior lots with only one frontage on a street, the front of the building is the façade of the building primarily oriented toward the street.
 - (2) **Corner lots.** For corner lots, the front of the building shall be determined based on the proportions of the lot. The façade of the building, typical having the primary entrance of the building facing the shorter of the street frontages may be considered the front of the building and shall be used to determine the lot width and any applicable regulations pertaining to the front yard; or the applicant at the time of any plan submission can determine and identify the front(s) of the building for approval by the planning director or designee.
 - (3) **Through lots.** For through lots, the front of the building shall be chosen by the applicant at the time of filing any plan submission, for approval by the planning director or designee. After determining the front façade of the building, the lot line facing the front of the building shall be considered the front lot line. All other front lot lines shall be considered side and/or rear yard lines for the purposes of applying building setbacks.

Article 2 – Interpretation and Measurements

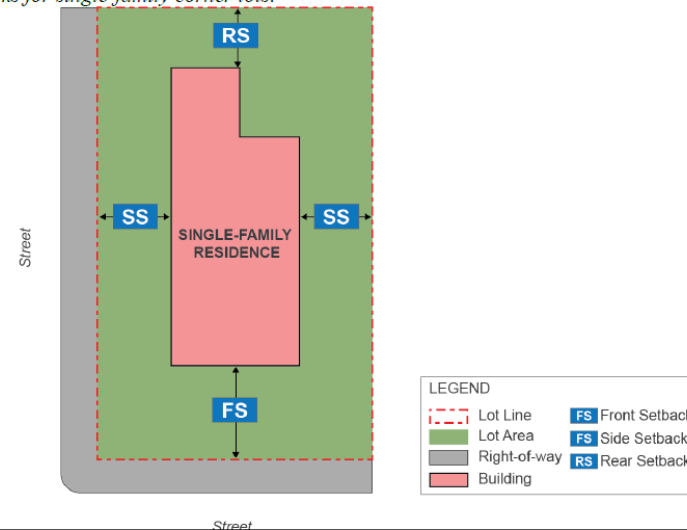
Example:

A single-family residence is located on a corner lot and homeowner wants to add a small addition, but they are unsure if they can expand their building toward the secondary street.

The proposed zoning text clearly establishes and illustrates rules related to the location of required setbacks, drawing distinction between single-family buildings and all other buildings.

- (G) **Setback.** A setback is the measured distance from any lot line that bounds a property. The setback is measured along a horizontal plane by the distance specified for a particular zone or structure perpendicular to any lot line. Unless otherwise allowed or defined in section 24-2.4 in this Chapter, a setback may not contain any building or structure.
- (1) **Front setback on multiple streets for single-family residential lots.** The placement of all buildings on lots having frontage on two or more streets, including corner lots, shall observe the required front yard as defined above pursuant to Section 24-2.3 – Rules of Measurement and Calculation (F). Excluding the established front yard, all other lot frontages shall apply side yard setbacks requirements.

Figure 24-2 - Front setbacks for single-family corner lots.



Excerpt from Section 24-2.3 (G) of the proposed zoning ordinance.

Article 2 – Interpretation and Measurements

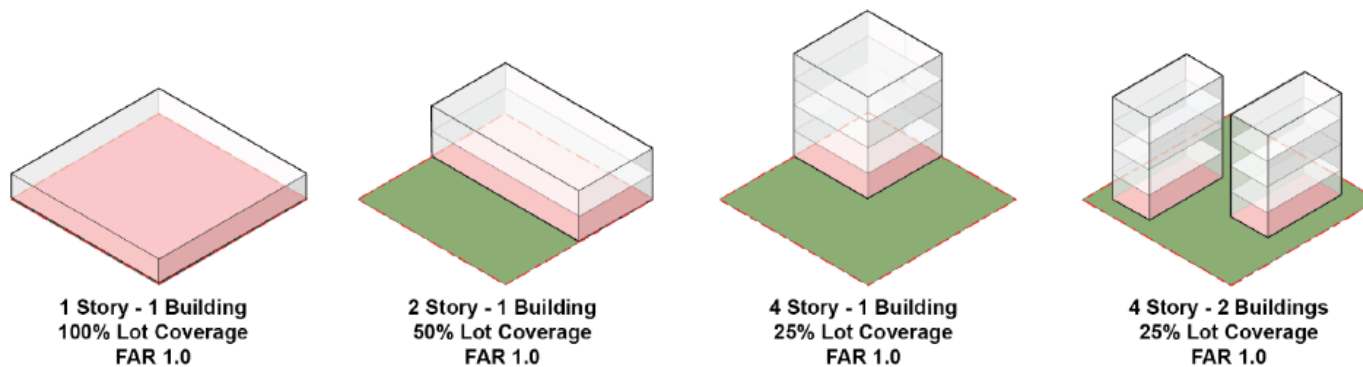
Example:

A community member is interested in understanding the proposed density of a new development in their area, but is unfamiliar with the relationships between building height, lot coverage, and density.

The proposed zoning text provides illustrative examples of Floor Area Ratios to aid non-building professionals in understanding the relationship between density of a building and its lot size.

(O) Floor area ratio. Floor area ratio (“FAR”) is determined by summing the gross floor area (in square feet) on all floors of all buildings located or proposed on a lot and dividing that sum by the lot area (in square feet).

Figure 24-5 - Floor Area Ratio Diagram



(1) Where the FAR calculation result is a decimal. The decimal results of calculations of the floor area ratio on a parcel shall be rounded to the nearest tenth. If the digit to the right of the tenths place (hundredths place) is greater than or equal to five, the tenths place digit is rounded up. If the hundredths place digit is less than five, the tenths place digit remains unchanged.

Excerpt from Section 24-2.3 (O) of the proposed zoning ordinance.

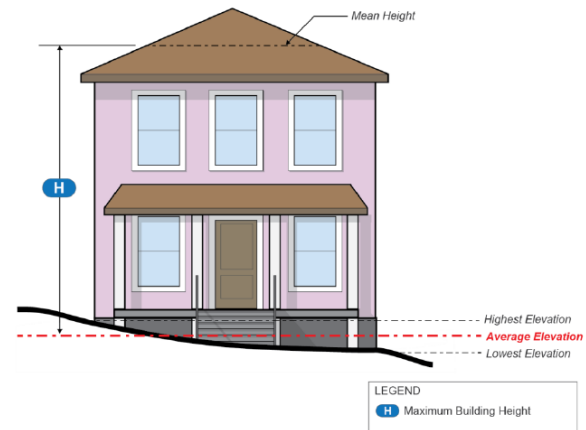
Article 2 – Interpretation and Measurements

Example:

A homeowner is interested in constructing a new home on a lot with significant topography. They are unsure about how the height regulations of the zoning will impact the size of their new home.

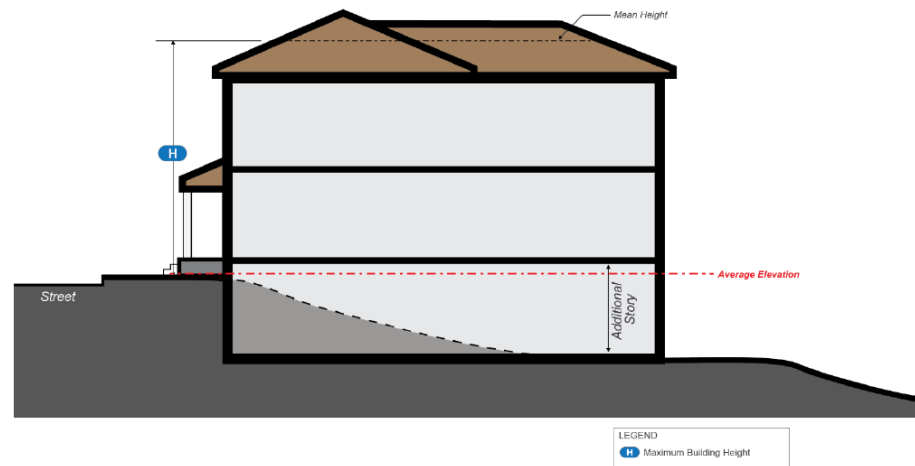
The proposed zoning text provides illustrative examples clear regulations regarding how to measure buildings on sloped sites, including exceptions to the maximum number of stories permitted for downward sloping sites.

Figure 24-8 – Determining average elevation.



- (3) When a property slopes downward from the front property line, one story that is additional to the specified maximum number of stories, if applicable in a particular zone, may be built on the lower, rear portion of the lot.

Figure 24-9 – Measurement for downward sloping sites.



Excerpt from Section 24-2.3 (P) of the proposed zoning ordinance.

Article 2 – Interpretation and Measurements

Example:

A homeowner is modernizing their home to make it more energy efficient and making exterior improvements, but it is unclear where they can locate new HVAC equipment, decks or bay windows in their yards.

The proposed zoning text provides a clear table that indicates items permitted to project into required setbacks based upon the location on the lot.

Section 24-2.4 – Exclusions from Measurements

- (A) **Fences and walls.** The setback or building restriction line requirements of this Chapter do not apply to fences or walls.
- (B) **Structures Excluded from Height Standards.** The building and structure height limits set forth in this Chapter do not apply to belfries, chimneys, cupolas, domes, flagpoles, flues, monuments, spires, tanks, water towers, water tanks, air-conditioning units or similar roof structures and mechanical appurtenances and mechanical penthouses.
- (C) **Structures and Projections Exempt from Setbacks.** The following items are exempt from setback standards contained within this Chapter:
 - (1) The following building and site elements shall be subject to the specified setback requirements from the specified yard:

Item	Maximum Allowed Projection into a Required Setback (in feet):		
	Front Setback	Rear Setback	Side Setback
Steps, terraces, decks, stoops, porches, and open stairways ¹	9	9	3
Bay windows, oriels, entrances, vestibules, and balconies in Residential Zones	3	3	3
Chimneys ²	2	2	2
Freestanding air conditioners and heat pumps, ³ Freestanding Solar, HVAC units	Prohibited in front yard regardless of setback	Exempt	Exempt ⁴
Cornices and Eaves- Single Family Residential Detached	2	2	2
Cornices and Eaves- Structures other than Single Family Residential Detached	2.5	2.5	2.5
Sills, leaders, belt courses and similar ornamental features	0.5	0.5	0.5
Fire escapes and window wells	5	5	5

Excerpt from Section 24-2.4 of the proposed zoning ordinance.



Article 3: Standard Zoning Districts



Article 3 – Standard Zoning Districts

Use Tables:

The proposed revisions to the Zoning Ordinance include separate use tables for all residential and non-residential districts.

The unified table allows for the user to easily understand what is allowed in each district, as well as compare the use permissions between various districts

<ul style="list-style-type: none"> ● = Permitted by-right ⓪ = Conditional Use Ⓢ = Special Exception – = Prohibited 		Standard Residential Zoning Districts							
		R-A	R-90	R-6	RB	RP-T	R-20	R-18	R-H
Use	Use-Specific Standards								
Public Use									
Public Use		●	●	●	●	●	●	●	●
Residential									
Accessory Dwelling Unit ⁽²⁾	Section 24-5.2	●	●	●	●	●	●	●	–
Boardinghouse		–	Ⓢ ⁽³⁾	–	Ⓢ	–	●	–	–
Dwelling, Duplex		●	–	●	●	●	●	–	–
Dwelling, Live/Work		–	–	–	●	–	–	–	–
Dwelling, Multi-Family Attached		–	–	–	–	●	●	●	●
Dwelling, Quadplex		–	–	–	–	●	●	●	●
Dwelling, Single-Family Detached		●	●	●	●	●	●	–	–
Dwelling, Stacked		–	–	–	–	●	●	●	●
Dwelling, Townhouse		–	–	–	–	●	●	●	●
Dwelling, Triplex		–	–	–	Ⓢ	●	●	●	●

Excerpt from Section 24-3.1 of the proposed zoning ordinance.

Article 3 – Standard Zoning Districts

General Structure of a Zoning District:

Each Standard Zoning District has a similar outline and provides:

- Purpose Statement

Section 24-3.8 – R-18 Zone, Medium Density Planned Residential

- (A) **Purpose.** The R-18 Zone is intended to stabilize and protect medium-density areas by providing for a varied, denser urban residential pattern suitable to the needs of the population by encouraging a range of dwelling types.
- (B) **Uses.** The permitted, conditional, special exception, and prohibited uses within the R-18 Zone are provided in Section 24-3.1 – Use Table: Residential Zones and are indicated within the applicable column for the R-18 Zone.
- (C) **R-18 dimensional standards table.** The following dimensions standards, located in Table 24-3.8-A below, shall apply to all buildings located within the R-18 Zone. Standards applicable to accessory structures, located in Section 24-6.4, and accessory dwelling units, located in Section 24-5.2, shall also apply.

Figure 24-16 • R-18 Diagram

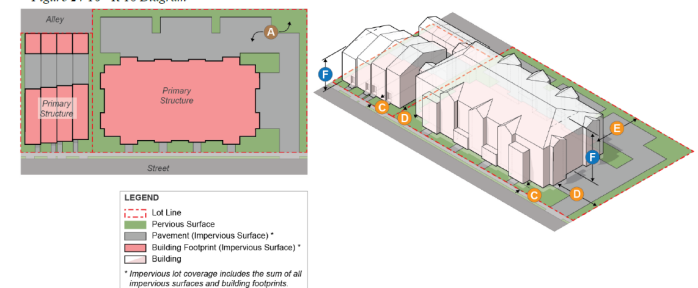


Table 24-3.8-A: R-18 Zone Dimensional Standards

Name of Standard	Standard
A Lot Area (Min.)	Townhomes, stacked dwelling, triplex dwelling, and quadplex dwelling: 1,800 square feet Townhomes attached across rear lot lines: 1,200 square feet
B Lot Frontage (Min.)	N/A
C Front Setback (Min.)	10 feet
D Side Setback (Min.) ⁽¹⁾	5 feet
E Rear Setback (Min.)	Townhomes attached across rear lot lines: 0 feet All other residential uses: 10 feet
F Building Height (Max.)	Townhomes, stacked dwelling, triplex dwelling, and quadplex dwelling: 4 stories and 48 feet Multi-family attached dwellings: 6 stories and 72 feet
G Impervious Lot Coverage (Max.)	N/A
H Building Lot Coverage (Max.)	N/A
I Front Yard Impervious Coverage (Max.)	N/A

Table Notes:
(1) Within townhouse developments, side setback standards only apply to end-unit townhouses.

- (D) **Frontage on public streets.** Lots improved by townhouses within the R-18 Zone shall not be required to have immediate access to a public street provided the planning commission shall find, in the course of the site plan development review, that satisfactory access to a public street will be provided.

Excerpt from Section 24-3.8 of the proposed zoning ordinance.

Section 24-3.8 – R-18 Zone, Medium Density Planned Residential

- (A) **Purpose.** The R-18 Zone is intended to stabilize and protect medium-density areas by providing for a varied, denser urban residential pattern suitable to the needs of the population by encouraging a range of dwelling types.

Article 3 – Standard Zoning Districts

General Structure of a Zoning District:

Each Standard Zoning District has a similar outline and provides:

- Purpose Statement
- References to Use Table

Section 24-3.16 – E-1 and E-2 Zones, Urban Employment

- (A) **Purpose.** The E-1 and E-2 Zones are intended to provide for large-scale commercial, institutional, and light manufacturing uses that generate employment opportunities within the city. The following provisions shall apply to all properties zoned E-1 or E-2 on the zoning map.
- (B) **Uses.** The permitted, conditional, special exception, and prohibited uses within the E-1 and E-2 Zone are provided in Section 24-3.10 – Use Table: Non-Residential Zones and are indicated within the applicable column for the E-1 & E-2 Zone.
- (C) **Dimensional standards table.** The following dimensions standards, located in Table 24-3.16-A below, shall apply to all buildings located within the E-1 and E-2 Zones. Standards applicable to accessory structures, located in Section 24-6.4, and accessory dwelling units, located in Section 24-5.2, shall also apply.

Figure 24-23 - E-1 & E-2 Zone Diagram

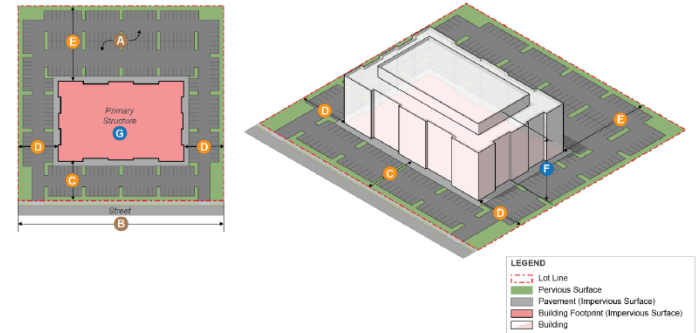


Table 24-3.16-A: E-1 and E-2 Zone Dimensional Standards

Name of Standard	Standard
A Lot Area (Min.)	20,000 square feet
B Lot Frontage (Min.)	N/A
C Front Setback (Min.)	20 feet
D Side Setback (Min.)	Generally: 20 feet If building height exceeds 60 feet and the property abuts residential property or is residentially zoned: 60 feet
E Rear Setback (Min.)	Generally: 20 feet If building height exceeds 60 feet and the property abuts residential property or is residentially zoned: 60 feet
F Building Height (Max.)	90 feet
G Building Lot Coverage (Max.)	50%

Excerpt from Section 24-3.16 of the proposed zoning ordinance.

- (B) **Uses.** The permitted, conditional, special exception, and prohibited uses within the E-1 and E-2 Zone are provided in Section 24-3.10 – Use Table: Non-Residential Zones and are indicated within the applicable column for the E-1 & E-2 Zone.

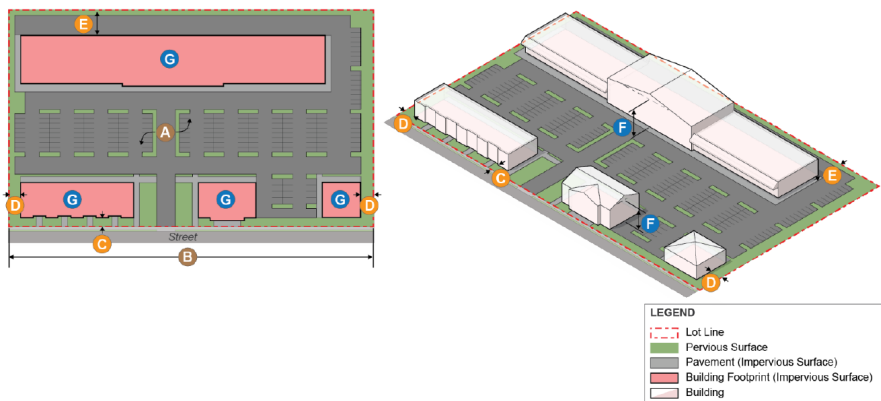
Article 3 – Standard Zoning Districts

General Structure of a Zoning District:

Each Standard Zoning District has a similar outline and provides:

- Purpose Statement
- References to Use Table
- Dimensions Standards Graphic

Figure 24-19 - C-1 Zone Diagram



Section 24-3.13 – C-2 Zone, General Commercial

- (A) Purpose. The C-2 Zone is meant to include commercial uses serving the regional and local area, together with other non-residential uses compatible with a cohesive and attractive shopping and office area.
- (B) Uses. The permitted, conditional, special exception, and prohibited uses within the C-2 Zone are provided in Section 24-3.10 – Use Table: Non-Residential Zones and are indicated within the applicable column for the C-2 Zone.

Figure 24-20 - C-2 Zone Diagram

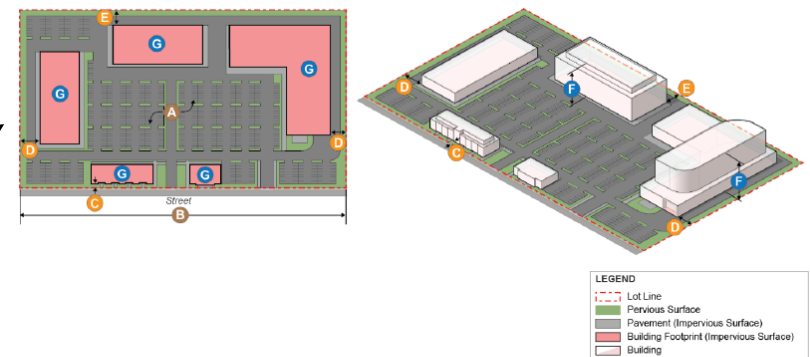


Table 24-3.13-A: C-2 Zone Dimensional Standards

Name of Standard	Standard
(A) Lot Area (Min.)	N/A
(B) Lot Frontage (Min.)	N/A
(C) Front Setback (Min.)	N/A
(D) Side Setback (Min.)	Abutting residential zone or property: 30 feet Not abutting residential zone or property: 0 feet
(E) Rear Setback (Min.)	Abutting residential zone or property: 30 feet Not abutting residential zone or property: 0 feet
(F) Building Height (Max.)	150 feet
(G) Building Lot Coverage (Max.)	70%

(D) Pedestrian connections.

- (1) Pedestrian connections must be provided from the primary entrance of any building to all abutting sidewalks within a public or private right-of-way.
 - (a) Where there are multiple buildings on a lot, the pedestrian walkway shall connect all adjacent sidewalks within the right-of-way to an internal pedestrian circulation system which provides access to all buildings on the lot.
- (2) Pedestrian connections shall be provided from all parking areas to the primary entrance of the building(s) of the lot.

Excerpt from Section 24-3.1 of the proposed zoning ordinance.

Article 3 – Standard Zoning Districts

General Structure of a Zoning District:

Each Standard Zoning District has a similar outline and provides:

- Purpose Statement
- References to Use Table
- Dimensions Standards Graphic
- Dimensional Standards Table

Table 24-3.6-A: RP-T Zone Dimensional Standards

Name of Standard	Standard
A Lot Area (Min.)	Townhomes, stacked dwelling, triplex dwelling, and quadplex dwelling: 1,400 square feet <i>All other uses: 4,000 square feet</i>
B Lot Frontage (Min.)	N/A
C Front Setback (Min.)	10 feet
D Side Setback (Min.) ⁽¹⁾	<i>Residential: At least one side setback of 5 feet</i> <i>Non-residential: 5 feet</i>
E Rear Setback (Min.)	<i>Townhomes attached across rear lot lines: 0 feet</i> <i>All other dwellings: 10 feet</i>
F Building Height (Max.)	<i>Single-Family Detached and Duplex: 3 stories and 38 feet</i> <i>All other dwellings: 4 stories and 48 feet</i> <i>Non-residential: 45 feet</i>
G Overall Impervious Coverage of Lot (Max.) ⁽²⁾	75%
H Building Lot Coverage (Max.)	N/A
I Front Yard Impervious Coverage (Max.)	N/A

Table Notes:
 (1) Within townhouse developments, side setback standards only apply to end-unit townhouses.
 (2) This provision only applies to multi-family, single-family detached, duplex dwellings, and public, and non-residential uses.

Section 24 3.6 – RP-T Zone, Medium Density Residential

(A) Purpose. The RP-T Zone is intended to provide for medium-to-high density residential uses with a range of housing types.

(B) Uses. The permitted, conditional, special exception, and prohibited uses within the RP-T Zone are provided in Section 24-3.1 – Use Table: Residential Zones and are indicated within the applicable column for the RP-T Zone.

(C) RP-T dimensional standards table. The following dimensions standards, located in Table 24-3.6-A below, shall apply to all buildings located within the RP-T Zone. Standards applicable to accessory structures, located in Section 24-6.4, and accessory dwelling units, located in Section 24-5.2, shall also apply.

Figure 24-14 - RP-T Zone Diagram

Table 24-3.6-A: RP-T Zone Dimensional Standards

Name of Standard	Standard
A Lot Area (Min.)	<i>Townhomes, stacked dwelling, triplex dwelling, and quadplex dwelling: 1,400 square feet</i> <i>All other uses: 4,000 square feet</i>
B Lot Frontage (Min.)	N/A
C Front Setback (Min.)	10 feet
D Side Setback (Min.) ⁽¹⁾	<i>Residential: At least one side setback of 5 feet</i> <i>Non-residential: 5 feet</i>
E Rear Setback (Min.)	<i>Townhomes attached across rear lot lines: 0 feet</i> <i>All other dwellings: 10 feet</i>
F Building Height (Max.)	<i>Single-Family Detached and Duplex: 3 stories and 38 feet</i> <i>All other dwellings: 4 stories and 48 feet</i> <i>Non-residential: 45 feet</i>
G Overall Impervious Coverage of Lot (Max.) ⁽²⁾	75%
H Building Lot Coverage (Max.)	N/A
I Front Yard Impervious Coverage (Max.)	N/A

Table Notes:
 (1) Within townhouse developments, side setback standards only apply to end-unit townhouses.
 (2) This provision only applies to multi-family, single-family detached, duplex dwellings, and public, and non-residential uses.

Excerpt from Section 24-3.6 of the proposed zoning ordinance.

Article 3 – Standard Zoning Districts

General Structure of a Zoning District:

Each Standard Zoning District has a similar outline and provides:

- Purpose Statement
- References to Use Table
- Dimensions Standards Graphic
- Dimensional Standards Table
- Other Standards

(C) Number of residential buildings. In the R-90 Zone, not more than one principal building containing a single-family detached dwelling shall be allowed on a given lot; however, such restriction shall not apply to housing for the elderly or to the Asbury Special District as defined in Section 24-4.9. In addition to the principal building, one accessory dwelling unit, subject to the provisions of Section 24-5.2, shall also be permitted.

(E) R-90 Cluster standards.

- (1) Where a property has been approved to use the R-90 Cluster development standards of the previous zoning ordinance, as of the effective date of this Chapter, the dimensional standards of the R-6 zone shall apply, pursuant to Section 24-3.4 – R-6 Zone, Medium Density Residential (D). Such a property must comply with all other R-90 standards.

Section 24-3.3 – R-90 Zone, Medium Density Residential

- (A) Purpose.** The R-90 Zone is intended to provide for medium-density residential areas primarily with single-family detached homes.
- (B) Uses.** The permitted, conditional, special exception, and prohibited uses within the R-90 Zone are provided in Section 24-3.1 – Use Table: Residential Zones and are indicated within the applicable column for the R-90 Zone.
- (C) Number of residential buildings.** In the R-90 Zone, not more than one principal building containing a single-family detached dwelling shall be allowed on a given lot; however, such restriction shall not apply to housing for the elderly or to the Asbury Special District as defined in Section 24-4.9. In addition to the principal building, one accessory dwelling unit, subject to the provisions of Section 24-5.2, shall also be permitted.
- (D) R-90 dimensional standards table.** The following dimensions standards, located in Table 24-3.3-A below, shall apply to all buildings located within the R-90 Zone; however, such standards shall not apply to the Asbury Special District as defined in Section 24-4.9. Standards applicable to accessory structures, located in Section 24-6.4, and accessory dwelling units, located in Section 24-5.2, shall also apply.

Figure 24-11 - R-90 Zone Diagram

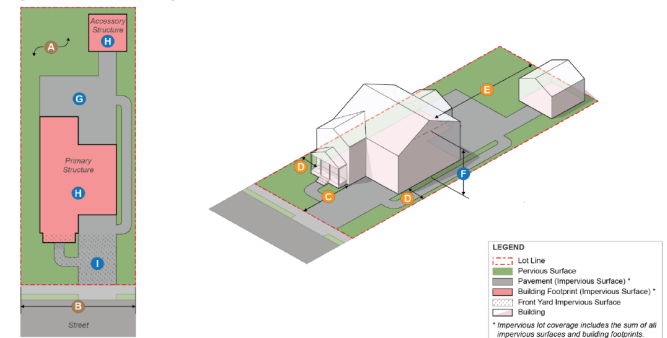


Table 24-3.3-A: R-90 Zone Dimensional Standards

Name of Standard	Standard
A Lot Area (Min.)	7,500 square feet
B Lot Frontage (Min.)	50 feet
C Front Setback (Min.)	20 feet
D Side Setback (Min.)	5 feet
E Rear Setback (Min.)	20 feet
F Building Height (Max.)	Residential: 3 stories and 38 feet Non-residential: 45 feet
G Impervious Lot Coverage (Max.) ⁽¹⁾	70%
H Building Lot Coverage (Max.) ⁽²⁾	50%
I Front Yard Impervious Coverage (Max.) ⁽¹⁾	35%

Table Notes:
 (1) This provision only applies to single-family detached dwellings.
 (2) This provision shall apply only to single-family detached, public, and non-residential uses.

(E) R-90 Cluster standards.

- (1) Where a property has been approved to use the R-90 Cluster development standards of the previous zoning ordinance, as of the effective date of this Chapter, the dimensional standards of the R-6 zone shall apply, pursuant to Section 24-3.4 – R-6 Zone, Medium Density Residential (D). Such a property must comply with all other R-90 standards.

Excerpt from Section 24-3.3 of the proposed zoning ordinance.

Article 3 – Standard Zoning Districts

Modifications to District Standards

Generally, the standards of each district have been modified to provide increases to height, lot coverage and impervious area, as well as establish or in some cases reduce required setbacks.

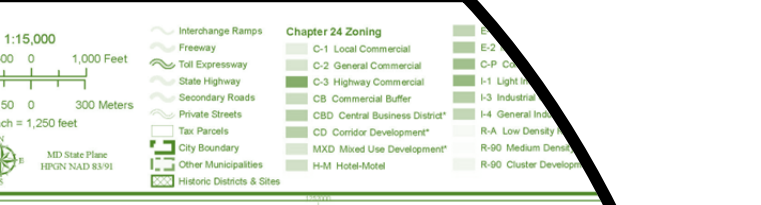
Why was this changed?

These modifications are intended to:

- Reduce nonconformance for existing buildings.
- Allow for homeowners to make meaningful improvements.
- Allow for the creation of new housing units and typologies contemplated in the housing element.
- Expand allowable uses in various non-residential zones.



Example of Tri-plex development



Article 4: Floating, Overlay and Special Zoning Districts



Article 4 – Floating, Overlay and Special Zoning Districts



What was changed?

Article 4 was revised to improve the organization and procedures for the establishment of floating zones.

The revisions include:

- CBD: Increase by-right height and remove setback requirements.
- CD: FAR model and bonus density to encourage development.
- MCD: New mixed-use non-residential zone focused on employment uses.
- MXD: Simplifies development standards and clarifies open area requirements.
- Special Districts: Defines Olde Towne and Asbury Special Districts.

Why was this changed?

- Promote equity in the findings for approval.
- Creates new tools to encourage investment and redevelopment.
- Centralize, define, and reorganize areas that function as special districts.

Article 4 – Floating, Overlay and Special Zoning Districts

Proposed update to the CD Zone

Updates to the CD Zone intend to allow the floating zone to serve as a more effective tool for encouraging the consolidation and redevelopment of lots along MD 355 Corridor.

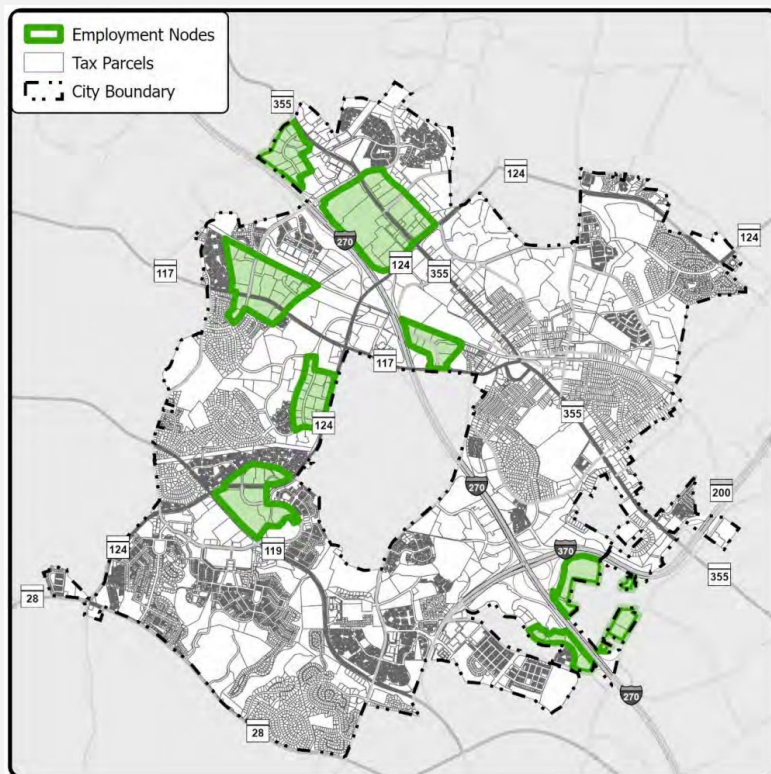
Project Area	Base FAR Allowed
<1 acre	0.25 FAR
1 - <1.5 acres	.75 FAR
1.5 - <2 acres	1 FAR
2 - <5 acres	2 FAR
5+ acres	3 FAR

- Establishes Floor Area Ratios based on the size of the lot to encourage consolidation of smaller lots and increase the potential for redevelopment along the MD 355 Corridor.
- Provides additional FAR bonuses for developments that:
 - Offer affordable housing units to lower AMI households.
 - Provide larger multifamily residential units that can accommodate families.
 - Underground utility lines along MD 355
 - Contribute to funds toward furthering the City’s housing goals or improvements within the MD 355 Corridor.

Article 4 – Floating, Overlay and Special Zoning Districts

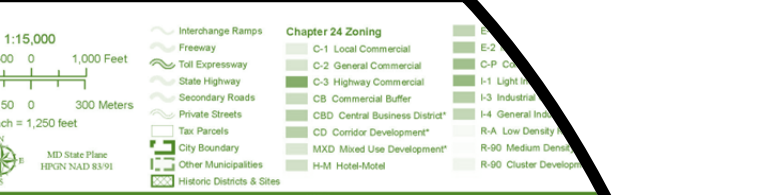
Proposed MCD Floating Zone

Where current floating zones are intended to bolster a mixed-use development, the MCD aims to allow flexibility and creativity for mixed non-residential development.



MCD Zone Overview:

- Provide design flexibility and redevelopment of non-residential areas that support a concentration of employment uses in the City.
- The MCD Zone may only be mapped on areas designated as “*Employment Nodes*” in the City’s Master Plan or Housing Element.
- Use Limitations – Does not permit residential uses, limits retail and personal services uses.
- Height and setback to be established in the Master Plan or by the City Council at Schematic Development Plan.



Article 5: Use-Specific Standards



Article 5 – Use-Specific Standards



What was changed?

Article 5 is the location of standards and restrictions placed upon a specific use. These provisions were previously restated in each zoning district where the use was permitted. The majority of these use standards have remained unchanged, however this section does include the provisions of unique policy items, including Accessory Dwelling Units.

Why was this changed?

- Accessory dwelling units, proposed to be permitted in most residential districts, were a core recommendation of the Housing Element. These provisions provide a framework for the construction of ADUs in residential areas throughout the City.

Article 5 – Use-Specific Standards

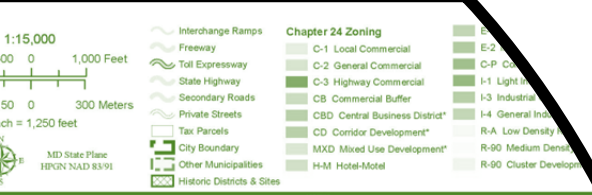
Accessory Dwelling Units

The Accessory Dwelling Unit provisions of Article 5 govern the process, size, location, and other zoning standards for the construction of ADUs.



In order to construct an ADU, the following standards must be met:

- Only one ADU is permitted per lot.
- The lot size must be compliant with the district where it is located.
- Attached/Integral ADUs may not be more than 49% of the floor area of the primary building.
- Detached ADUs may not exceed 800 SF in floor area.
- One additional parking space must be provided for the ADU.
- Detached ADUs are permitted in side and rear yards only.
- ADUs shall not exceed the height of the primary structure.
- All ADUs shall have a separate entrance from the primary building.
- ADUs may not be used for short-term rentals.
- ADUs are subject to the minor amendment process and Historic Area Work Permits (if applicable).



Article 7: Off-Street Parking and Loading



Article 7 – Off-Street Parking and Loading

What was changed?

Article 7 was revised to retain the successful parking policies of the existing code while improving the overall organization and administration.

Revisions include:

- General structure, inclusion of graphics and tables.
- Revised rates and implementation of use groups for establishing parking rates.
- Clear sections separating single-family from large parking lots.
- Strengthened findings for Planning Commission parking waivers.
- “On-Street Parking Requirements” are added for larger residential projects

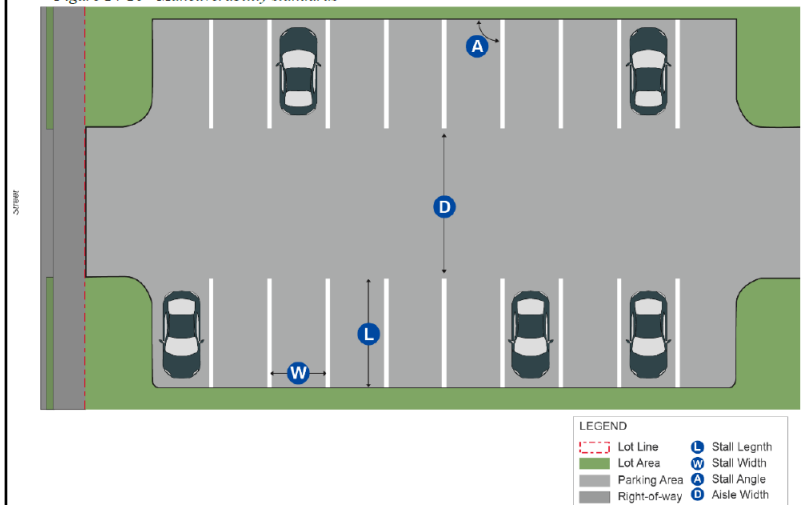
Why was this changed?

- Simplified parking rates based on use groups (rather than individual uses) makes it simpler to re-tenant existing commercial development.
- Parking standards, such as the size of required parking spaces, driveway dimensions, and garage standards for single-family homes are separated from the remainder of the more complex parking regulations.

Chapter 24. – Zoning | Article 7 – Off-Street Parking and Loading
Section 24-7.5 – Structured or Surface Parking Lot Facilities Standards

- (D) **Location of parking spaces.** All required parking spaces shall be located on the same lot as the main building or structure, or on adjacent lots not further than one thousand five hundred (1,500) feet from the boundary of the lot that contains the primary building or structure for which they are required.
- (E) **Maneuverability standards.** The following table shall establish the minimum width of parking lot drive aisles with relation to the adjacent parking spaces they may serve.

Figure 24-26 - Maneuverability standards



Parking Angle (A) (degrees)	Min. Width (D) of One Way Aisle (feet)	Min. Width (D) of Aisle (feet): Two Way	Typical Stall (feet)
No spaces	14 (D)	20 (D)	N/A
0	14 (D)	20 (D)	22 (L) x 9 (W)
45	14 (D)	20 (D)	17 (L) x 9 (W)
60	16 (D)	20 (D)	17 (L) x 9 (W)
90	22 (D)	23 (D)	17 (L) x 9 (W)

Article 7 – Off-Street Parking and Loading

Parking Rates and Use Groups

Rather than establishing parking rates for each individual use, the revised zoning ordinance establishes rates for groups of similar uses aligned with the use table.

In instances where a specific use has a notably lesser or greater parking demand, the use table makes exceptions for these uses.

Retail and Personal Service Uses	All Retail and Services Uses Unless Otherwise Listed	1 per 250 sf
	Commercial day care center	3 per 1,000 sf
	Funeral homes	1 per 225 sf
	Hotel, motel, bed & breakfast, hotel – extended stay	1 per room and 1 per 250 sf of assembly/restaurant area
	Artisan manufacturing	1 per 500 sf
	Meeting and banquet halls	1 per 300 sf

Article 7 – Off-Street Parking and Loading

Parking Rates and Use Groups

Parking rates for large commercial centers are proposed to be revised to ease in the administration of the zoning and provide flexibility to re-tenant commercial spaces with largely similar uses.

This approach allows to requirement to be based on the size of the commercial building, not to individual commercial tenants.

Commercial Center - Multi-Tenant Structure ¹	Small commercial centers whereby the total size as at least 10,000 sf and does not exceed 50,000 sf	1 per 400 sf per tenant
	Medium commercial centers whereby the total size is greater than 50,000 and does not exceed 250,000 square feet	1 per 350 sf per tenant
	Larger commercial centers whereby the total size is greater than 250,000 square feet	1 per 300 sf

Article 7 – Off-Street Parking and Loading

Structured or Surface Parking Lots

All parking standards for structured or surface parking lots are presented in a single section, including:

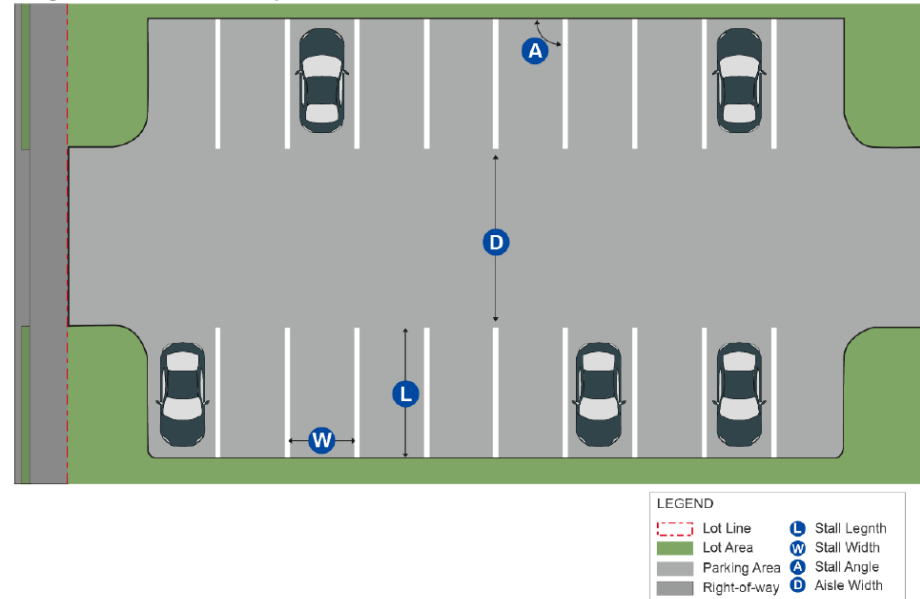
- Types and mix of parking spaces
- Maneuverability standards
- Grading
- Surfacing
- Bicycle parking
- Striping and signage
- Lighting
- Planting and screening

The revised ordinance provides definitions and standards for various types of parking spaces that are common in modern developments.

Chapter 24. – Zoning | Article 7 – Off-Street Parking and Loading
Section 24-7.5 – Structured or Surface Parking Lot Facilities Standards

- (D) **Location of parking spaces.** All required parking spaces shall be located on the same lot as the main building or structure, or on adjacent lots not further than one thousand five hundred (1,500) feet from the boundary of the lot that contains the primary building or structure for which they are required.
- (E) **Maneuverability standards.** The following table shall establish the minimum width of parking lot drive aisles with relation to the adjacent parking spaces they may serve.

Figure 24-26 - Maneuverability standards



Parking Angle (A) (degrees)	Min. Width (D) of One Way Aisle (feet)	Min. Width (D) of Aisle (feet): Two Way	Typical Stall (feet)
No spaces	14 (D)	20 (D)	N/A
0	14 (D)	20 (D)	22 (L) x 9 (W)
45	14 (D)	20 (D)	17 (L) x 9 (W)
60	16 (D)	20 (D)	17 (L) x 9 (W)
90	22 (D)	23 (D)	17 (L) x 9 (W)



Article 8: Signage Standards



Article 8 – Signage Standards

What was changed?

Article 8 was updated to provide a clear, concise and illustrative guide to the various permitted sign types throughout Gaithersburg. These updates include:

- The use of graphics to illustrate the types and demonstrate the measurement of signs
- Inclusion of tables to indicate the standards for each sign type

Why was this changed?

- Easier to navigate sign regulations for businesses and property owners.
- Clearer rules of measurement and modern signs types ease the administration of signage rules.

Figure 24-50: Example Geographic Area Permanent Sign



(B) Geographic area sign standards table.

Table 24-8.19-A: Geographic Area Permanent Sign Standards

Geographic Area Permanent Sign Standards	Standard Residential Zones	Standard Non-Residential Zones	Floating Zones
Count per Property – as part of a Building Sign (max.)	1 per 20 acres of subdivision, or portion thereof	1 per 20 acres of subdivision, or portion thereof	1 per 20 acres of subdivision, or portion thereof
Surface Area per Sign – as part of a Building Sign (max.)	10% of building façade	10% of building façade	10% of building façade
Count per Property – as part of a Monument Sign (max.)	1 per 10 acres of subdivision, or portion thereof	1 per 10 acres of subdivision, or portion thereof	1 per 10 acres of subdivision, or portion thereof
Surface Area per Sign – as part of a Monument Sign (max.)	Adjacent to a major highway: 200 square feet	Adjacent to a major highway: 200 square feet	Adjacent to a major highway: 200 square feet
	Adjacent to all other roads: 100 square feet	Adjacent to all other roads: 100 square feet	Adjacent to all other roads: 100 square feet
Height of Sign – as part of a Monument Sign (max.)	Adjacent to a major highway: 15 feet	Adjacent to a major highway: 15 feet	Adjacent to a major highway: 15 feet
	Adjacent to all other roads: 10 feet	Adjacent to all other roads: 10 feet	Adjacent to all other roads: 10 feet

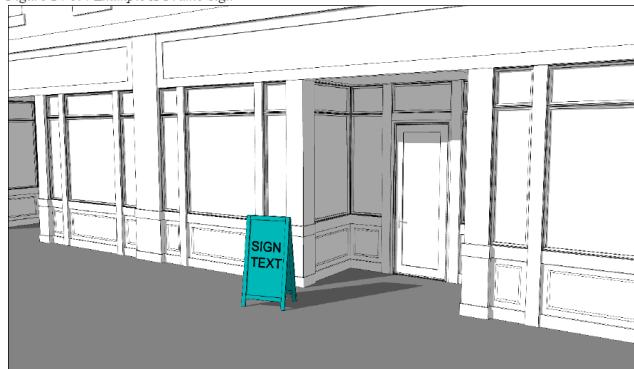
Article 8 – Signage Standards

Graphics and tables for each sign type:

Each sign type includes an illustrative graphic to accompany its description.

Each table outlines all restrictions related to the number, size, and location of signs – in addition to other information (such as the duration of temporary signs or zone specific standards).

Figure 24-39: Example A-Frame Sign



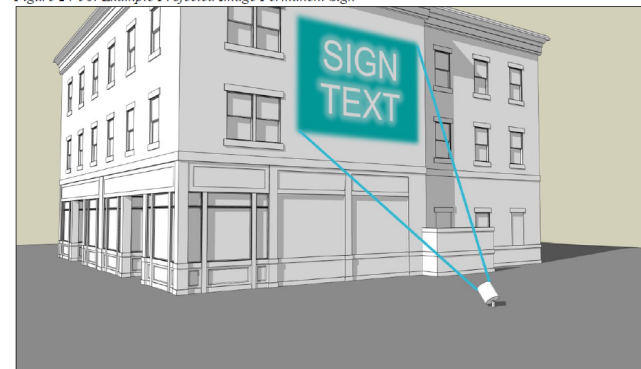
(B) A-frame sign standards table.

Table 24-8.9-A: A-Frame Sign Standards

A-Frame Sign Standards	Standard Residential Zones ⁽¹⁾	Standard Non-Residential Zones ⁽¹⁾	Floating Zones ⁽¹⁾
Count per Property (max.)	1 per 2 acres or portion thereof ⁽²⁾	1 per 2 acres or portion thereof	1 per 2 acres or portion thereof
Surface Area per Sign (max.)	6 square feet ⁽³⁾	6 square feet	6 square feet
Display Duration Restrictions	Must not be displayed during inclement weather or while the associated entity is closed to the public ⁽⁴⁾	Must not be displayed during inclement weather or while the associated entity is closed to the public	Must not be displayed during inclement weather or while the associated entity is closed to the public
Location Restrictions	May only be displayed within 20 feet of the public entrance of the associated entity	May only be displayed within 20 feet of the public entrance of the associated entity	May only be displayed within 20 feet of the public entrance of the associated entity
Allowed Illumination	None	None	None

Table Notes:
 (1) A-frame signs are prohibited on properties with single-family uses.
 (2) Properties in the RB Zone are limited to a maximum of 1 A-frame sign.
 (3) A-frame signs in the RB Zone are limited to a maximum surface area size of 3 square feet.
 (4) A-frame signs in the RB Zone may not be displayed for longer than 8 hours in any 24-hour period.

Figure 24-56: Example Projected Image Permanent Sign



(B) Projected image permanent sign standards table.

Table 24-8.25-A: Projected Image Permanent Sign Standards

Projected Image Permanent Sign Standards	Standard Residential Zones ⁽¹⁾	Standard Non-Residential Zones ⁽¹⁾	Floating Zones ⁽¹⁾
Count per Property (max.)	1 per 6 acres or portion thereof ⁽²⁾⁽³⁾	1 per 4 acres or portion thereof ⁽⁴⁾	1 per 4 acres or portion thereof
Surface Area per Sign (max.)	Greater of: (A) 18 square feet; or (B) 3% of building façade surface area ⁽⁵⁾⁽⁶⁾	Greater of: (A) 24 square feet; or (B) 3% of building façade surface area ⁽⁷⁾	Greater of: (A) 24 square feet; or (B) 3% of building façade surface area

Table Notes:
 (1) Projected image (permanent) signs are only allowed on properties with single-family uses when such signs are in conformance with Section 24-8.4(A)(8).
 (2) Properties in the RB Zone are limited to a maximum of 1 projected image (permanent) sign.
 (3) Properties with multi-family uses are limited to a maximum of 1 projected image (permanent) sign per 4 acres or portion thereof.
 (4) Properties in the CB Zone are limited to a maximum of 1 projected image (permanent) sign per 6 acres or portion thereof.
 (5) Projected image (permanent) signs in the RB Zone are limited to a maximum size of 12 square feet.
 (6) The surface area of projected image (permanent) signs on properties with multi-family uses are limited to the greater of: (A) 24 square feet; or (B) 3% of the building façade surface area.
 (7) The surface area of projected image (permanent) signs in the CB Zone are limited to the greater of: (A) 18 square feet; or (B) 3% of the building façade surface area.

Article 8 – Signage Standards

Measurement of signs:

Standardized language and methods for determining the area of differing sign types.

(D) Signs: face length, face depth, and sign surface area calculation.

- (1) The surface area of a sign includes the entire face of the sign, plus any supporting backboard or raceway, plus any wall work incidental to its decoration, and includes the space between letters, figures, and designs.
- (2) The surface area of a sign is calculated by multiplying the sign face length by the sign face depth, as shown in the following figures.

Figure 24-30: Sign Surface Area Measurement Example 1

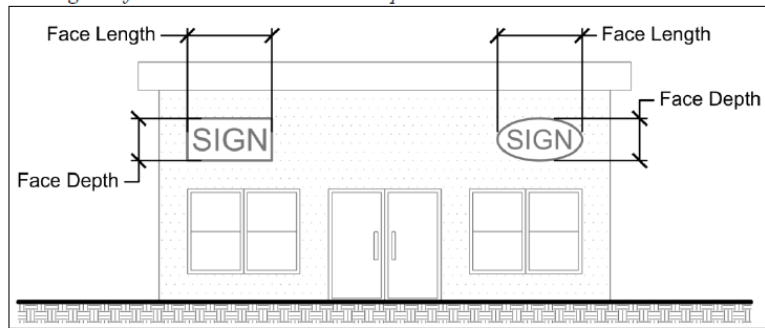


Figure 24-31: Sign Surface Area Measurement Example 2

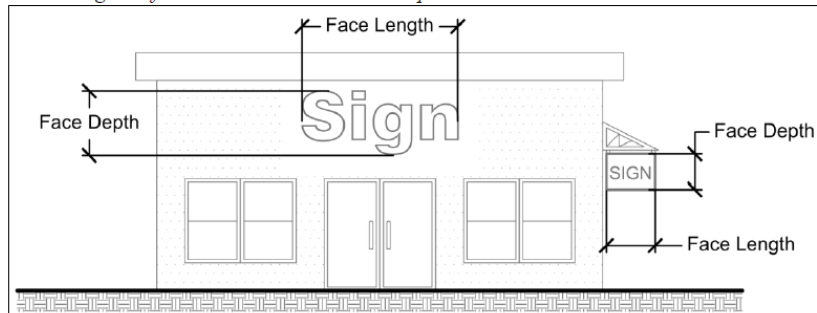
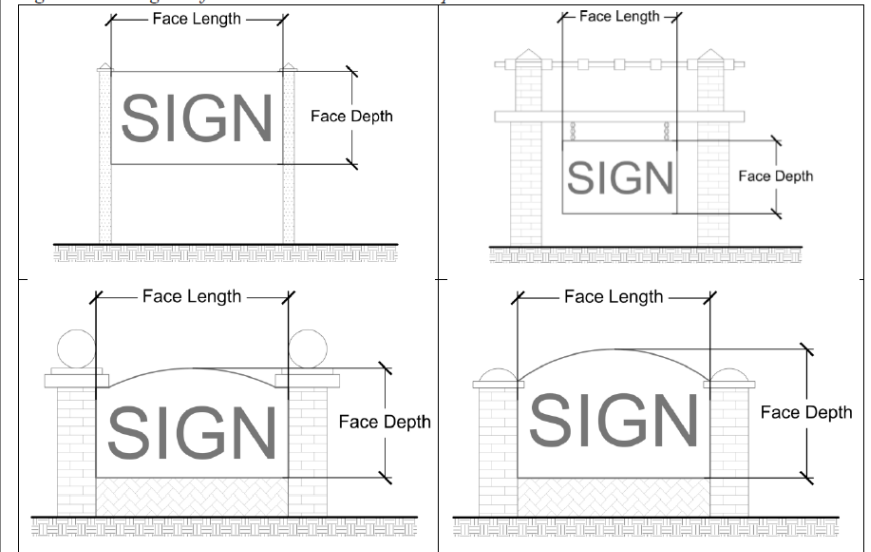


Figure 24-32: Sign Surface Area Measurement Example 3



- (3) All sides of a sign that are visible from any one vantage point must be measured in determining the total surface area of a sign.
 - (a) If the two sides of the sign are back-to-back or separated by an angle of forty-five (45) degrees or less, as shown in Figure 24-33: Example Double-Faced Sign (Under 45 Degrees), only one side of the sign is used for the surface area calculation. Where the two sides of such a sign are not equal in size, the larger side must be used for the total surface area calculation.

Article 8 – Signage Standards

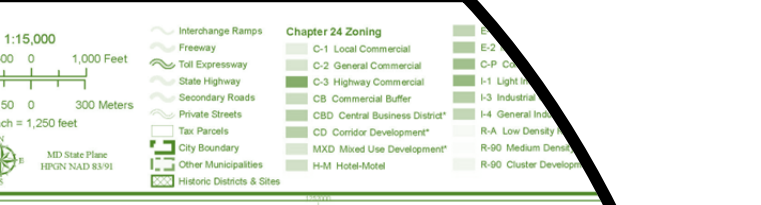
Tables for permitted sign types:

The Article is organized to:

- Provide specific and clear regulations for all sign types.
- Clearly differentiate between permanent and temporary signage.

Table 24-8.8-A: Permanent and Temporary Sign Classifications

● = Classification		Sign Type	
Sign Type	Reference to Standards	Permanent Sign	Temporary Sign
A-Frame Sign	Section 24-8.9	●	
Banner (Building-Mounted) Sign	Section 24-8.10		●
Banner (Freestanding) Sign	Section 24-8.11		●
Bed and Breakfast	Section 24-5.3	N/A	
Blade Sign	Section 24-8.12	●	
Building Sign	Section 24-8.13	●	
Changeable Copy Sign	Section 24-8.14	●	
Decorative Pole Banner Sign	Section 24-8.15	●	
Directional Sign	Section 24-8.16	●	
Electronic Message Display Sign	Section 24-8.17	●	
Freestanding Temporary Sign	Section 24-8.18		●
Geographic Area Sign	Section 24-8.19	●	
Hanging Sign	Section 24-8.20	●	



Article 12: Permit and Review Procedures



Article 12: Permit and Review Procedures

What was changed?

Article 12 was updated to provide a single location for all the applications and procedures that govern land use development within the City. While the majority of the procedures remain unchanged, the revised article includes:

- Consistent approach to establishing the requirements, authority, procedures, amendment, and appeals process for all applications.
- Procedures for previously unlisted items (such as annexations).
- Unified location for notification requirements.
- Tables to indicate submission requirements.

Why was this changed?

- Provides greater clarity to applicants and the public on land use processes.
- Expanded notifications to occupants instead of solely property owners to address equity concerns.
- Improve processes for homeowners, businesses, and developers.



Next Steps



March 11, 2024 – Joint Work Session

- Response to questions/comments raised during Feb 26th Joint Work Session.
- Update on Engagement and public comments received on Draft Zoning Ordinance.
- Guidance on any proposed changes prior to the Joint Public Hearing.

April 15, 2024 – Public Hearing