

## APPENDIX C

### Analysis Of Existing Zoning And Zoning Tools

---

#### EXISTING ZONING

The zones within the Sector Plan area are diverse. Map 25 illustrates the existing zoning.

#### ANALYSIS OF ZONING TOOLS

In order to effectively implement the Plan's vision, planning principles, concepts, guidelines and recommendations, various zoning tools have been explored and analyzed. These zoning tools include:

**Existing Conventional (Euclidean) Zones and Floating Zones**—There are many individual zones under the categories of conventional zones and comprehensive design zones. Conventional zones contains rigid requirements regarding permitted uses and densities. Floating zones include comprehensive design, mixed use/planned community and overlay zones. The overlay zone technique is discussed below in section A.2.4.

Three categories exist for conventional zones: residential, commercial and industrial. Ten residential zones (R-O-S, O-S, R-A, R-E, R-R, R-80, R-55, R-35, R-T, R-20, R-30, R-30C, R-18, R-18C, R-H, R-10, R-10A); eleven commercial zones (C-O, C-A, C-1, C-2, C-C, C-G, C-S-C, C-H, C-M, C-W, C-R-C); and, five industrial zones (I-1, I-2, I-3, I-4, U-L-I) currently exist in the Zoning Ordinance.

On the contrary, Comprehensive Design Zones differ from conventional zones because they permit a mix of land uses and/or densities. Also, an increase in density is allowed, in exchange for the provision of public benefit features, such as a community park. Development proposals in a comprehensive design zone are approved via a three-phase review process: 1) Basic Plan, 2) Comprehensive Design Plan and 3) Specific Design Plan. Currently, there are nine comprehensive design zones (R-L, R-S, R-M, R-U, L-A-C, M-A-C, E-I-A, V-L, V-M).

Five Mixed Use/Planned Community Zones (M-X-T, M-X-C, M-U-TC, R-P-C and R-M-H) exist in the current Zoning Ordinance. Each zone contains its own unique regulations designed to provide for a variety of compatible uses and create a particular character of development. The M-X-T Zone is transportation-oriented and intended to create a 24-hour environment in the vicinity of major transportation facilities. The M-X-C Zone encourages a balanced mix of residential, commercial, recreational and public uses. The M-X-C also requires adequate transportation facilities to accommodate anticipated traffic. The M-U-TC Zone promotes redevelopment, preservation and adaptive reuse of existing buildings in older commercial areas. The R-P-C Zone accommodates large-scale community development such as those found in Greenbelt. The R-M-H Zone provides for mobile home communities.

The approval of a site plan by the Planning Board is not required for many of these conventional zoning categories. Even when a Detailed Site Plan review is required for conventional zones, such as R-18, the finding of conformance with an approved master plan is not mandatory. Comprehensive Design Zones, with a three-stage review process, may be appropriate for this Sector Plan. However, these zoning categories are optional development techniques and the property owner may choose to retain the existing

zone rather than change it to a Comprehensive Design Zone. (A two-stage site plan review process is normally required under the mixed use zones such as M-X-T, however, some of the Sector Plan's visions of high quality development elements and features, such as no "big box" development, could not be limited by the existing mixed use zones.

**New Zones**—To develop and incorporate a new zone into the SMA two things must occur: (1) a County Council member would have to introduce this new zoning category in the form of an ordinance; and (2) the County Council would have to pass the ordinance. At the time when the County Council takes final action on this Sectional Map Amendment, this new zone must be established in the Zoning Ordinance. Unfortunately, this is not a quick process and attempting to adopt and approve a new zone is uncertain. At this time, there is no sponsor for a new zone (s) in this Sector Plan from the County Council. The adopted SMA cannot include any zones which do not exist in law, with the exception of overlay zones. Given the above limitations, a new zone is not recommended for use in this SMA process.

**Zoning Text Amendment**—In addition to creating new zones, the District Council can amend or modify the zoning text in terms of its current requirements or uses for any existing zone. Generally, a zoning text amendment has a narrow focus that only fulfills the need for specific projects, parcels or areas and neither community-wide nor comprehensive issues are typically addressed. Because of this piecemeal approach to modifying the zoning text, a zoning text amendment is not recommended for this SMA process.

**Overlay Zone Technique**—An overlay zone is a mapped zone superimposed over base zones in a designated area. The overlay zone can modify certain requirements for development or redevelopment within those underlying zones. This technique, used in conjunction with the SMA rezoning process, could comprehensively implement this Sector Plan. An overlay zone is recommended for this SMA process, however, modification of some underlying zones to control the permitted uses and development intensity will be necessary.