

Attachment 3: Use-Based Gross Floor Area Restrictions

The table below lists the of uses in the Staff Draft Zoning Ordinance to which use-based gross floor area (GFA) restrictions apply, compares the regulations in the current and Staff Draft Zoning Ordinances, and provides a brief rationale for the standard ultimately included in the Staff Draft. Where standards differ between the current Zoning Ordinance and the Staff Draft, those differences are shown in red text. In the Rationale column, cells are highlighted in green where greater flexibility was introduced in the Staff Draft and in red where standards were increased.

Table 1: Summary of Changes to GFA Restrictions

Use	Current Zoning Ordinance		Staff Draft Zoning Ordinance		Rationale
	Zone	Restriction (Max.)	Zone	Restriction (Max.)	
Attached Accessory Dwelling Unit (ADU)	R-400 R-200 R-150 R-90 R-75 R-60 R-40 RMD-Infill RMD-10 RMD-15 RMD-25	Generally: 50% of principal dwelling's GFA If located in a basement: the square footage of the basement	All zones	Generally: 50% of principal dwelling's GFA If located in a basement: the square footage of the basement	Retained from current Zoning Ordinance. Use permissions expanded to allow ADUs in all zones when accessory to a single-unit detached dwelling.
Detached Accessory Dwelling Unit (ADU)	R-400 R-200 R-150 R-90 R-75 R-60 R-40 RMD-Infill RMD-10 RMD-15 RMD-25	If the principal dwelling has a GFA of 800sf or greater: 50% of principal dwelling's GFA or 750sf, whichever is less If the principal dwelling has a GFA of less than 800sf: 400sf	All zones	If the principal dwelling has a GFA of 800sf or greater: 50% of principal dwelling's GFA or 750sf, whichever is less If the principal dwelling has a GFA of less than 800sf: 400sf	Retained from current Zoning Ordinance. Use permissions expanded to allow ADUs in all zones when accessory to a single-unit detached dwelling.
Cottage Court	n/a	n/a	R-400	1,200sf	Cottage Court is a new use.

Use	Current Zoning Ordinance		Staff Draft Zoning Ordinance		Rationale
	Zone	Restriction (Max.)	Zone	Restriction (Max.)	
			R-200 R-150 R-90 R-75 R-60 R-40 RMD-Infill RMD-10 RMD-15 RMD-25		Limitation modeled on Gaithersburg requirements. Limiting unit size preserves intended scale, supports housing diversity goals, and prevents multi-unit dwellings or single-unit subdivisions from being developed under the cottage court designation.
Alcoholic Beverage Retail Establishment	MXCT MXNC MXC MXT	5,000sf	MXCT MXNC MXC MXT	5,000sf	Retained from current Zoning Ordinance.
Auctioneer or Commercial Gallery	MXNC MXC MXT	2,500sf	n/a	Eliminated	Restriction removed.
Eating and Drinking Establishment	I-L	25% of the GFA of the building. <i>Does not apply to carry out.</i>	I-L	25% of the GFA of the building. <i>Does not apply to carry out.</i>	Retained from current Zoning Ordinance.
Event Space, Club, or Lodge	MXCT MXNC	4,000sf, unless located in basement or cellar. <i>Applies to rental halls only.</i>	MXNC MXT	4,000sf, unless located in basement or cellar. <i>Applies to rental halls only.</i>	Standard retained from current Zoning Ordinance. Removed from MXCT zone and added to MXT zone. This change allows for more flexibility in both zones, as the use is currently not permitted in the MXT. Reference to basements and cellars removed.
Health and Fitness Establishment	MXNC MXC MXT	4,000sf <i>Does not apply if located in a basement or cellar.</i>	MXNC MXC MXT	5,000sf	Restriction slightly relaxed. Reference to basements and cellars removed.

Use	Current Zoning Ordinance		Staff Draft Zoning Ordinance		Rationale
	Zone	Restriction (Max.)	Zone	Restriction (Max.)	
Hospital	n/a	n/a	MXNC	50,000sf	Hospitals are currently permitted only by Special Exception in the MXTD, MXCD, MXB, MXCT, and MXNC zones. Consistent with the goals of FAST 2, all Hospital Special Exceptions are transitioned to Permitted uses in the Staff Draft. In the MXNC, GFA restrictions are also applied.
Hotel	MXCT	15,000sf	MXNC	15,000sf	GFA restriction removed from the MXCT. Hotels are currently permitted only by Special Exception in the MXNC zone. Consistent with the goals of FAST 2, the Hotel Special Exceptions is transitioned to a Conditional uses in the Staff Draft. A GFA restrictions is also applied.
Instructional Facility	n/a	n/a	I-L MXTD MXCD MXCT MXNC MXC MXT MXE MXB	7,500sf	Instructional Facility is a new use. GFA restriction intended to limit scale of use and further distinguish between the use and Private Educational Institutions and Indoor Commercial Recreational Facilities.
Medical or Dental Laboratory	MXNC	Basements and cellars only	MXNC	10,000sf	Expanded to allow medical and dental laboratories on the ground or upper floor. 10,000sf limits the establishment of a regional laboratory processing medical or dental samples from multiple hospitals.
Office	I-L	25% of the GFA of the building	I-L	25% of the GFA of the building	Retained from current Zoning Ordinance to preserve the intent of the zone.
Retail Establishment	n/a	n/a	I-L	25% of the GFA of the building	Retail uses are currently not allowed in the I-L zone. Consistent with recommendations from REDI, accessory retail uses are a Conditional use

Use	Current Zoning Ordinance		Staff Draft Zoning Ordinance		Rationale
	Zone	Restriction (Max.)	Zone	Restriction (Max.)	
					under the Staff Draft, with a limit on GFA to preserve the intent of the zone.
	MXT	2,500sf <i>Does not apply to grocery stores and pharmacies.</i>	MXT	5,000sf <i>Does not apply to grocery stores and pharmacies.</i>	Maximum raised from current Zoning Ordinance.
Veterinary Service	MXNC MXT	2,500sf	MXT	2,500sf	Existing restriction removed from MXNC for greater flexibility.
Wholesale Establishment	n/a	n/a	MXCD MXCT MXE MXB	20,000sf	Wholesale Establishment is a new use. GFA restriction included to allow wholesale establishments in the MXCD, MXCT, MXE, and MXE, while limiting the use to the size of an average drug store.
Charitable of Philanthropic Institution	MXB MXNC MXC MXT	5,000sf	MXB	5,000sf	Restriction retained in the MXB only, to preserve the intent of the zone. Removed from MXNC, MXC, and MXT.
Cultural Institution	MXNC MXC MXT	5,000sf	n/a	Eliminated	Removed from all zones.
Home-Based Business	All zones, except I-L and I-H	35% of the GFA of the principal dwelling	All zones, except I-L and I-H	35% of the GFA of the principal dwelling or 400sf, whichever is greater.	Retained from current Zoning Ordinance. Added option for 400 square foot maximum to allow flexibility for smaller dwellings (those under approximately 1,150sf).
Residential Accessory Buildings and Structures (except ADUs)	R-400 R-200 R-150 R-90 R-75 R-60 R-40	Individual accessory buildings and structures: 750sf or the footprint of the main building, whichever is less	R-400 R-200 R-150 R-90 R-75 R-60 R-40	Individual accessory buildings and structures: 750sf or the footprint of the main building, whichever is less	Retained from current Zoning Ordinance.

Use	Current Zoning Ordinance		Staff Draft Zoning Ordinance		Rationale
	Zone	Restriction (Max.)	Zone	Restriction (Max.)	
	RMD-Infill	Total footprint of all accessory buildings and structures on a lot: 1,000sf or the footprint of the main building, whichever is less	RMD-Infill	Total footprint of all accessory buildings and structures on a lot: 1,000sf or the footprint of the main building, whichever is less	
Single-Tenant Commercial Use	MXTD MXCD MXCT MXNC MXC MXT MXE MXB	Generally: 65,000sf at the ground level Champion Projects: 100,000sf, if approved by Mayor and Council	MXTD MXCD MXCT MXNC MXC MXT MXE MXB	Generally: 65,000sf at the ground level Champion Projects: 100,000sf, if approved by Mayor and Council	Retained from current Zoning Ordinance.