

## ARTICLE 9

### "OR" OFFICE RESIDENTIAL DISTRICTS

#### PREAMBLE

These districts have been established to provide for a mixture of residential, small office and professional service establishments which will maintain the residential appearance of the neighborhood and which shall not create or generate a great amount of traffic and noise.

#### SECTION 1

##### PRINCIPAL PERMITTED USES

- A. Any Single-Family Residential District. The requirements of that article shall be applicable.
- B. Barber and beauty shops provided:
  - 1. It is a one chair operation.
  - 2. The sole operator is the resident on the premises.
- C. Private Schools including nursery, day-care centers, pre-school centers, play and special schools.
- D. Professional services, such as:

Offices of physicians, surgeons, dentists, lawyers, architects, engineers, insurance and real estate agents and members of similar professions.
- E. Government facilities (Revised June 21, 1999)

#### SECTION 2

##### ACCESSORY USES

- A. Accessory uses, buildings or other structures customarily incidental to any aforesaid use, including private garages; provided that such accessory uses shall not involve the conduct of any business, trade or industry or any private way or walk, giving access to such activity.
- B. Home occupation as defined in this Resolution.
- C. The temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.

#### SECTION 3

##### DEVELOPMENT STANDARDS

In addition to the provisions in General Regulations the following standard for arrangement and development of land and building are required in the "OR" Office Residential District.

##### A. HEIGHT STANDARDS

No building or structure shall exceed thirty-five (35) feet in height.  
(Revised June 21, 1999)

**B. LOT AREA, FRONTAGE AND YARD REQUIREMENTS**

The following minimum requirements shall be observe:

<u>District</u>	<u>Lot Area Sq.Ft.</u>	<u>Lot Frontage</u>	<u>Front Yard Depth</u>	<u>Each Side Yard</u>	<u>Rear Yard Depth</u>
OR-1	80,000	200 ft.	100 ft.	40 ft.	80 ft.
OR-2	40,000	150 ft.	60 ft.	20 ft.	70 ft.
OR-3	30,000	125 ft.	60 ft.	15 ft.	60 ft.
OR-4	20,000	110 ft.	50 ft.	15 ft.	50 ft.

The front yard depth shall be measured from the established right-of-way lines shown on the Official Thoroughfare Plan for Montgomery County.

**SECTION 4**

**REQUIRED CONDITIONS**

No zoning certificate shall be issued for a "OR" use, until the applicant shall have certified to the Zoning Inspector that: (Revised June 21, 1999)

- A. Such buildings shall front onto a collector or arterial road with a right-of-way of sixty (60) feet or more as established on the Official Thoroughfare Plan for Montgomery County. (Revised August 5, 2002)
- B. The office establishment shall be conducted principally in daylight hours and shall not create a nuisance from noise, smoke or odor.
- C. No alteration of the principal residential building or structure shall be made which changes the essential appearance thereof as a dwelling. (Revised June 21, 1999)
- D. Off street parking and loading and/or unloading shall be provided in accordance with Article 13 of this Resolution.
- E. Earth tone base and accent colors shall be used. (Revised June 21, 1999)

## "O-2" OFFICE DISTRICT

### PREAMBLE

This district has been established to provide for the location of office and institutional uses. It is designed to provide areas for the location and development of office uses which are subject to more restrictive controls on lot area coverage than required for similar uses in the "OR" District.

### SECTION 5

#### PRINCIPAL PERMITTED USES

- A. Art galleries, libraries and museums.
- B. Artist, composer and sculptor studios.
- C. Banks and financial institutions.
- D. Libraries and reading rooms.
- E. Office buildings of any kind provided that no retail trade with the general public is carried on, and that no stock of goods is maintained for sale to customers.
- F. Radio and television broadcasting studios.
- G. School and educational services.
- H. Data processing centers.
- I. Medical offices, dental offices, and counseling services.
- J. Medical & dental clinics.
- K. Nursing homes, rest homes, and convalescent centers.
- L. Veterinarian offices provided that:
  - 1. Offices shall be enclosed in a completely enclosed and soundproof building.
  - 2. Services will be on a strictly "outpatient basis" with no raising, breeding and boarding of dogs or other small animals, except for the confinement of small animals under emergency treatment in facilities within the office.
- M. Funeral homes.
- N. Government facilities. (Revised June 21, 1999)

### SECTION 6

#### ACCESSORY USES

- A. Accessory uses, building or other structures customarily incidental to any aforesaid permitted use.
- B. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon the completion or abandonment of the construction work. (Revised June 21, 1999)

**SECTION 7**

**CONDITIONAL USES**

The following Conditional Uses subject to approval in accordance with the procedures for obtaining a Conditional Use Certificate.

- A. Retail and service uses such as restaurants, drug stores, barber and beauty shops, tobacconists, gift shops, but only:
  - 1. When located entirely within a building or structure containing primarily the principal uses permitted in this district.
  - 2. With access for the public provided only through the lobby.
- B. Testing, research and development facilities which are compatible with the other permitted uses. (Revised June 21, 1999)

**SECTION 8**

**DEVELOPMENT STANDARDS**

In addition to the provisions in General Regulations if an "O-2" District abuts an "R" District (including a "PD" District), the "R" District's rear yard which abuts shall be the minimum side yard or rear yard of the "O-2" District or one (1) foot of side and/or rear yard shall be required for the every one (1) foot of building height in the "O-2" District whichever is greater.

No structure shall exceed forty-four (44) feet in height.

**LOT AREA, FRONTAGE AND YARD REQUIREMENTS**

The following minimum requirements shall be observed:

<u>Lot Area</u>	<u>Lot Frontage</u>	<u>Front Yard Depth*</u>	<u>Each Side Yard</u>	<u>Rear Yard Depth</u>
20,000 sq. ft.	110 ft.	60 ft.	15 ft.	50 ft.

\*The front yard depth shall be measured from the established right-of-way lines as shown on the Official Thoroughfare Plan for Montgomery County.

**SECTION 9**

**REQUIRED CONDITIONS**

- A. Landscape Buffer Strip as per General Regulations, Article 13.
- B. Off-street parking and loading and/or unloading shall be provided in accordance with Article 13 of this Resolution.
- C. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed container.
- D. A development plan as regulated by Article 12 of this Resolution, shall be required for any use permitted in this zone. Such site plan shall include the layout of the entire area and shall comply with the Montgomery County Drainage Regulations. (Revised June 21, 1999)

- E. A minimum of sixty-five percent (65%) of each side of the exterior of the building shall be full sized standard brick or stone, excluding windows and doors. The remaining thirty-five percent (35%) of the exterior finish materials shall not be concrete block. Brick or stone must be earth tone and not painted material. Samples of materials shall be submitted for approval. (Note: Under the Planned Development district, other building materials and colors may be submitted for consideration providing they are architecturally compatible with the surrounding neighborhood.) (Revised June 21, 1999)
- F. Mechanical equipment, transformers, and other utility hardware shall be screened from public view with materials harmonious with the building or landscaping. (Revised June 21, 1999)
- G. Dumpster and trash receptacles must be enclosed by brick or stone on three (3) sides and of a color harmonious with the building. Dumpsters shall be located to the side or behind the building. (Revised June 21, 1999)
- H. Green Space shall be a minimum of twenty percent (20%) of the land area and shall not be used or occupied by permanent buildings, structures or parking. Such space shall be reserved for landscaping. A minimum of 1/2 of the required green space shall be located within the parking area. (Revised June 21, 1999)
- I. Earth tone base and accent colors shall be used. (Revised June 21, 1999)

## "O-3" MID-RISE OFFICE DISTRICT

### **PREAMBLE**

This district has been established to provide for the location of office and institutional uses which serve the total urban area market. This District is restricted to major traffic arterials and to areas in close approximation to expressways. It is anticipated that this District will be an office park-like development.

### **SECTION 10**

#### **PRINCIPAL PERMITTED USES**

- A. Art galleries, libraries and museums.
- B. Artist, composer and sculptor studios.
- C. Banks and financial institutions.
- D. Libraries and reading rooms.
- E. Office buildings of any kind provided that no retail trade with the general public is carried on, and that no stock of goods is maintained for sale to customers.
- E. Medical and dental offices.
- G. Radio and television broadcasting studios.
- H. School and educational services.
- I. Hotels/Motels.
- J. Convention centers.
- K. Parking garages.
- L. Government facilities. (Revised June 21, 1999)

### **SECTION 11**

#### **ACCESSORY USES**

- A. Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted use.
- B. Temporary buildings or structures for use incidental to construction work, which buildings or structures shall be removed upon the completion or abandonment of the construction work. (Revised June 21, 1999)

### **SECTION 12**

#### **CONDITIONAL USES**

The following Conditional Uses subject to approval in accordance with the procedures for obtaining a Conditional Use Certificate.

- A. Retail and service uses such as restaurants, drug stores, barber and beauty shops, tobacconists, gift shops:

1. When located entirely within a building or structure containing primarily a principal use or uses permitted in this District.
  2. With access for the public provided through the lobby.
- B. Hospitals with special emphasis upon the proposed ingress/egress for the property.
- C. Testing, research and development facilities which are compatible with the other permitted uses. (Revised June 21, 1999)

**SECTION 13**

**DEVELOPMENT STANDARDS**

In addition to the provisions in General Regulations the following standards for arrangement and development of land and building are required in the "O-3" Office District.

**A. HEIGHT REGULATIONS**

No building or structure shall exceed ten (10) stories or one hundred and twenty (120) feet, whichever is greater. (Revised June 21, 1999)

**B. LOT AREA, FRONTAGE AND YARD REQUIREMENTS**

If an "O-3" District abuts an "R" District (including "PD" District) then the "R" District's rear yard which abuts shall be the minimum side yard or rear yard of the "O-3" District or four (4) foot of side and/or rear yard shall be required for every one (1) foot of building height in the "O-3" District whichever is greater. However, the parking lot shall have a minimum set back requirement of either the "R" District which it abuts rear yard or one (1) foot of side and/or rear yard for every one (1) foot of building height whichever is greater.

The following minimum requirements shall be observed:

<u>Lot Area</u>	<u>Lot Frontage</u>	<u>Front Yard Depth</u>	<u>Each Side Yard</u>	<u>Rear Yard Depth</u>
None	None	60 ft.*	25 ft.*	50 ft.*

\*Or one (1) foot of front, side, or rear yard for one (1) foot of building height (at its highest point) whichever is greater.

The front yard depth shall be measured from the established right-of-way lines as shown on the Official Thoroughfare Plan for Montgomery County.

**SECTION 14**

**REQUIRED CONDITIONS**

- A. Landscape Buffer strip as per General Regulations, Article 13.
- B. Off-street parking and loading and/or unloading shall be provided in accordance with Article 13 of this Resolution.

- C. No outdoor storage of any material (usable or waste) shall be permitted in this zone except within enclosed container.
- D. A development plan, as regulated by Article 12 of this Resolution, shall be required for any use permitted in this zone. Such development plan shall include the layout of the entire area and shall comply with the Montgomery County Drainage Regulations. (Revised June 21, 1999)
- E. A minimum of sixty-five percent (65%) of each side of the exterior of the building shall be full sized standard brick or stone, excluding windows and doors. The remaining thirty-five percent (35%) of the exterior finish materials shall not be concrete block. Brick or stone must be earth tone and not painted material. Samples of materials shall be submitted for approval. (Note: Under the Planned Development district, other building materials and colors may be submitted for consideration providing they are architecturally compatible with the surrounding neighborhood.) (Revised June 21, 1999)
- F. Mechanical equipment, transformers, and other utility hardware shall be screened from public view with materials harmonious with the building or landscaping. (Revised June 21, 1999)
- G. Dumpster and trash receptacles must be enclosed by brick or stone on three (3) sides and of a color harmonious with the building. Dumpsters shall be located to the side or behind the building. (Revised June 21, 1999)
- H. Green Space shall be a minimum of twenty percent (20%) of the land area and shall not be used or occupied by permanent buildings, structures or parking. A minimum of 1/2 of the required green space shall be located within the parking area. (Revised June 21, 1999)
- I. Earth tone base and accent colors shall be used. (Revised June 21, 1999)