

Sec. 27-548.19. - Introduction.

The Development District Overlay Zone is intended to ensure that the development of land in a designated development district meets the goals established for the district in a Master Plan, Master Plan Amendment, or Sector Plan, and takes advantage of unique opportunities presented by the district. Development districts may be designated for town centers, Metro areas, commercial corridors, employment centers, revitalization areas, historic areas, and other special areas which are the subject of development recommendations in a Master Plan, Master Plan Amendment, or Sector Plan. The D-D-O Zone is a mapped zone which is superimposed by a Sectional Map Amendment (SMA) over other zones in a designated development district, and may modify development requirements within the underlying zones. In the Development District Overlay Zone, new development is generally subject to the approval of a Detailed Site Plan by the Planning Board. Detailed Site Plans are reviewed for compliance with development standards approved by the District Council, in a Sectional Map Amendment, or in a later amendment of adopted standards.

(CB-8-2000; CB-5-2007)

Sec. 27-548.20. - Purposes.

- (a) The specific purposes of the Development District Overlay Zone are:
- (1) To provide a close link between Master Plans, Master Plan Amendments, or Sector Plans and their implementation;
 - (2) To provide flexibility within a regulatory framework to encourage innovative design solutions;
 - (3) To provide uniform development criteria utilizing design standards approved or amended by the District Council;
 - (4) To promote an appropriate mix of land uses;
 - (5) To encourage compact development;
 - (6) To encourage compatible development which complements and enhances the character of an area;
 - (7) To promote a sense of place by preserving character-defining features within a community;
 - (8) To encourage pedestrian activity;
 - (9) To promote economic vitality and investment.

(CB-8-2000; CB-5-2007)

Sec. 27-548.21. - Relationship to other zones.

The Development District Overlay Zone shall be placed over other zones on the Zoning Map, and may modify specific requirements of those underlying zones. Only those requirements of the underlying zones specifically noted in this Subdivision and elsewhere in this Subtitle are modified. All other requirements of the underlying zones are unaffected by the Development District Overlay Zone. The Development District Overlay Zone may not be placed over the Urban Center or Corridor Node Zones (UC). Where properties in a Development District Overlay Zone are also classified in the Military Installation Overlay Zone, the requirements of both zones shall apply. Where requirements of the D-D-O Zone and M-I-O Zone conflict, the more restrictive of the requirements shall apply.

(CB-8-2000; CB-2-2010; CB-42-2015)

Sec. 27-548.22. - Uses.

- (a) The uses allowed on property in a Development District Overlay Zone shall be the same as those allowed in the underlying zone in which the property is classified, except as modified by Development District Standards approved by the District Council.
- (b) Notwithstanding the provisions of subsection (a) of this Section, any other provision of the Zoning Ordinance, or any applicable provision within an approved comprehensive plan, a Hospital is a permitted use in the M-X-T/D-D-O Zone.
- (c) Notwithstanding any other provision of this Subtitle, or any other applicable provision within the Development District Standards for an approved Development District Overlay Zone, a Medical Cannabis Grower, Medical Cannabis Processor, or Medical Cannabis Dispensary use shall be permitted or prohibited in accordance the prescriptions of this Subtitle for the underlying zone in which the property is classified.
- (d) Development District Standards may limit land uses or general use types allowed in the underlying zone where the uses are incompatible with, or detrimental to, the goals of the Development District and purposes of the D-D-O Zone. Development District Standards may allow uses prohibited in the underlying zone where the uses are compatible with the goals of the Development District and purposes of the D-D-O Zone.
- (e) A table of uses shall be incorporated within each Development District Overlay Zone clearly showing all uses in the underlying zone that will be permitted, prohibited, or otherwise restricted pursuant to Section 27-548.25 of this Division.

(CB-8-2000; CB-71-2004; CB-5-2007; CB-24-2013; CB-101-2013; CB-12-2015; CB-5-2016)

Sec. 27-548.23. - Development District Standards.

- (a) In general, Development District Overlay Zone regulations shall be the same as those in the underlying zone in which property is classified, except as modified by Development District Standards approved by the District Council, in a Sectional Map Amendment, in a Military Installation Overlay Zoning Map Amendment, or in a later amendment of adopted standards. The use of Development District Standards in each Development District Overlay Zone is intended to allow flexibility in the development review process and foster high-quality development through application of design guidelines and standards which promote the purposes of the Master Plan, Master Plan Amendment, or Sector Plan.
- (b) Development District Standards may modify density regulations only to meet the goals of the Development District and the purposes of the D-D-O Zone. Development District Standards may not permit density in excess of the maximum permitted in the underlying zone.
- (c) The location, size, height, design, lot coverage of structures, parking and loading, signs, open space, and other regulations may be specified in the text, concept plans, and maps in the Development District Standards. The regulations in the underlying zone may be modified by the Development District Standards only to meet the goals of the Development District and the purposes of the D-D-O Zone.
- (d) Landscaping, screening, and buffering of development shall conform to Landscape Manual requirements. Specific landscaping, screening, and buffering also may be required by the Development District Standards. Development District Standards may require specific landscaping, screening, and buffering, but only to meet the goals of the Development District and the purposes of the D-D-O Zone.
- (e) The Master Plan, Master Plan Amendment, or Sector Plan may specify the location and size of proposed roads and transit facilities.

- (f) Notwithstanding the provisions of subsection (c) of this Section, in furtherance of the core vision, purposes, and specific goals of an approved Development District to locate a regional medical center health campus as a major public health institution, and pursuant to its site plan application for development of parcels of property within a Development District Overlay Zone bound by the Capital Beltway right-of-way, Arena Drive, and the north side of the Blue Line Metrorail track line, filed, accepted, and permitted prior to December 31, 2021, an applicant may request a one-story departure (reduction) from the applicable Minimum Height requirements set forth in the Development District Standards.
- (g) Where a property lies in both the M-I-O Zone and a D-D-O Zone, the maximum permitted height of structures shall be the more restrictive of the Development District Standards and Section 27-548.54, whichever maximum permitted height is lower.

(CB-8-2000; CB-5-2007; CB-5-2014; CB-42-2015)

Sec. 27-548.24. - Master Plan, Master Plan Amendment, or Sector Plan.

- (a) For every Development District Overlay Zone, a Master Plan, Master Plan Amendment, or Sector Plan shall be prepared in accordance with the master plan procedures set forth in Part 13, which may include the following elements:
 - (1) Overall recommendations;
 - (2) Subarea recommendations;
 - (3) Illustrative concept plans;
 - (4) Plan maps.
- (b) The Development District Overlay Zone shall be applied through the Sectional Map Amendment process, in accordance with the procedures in Part 3, Division 4.
- (c) Development District Standards shall be prepared for each Development District Overlay Zone. Development District Standards shall be stated in a Sectional Map Amendment and conform generally to recommendations in the applicable Master Plan, Master Plan Amendment, or Sector Plan.

(CB-8-2000)

Sec. 27-548.25. - Site Plan Approval.

- (a) Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.
- (b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.
- (c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.

- (d) Special Exception procedures shall apply to uses within a Development District as provided herein. Uses which would normally require a Special Exception in the underlying zone shall be permitted uses only if the Development District Standards so provide within a table of uses, and such uses shall instead be subject to site plan review by the Planning Board. Development District Standards may restrict or prohibit any such uses. The Planning Board shall find in its approval of the site plan that the use complies with all applicable Development District Standards, meets the general Special Exception standards in Section 27-317(a)(1), (4), (5), and (6), and conforms to the recommendations in the Master Plan, Master Plan Amendment, or Sector Plan.
- (e) If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.

(CB-8-2000; CB-5-2007; CB-24-2013)

Sec. 27-548.26. - Amendment of Approved Development District Overlay Zone.

- (a) District Council.
 - (1) The following amendments to development requirements within the Development District may be initiated and approved by the District Council through the minor plan and Development District Overlay amendment procedure in accordance with Section 27-642 of this Subtitle:
 - (A) Changes to the boundary of the D-D-O Zone; and
 - (B) Changes to the underlying zones, the list of allowed uses, or the Development District Standards.
 - (2) Notwithstanding the provisions of subsection (a), above, at the written request of a municipality in which development district property is located, the District Council may modify the Development District Standards under the following procedures. The District Council shall direct the Planning Board to prepare the amendment and shall specify which Development District Standards should be reviewed.
 - (A) For hearing procedures in general, the Planning Board and District Council shall follow the requirements in Part 3, Division 9, for Conceptual Site Plans as found in Sections 27-276(a)(1), (3), (4), (5), (6), (7); and 27-276(d). Review by the District Council shall follow the procedures in Section 27-280. Notice of the Planning Board's hearing shall be sent by first-class mail to all municipalities with development district property, all parties of record in the Sectional Map Amendment, and all property owners within the area specified in the District Council's direction;
 - (B) Planning Board staff must prepare a report and recommendation. The Planning Board shall hold a public hearing, file its decision with the Clerk of the Council, and send copies to persons of record of this amendment process within fifty (50) days of the receipt of the District Council's direction to the Planning Board;
 - (C) In order to approve an amendment of the Development District Standards the Planning Board shall make the following findings:
 - (i) The amendment is in compliance with the goals of the Development District; and
 - (ii) The amendment is in conformance with the purposes of the D-D-O Zone.
 - (3) The following amendments to development requirements within the Development District may be approved by the District Council through Military Installation Overlay Zoning Map Amendments for Development Districts in the M-I-O Zone, in accordance with Part 3, Division 2, Subdivision 8 of this Subtitle:
 - (A) Changes to the boundary of the D-D-O Zone; and

(B) Changes to the Development District Standards where previously approved standards conflict with the requirements of the M-I-O Zone.

(b) Property Owner.

- (1) Notwithstanding the provisions of subsection (a), above, a property owner may request that the District Council amend development requirements for the owner's property, as follows:
 - (A) An owner of property in, adjoining, or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.
 - (B) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.
- (2) The owner's application shall include:
 - (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and
 - (B) A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.
- (3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application, and the Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.
- (4) An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.
- (5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, and meets applicable site plan requirements.
- (6) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.

(CB-8-2000; CB-5-2007; CB-35-2015; CB-42-2015)