27-4403. Other Overlay Zones

(a) Neighborhood Conservation Overlay (NCO) Zone

(1) Purpose

The Neighborhood Conservation Overlay (NCO) Zone is established and intended to protect and preserve the unique development features and character of established neighborhoods throughout the County, and to promote new development that is compatible with the existing neighborhood character. The NCO Zone is a flexible tool that may be applied to multiple neighborhoods, each of which could have its own unique attributes.

(2) Establishment of Individual NCO Zones

The District Council may establish individual NCO Zones in accordance with this Section 27-4403(a) and Section 0, 27-3501 Legislative Amendment, after reviewing a
neighborhood study for the neighborhood specifying the
development context in the zone. Each zone shall comply
with the standards in Section 27-4403(a)(4), General
Development Standards for All NCO Zones. In establishing
a new NCO Zone, the District Council may also establish a
unique set of development standards applicable to all
development in the particular zone (see Section 27-
4403(a)(5), Specific Neighborhood Conservation Overlay
Zones).

(3) Minimum Standards for Designation of an NCO
Zone
The District Council may approve an application for
designation of a NCO Zone only if:

(A) At least 65 percent of the land area within the
proposed NCO Zone, not including street and
other rights-of-way, is developed;

(B) Development patterns in the NCO Zone
demonstrate an effort to maintain or rehabilitate
the character (including, but not limited to, the
historic character of existing communities) and
physical features of existing buildings in the
zone;

(C) The development standards proposed to be
applied to the zone will encourage the retention
of the general character and appearance of
existing development in the zone; and

(D) The area must possess one or more of the
following distinctive features that create a
cohesive identifiable setting, character, or
association:

(i) Scale, size, type of construction, or distinctive
building materials;

(ii) Lot layouts, setbacks, street layouts, alleys, or
sidewalks;

(iii) Special natural or streetscape characteristics,
such as creek beds, parks, gardens, or street
landscaping; or

(iv) Land use patterns, including mixed or unique
uses or activities.

(4) General Development Standards for All NCO
Zones

(A) Compliance with Underlying Zone Standards
These standards supplement the applicable
development and zone-specific standards applicable
in the underlying base zone and except as otherwise
provided in Section 27-4403(a)(4)(D)(ii) below, do not
affect the use regulations applicable in the underlying
zone.

(B) Compliance with Approved Design and
Development Standards
No permit for any new construction or expansion of an
existing structure resulting in an increase in the gross
square footage of the building of 15 percent or more
may be issued until the Planning Director determines
that the proposal complies with all design standards
established for the NCO Zone where the land is
located.

CB-013-2019 (DR-2) has not yet taken effect and is subject to revisions via further legislative action of the Council.
(C) Conflict with Other Standards

In the case of conflict between the NCO Zone standards and any other standards of this Ordinance, the NCO Zone development standards shall control.

(D) Zone-Specific Development Standards

(i) Each area designated as a NCO Zone shall identify, with specificity, the design standards to be applied to all new construction and expansion of existing structures. Aspects of development that these design standards may include, but are not be limited to, the following:

(aa) Lot size;
(bb) Location of proposed buildings or additions;
(cc) Setbacks or required yard depths;
(dd) Building height;
(ee) Building size (for principal and accessory structures);
(ff) Building orientation;
(gg) Exterior building materials and colors;
(hh) Building roof line and pitch;
(ii) Building foundation treatment;
(jj) Landscaping and screening;
(kk) Impervious surface cover;
(ll) Paving requirements or limitations;
(mm) Exterior lighting;
(nn) Required features on a front façade;

(oo) Views of or from specific locations;
(pp) Riparian areas, wetland areas, or drainage patterns; or
(qq) Demolition of structures.

(ii) The District Council may approve additional design standards addressing aspects of development not listed above. The District Council may also prohibit use types within a NCO Zone.

(5) Specific Neighborhood Conservation Overlay Zones

[Placeholder]