



# Montgomery County, Virginia

## RESIDENTIAL MULTI-FAMILY (RM-1)

**RM-1 district:** Provides for multi-family residences, including townhouse developments and garden-type apartments. Developments must be in appropriate locations in order to provide convenient and compact residential neighborhoods, the efficient provision of public services and facilities, and a range of housing prices, including moderate.

**Qualifying Lands:** Lands qualifying for inclusion in the RM-1 district include areas zoned RM-1 on December 13, 1999 and other lands designated as Urban Expansion, Village or Village Expansion areas in the Comprehensive Plan. The minimum area required to create a district is one (1) acre of total contiguous land.

**Family:** By definition, a family consists of one (1) or more people occupying premises and living in a single-dwelling unit, as distinguished from an unrelated group occupying a boardinghouse, tourist home, or hotel. A family can include one (1) or more persons related by blood, marriage, adoption or guardianship, including servants or care givers, and no more than two roomers or boarders. A family can also consist of up to four (4) unrelated people. Finally, a family can have up to eight (8) either mentally or developmentally disabled persons living in a residential group home facility.

**Multi-Family Dwelling:** A building meant to be occupied by three or more families living independently and containing three or more units. (The definition of Multi-Family Dwelling does not include town or row houses or fraternities).

### What can I do "by right"?

There are uses that are designated as "by right," which means you do not have to apply for a special use permit. The uses do, however, have to comply with all approved plans and permits, development standards, and performance standards included in the Montgomery County Zoning Ordinance and with all other applicable regulations. The "by right" uses include:

- Church
- Dwelling, Single-Family Attached (townhouse)
- Dwelling, Two-Family (duplex)
- Dwelling, Multi-Family (apartment)
- Home Occupations
- Pet, household
- Public facility
- Public Utility Lines (water, sewer, and other)
- School
- Telecommunication Tower, Attached

### What uses are allowed with a Special Use Permit?

Some uses are allowed in the RM-1 district with the permission of the Board of Supervisors through the Special Use Permit process (applications available from the Planning Department). These include:

- Cemetery
- Civic Club
- Congregate Care Facility
- Day Care Center
- Dormitory
- Fire, Police, & Rescue Station
- Funeral Home
- Golf Course
- Group Home
- Medical Care Facility
- Nursing Home
- Park, Lighted or Unlighted
- Playground, Lighted or Unlighted
- Public Utility Substation
- Senior Living Facility

In addition, a special use permit is required from the Board of Zoning Appeals or Board of Supervisors (see Section 10-27 of the Montgomery County Code for clarification) for the following:

Accessory Structures greater than 1,200 sq. ft in area and/or 18 ft in height.

### Special Lot and Building Requirements for Townhouses

- The lot and building requirements differ, depending on what you are constructing in the RM-1 zoning district.
- Townhouse (single-family attached) are treated differently than all other uses in the district.
- First, the minimum lot size is 2,000 square feet, and the lot must be a minimum of 16 feet in width.
- Maximum lot coverage is 40% of the gross site area. The gross development density cannot exceed 8 dwellings per acre.
- The setback rules vary as well. The front setback must be 25 feet, and the rear setback is a minimum of 30 feet. The side setback for townhouse groups is 15 feet and 25 feet between end townhouse units and the actual lot line.
- Finally, townhouse groups can have no more than 8 units and no less than 3 units per connected group.

## **Building & Lot Requirements**

### **Minimum Lot Area**

In RM-1 districts, lots must be a minimum of 6,000 square feet, have a minimum width of sixty-four (64) feet at the setback line of the front yard for multi-family structures. There are minimum green space requirements as well. Fifteen percent (15%) of the gross acreage of the tract must be reserved as common green space and developed as either active recreation and/or passive park use. All such green space lots must have a length/width ration of no less than five to one (5:1) It should be noted that active recreation space is defined as common open space area that does not include proposed street right-of ways, parking areas, driveways, or sites reserved for schools or religious institutions. In the RM-1 zoning district, active recreation space must be suitably graded and equipped for active recreational facilities (playground, ball fields, etc.) to serve the residents of the development. Passive park space shall be designed to preserve important site amenities and environmentally sensitive areas.

### **Lot Access**

All RM-1 lots must be accessed from a road in the Virginia Department of Transportation (VDOT) road system or from a hard-surfaced road designed by a professional engineer to accommodate the projected volumes, loads, and vehicle types and approved by the Zoning Administrator. (Also see Section 8-152 of the Montgomery County Subdivision Ordinance.)

### **Total Impervious Coverage:**

The impervious surface (a surface that does not absorb water, such as concrete, asphalt, stone, or roofing materials) cannot cover more than sixty percent (60%) of the lot.

### **Maximum Building Coverage:**

The buildings cannot cover more than forty percent (40%) of the lot.

### **Minimum Yards:**

- Front: forty (40) feet
- Side: fifteen (15) feet (applicable to primary/ principal structures)
- Rear: forty (40) feet (applicable to primary/ principal structures)

All required side yard dimensions in between townhouse and multi-family groups are the minimum dimensions that must be clear of other structures such as air handling units and storage units so as to allow for the passage of emergency vehicles.

### **Accessory Buildings/Structures:**

Accessory structures must be a minimum of ten (10) feet from side or rear lot lines.

#### **Maximum Building Height:**

Buildings may not exceed thirty-five (35) feet in height from the grade, with three exceptions:

- The height limit for dwellings may be increased up to ten (10) feet, provided that there are two (2) side yards for each permitted use, each of which is fifteen (15) feet or more, plus one (1) foot or more of side yard for each additional foot of building height over thirty-five (35) feet.
- A public or semipublic building (school, library, church, hospital) may be erected to a height of sixty (60) feet from grade, provided that required front, side, and rear yards shall be increased one (1) foot or each foot in height over thirty-five (35) feet.
- All accessory buildings must be shorter than the main structure in height. In addition, accessory structures within ten (10) feet from the property line cannot be more than one (1) story in height. Any accessory structure over eighteen (18) feet in height requires a special use permit from the Board of Zoning Appeals. All accessory building must be less than the main height of the building.

**For additional information contact:  
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This sheet is intended to only be a guide for development regulations in this zoning district. Please see Chapter 10 of the Montgomery County Code for the specific regulations.