

Master Plan Review

SILVER SPRING CBD

Approved and Adopted
February 2000



BACKGROUND

In 2007, the Montgomery County Council directed the Planning Department to undertake a comprehensive zoning ordinance rewrite. Last rewritten in 1977, the current 1,200 + page code is viewed as antiquated and hard to use with standards that have failed to keep pace with modern development practices.

With only about four percent of land in the County available for greenfield development, the new zoning code can play a crucial role in guiding redevelopment to areas like surface parking lots and strip shopping centers. An updated zoning code is important for achieving the kind of growth Montgomery County policymakers and residents want.

Initial sections of the new code were drafted by Code Studio, a zoning consultant. These drafts were subsequently analyzed and edited by planners based on feedback from the Zoning Advisory Panel (a citizen panel appointed by the Planning Board to weigh in on the project's direction), county agency representatives, residents and other stakeholders. In September 2012, planning staff began the release of a draft code in sections accompanied by a report highlighting changes from the current code. The staff drafts were reviewed at length by the Planning Board.



The Planning Board held worksessions and public hearings between September of 2012 and May of 2013. On May 2, they transmitted their draft to the County Council. The Planning, Housing and Economic Development Committee held worksessions during the summer and sent the draft to the full Council in December 2013. The full Council held worksessions in January 2014 adopted the text of the new code in March. Work on the proposed map amendment continues.

ZONE IMPLEMENTATION PROCESS

An important aspect of the Zoning Rewrite process is the potential simplification of 123 existing zones into about 30 proposed zones. While some of the proposed zones are a direct one-to-one translation of existing zones, others are the result of combining existing zones with similar standards. Additionally, existing zones that are not currently mapped or are no longer used in the County have been eliminated from the proposed code. Through the implementation process, Montgomery County aims to simplify the number of zones, eliminate redundancy, and clarify development standards. A full translation table for all zones can be found in the documents section of our website: www.zoningmontgomery.org.

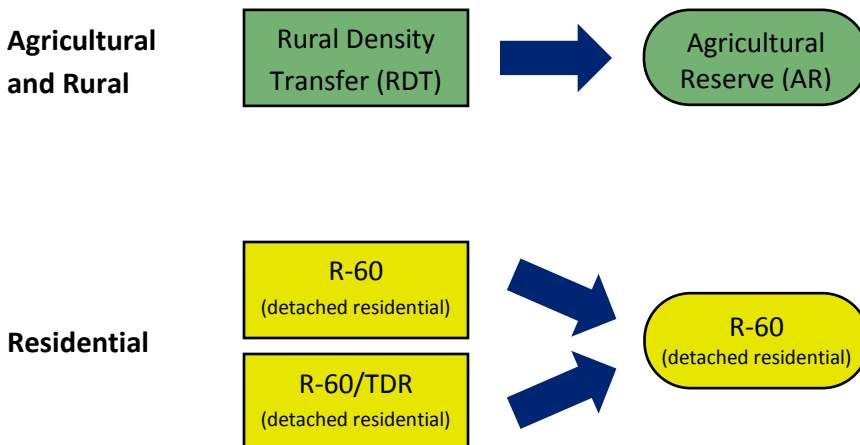
Agricultural, Residential, and Industrial Zone Implementation:

For agricultural and rural zones, the existing zones will be translated to proposed zones on a one-to-one basis, with the exception of the Low Density Rural Cluster zone which is not currently used in the County and will be eliminated.

Many of the existing residential zones will remain the same. Other residential zones will be combined with existing zones that have similar development standards. The R-4Plex zone, which is not currently mapped anywhere in the county, will be removed from the proposed code.

Implementation of Industrial zones will combine similar zones (Rural Service, I-1, and R+D) into the proposed Industrial Moderate (IM) zone. The existing heavy industrial zone (I-2) will be renamed as the Industrial Heavy (IH) zone.

Examples:



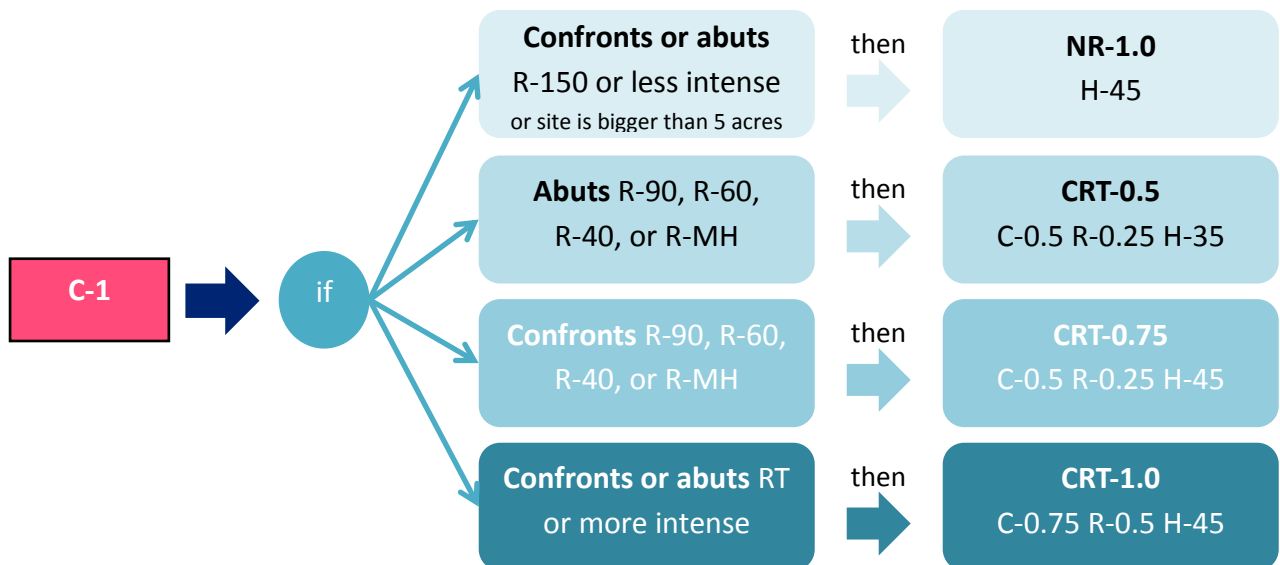
Commercial and Mixed-Use Zone Implementation:

Parcels located in the existing Commercial, Mixed-use, Central Business District (CBD), and Transit Station zones will be translated into one of the proposed Commercial/Residential (CR) or Employment (E) Zones using a two-tiered process.

First, decisions about specific parcels in these zones were based on recommendations within the Master Plan. Planning staff reviewed each Master Plan in the County. When the Master Plan provided specific recommendations about allowed density, height, or mix of uses for individual commercial or mixed-use parcels, those recommendations were used to build the formula of the proposed zone. This ensures consistency with currently allowed density and height, and helps codify Master Plan recommendations in a parcel-specific manner.

Second, if the Master Plan did not make specific recommendations, the current zone changed to a proposed zone on a one-to-one basis or the proposed zone was determined using a specific standardized decision tree (*see example below*). The standardized decision tree translates existing zones by considering each specific parcel's proximity to single-family neighborhoods or other factors. The goal of the implementation decision tree is to retain currently allowed heights and densities and maintain context sensitivity.

Example: C-1 Convenience Commercial



PLAN HIGHLIGHTS

The Silver Spring CBD Sector Plan, adopted February of 2000, establishes a vision to rejuvenate Silver Spring's core as an active town center. The plan includes recommendations for six aspects of the downtown: transit, pedestrian accessibility, commercial uses, residential uses, civic uses, and green space.

The recommendations for transit focus on the need to maximize Silver Spring's existing transportation infrastructure and concentrate development near its transportation system. The commercial component of the Plan encourages the creation of a well-rounded local economy through a mixed-commercial profile. Retail, office, entertainment, and restaurant uses should be incorporated into the downtown to serve both local and regional markets as well as the business and resident communities. The Plan's residential recommendations seek to expand the CBD's residential population and provide housing options in a variety of sizes, ownership types, and locations. The Sector Plan also recommends development of plazas, recreation facilities, and community centers to serve the civic community. The Plan establishes criteria for landscaping the CBD's street network and designs for its network of open space including green parks, landscaped plazas, and green parking lots. Lastly, the Sector Plan proposes criteria for sidewalks, street crossings, street furniture, and other amenities in order to create an environment that encourages pedestrian activity.



Ellsworth Avenue

The Plan identifies five distinct revitalization areas in the CBD: Corridors and Gateways, the Core, the Ripley District, South Silver Spring, and Fenton Village. For each of the five areas, the Sector Plan makes recommendations for land use, zoning, urban design, circulation systems, housing, community facilities, and historic and environmental resources.

The Plan seeks to stimulate appropriate development by providing market responsive land uses, zoning, and approval processes. The Plan promotes the commitment of public resources to support private investment.

ZONE IMPLEMENTATION

The Silver Spring CBD Planning Area currently has 13 zones: 3 Residential, 2 Commercial, 6 Central Business District (CBD) and 2 Industrial.

Existing Residential:

- R-60: Detached Unit, Single-Family
- R-20: Multi-Family, Medium Density
- R-10: Multi-Family, High Density

Existing Commercial:

- C-T: Commercial, Transitional
- C-2: General Commercial

Existing CBD:

- CBD-0.5: Central Business District
- CBD-1: Central Business District
- CBD-2: Central Business District
- CBD-3: Central Business District
- CBD-R1: Central Business District
- CBD-R2: Central Business District

Existing Industrial

- I-1: Light Industrial
- I-4: Light Industrial

Standard Translation:

The existing R-60, R-10, and R-20 will remain as they are.

The existing C-T will be changed to the proposed CRN (Commercial Residential Neighborhood) zone. The decision to translate the existing C-2 zone to the proposed CRT (Commercial Residential Town) zone is based on the specific parcel's proximity to residential neighborhoods. These factors were considered in the translation decision, with the overall goal to retain currently allowed heights and densities and maintain context sensitivity.

The existing I-1 will be renamed IM (Industrial Moderate), and I-4 will be renamed IL (light industrial).

The 6 existing CBD zones will translate into the specific proposed CR (Commercial Residential) zones using both the standard translation criteria and specific Master Plan recommendations. CBD parcels that do not have specific Master Plan recommendations will translate to the proposed zone based on the standard zoning translation table.

NON-STANDARD CONVERSIONS

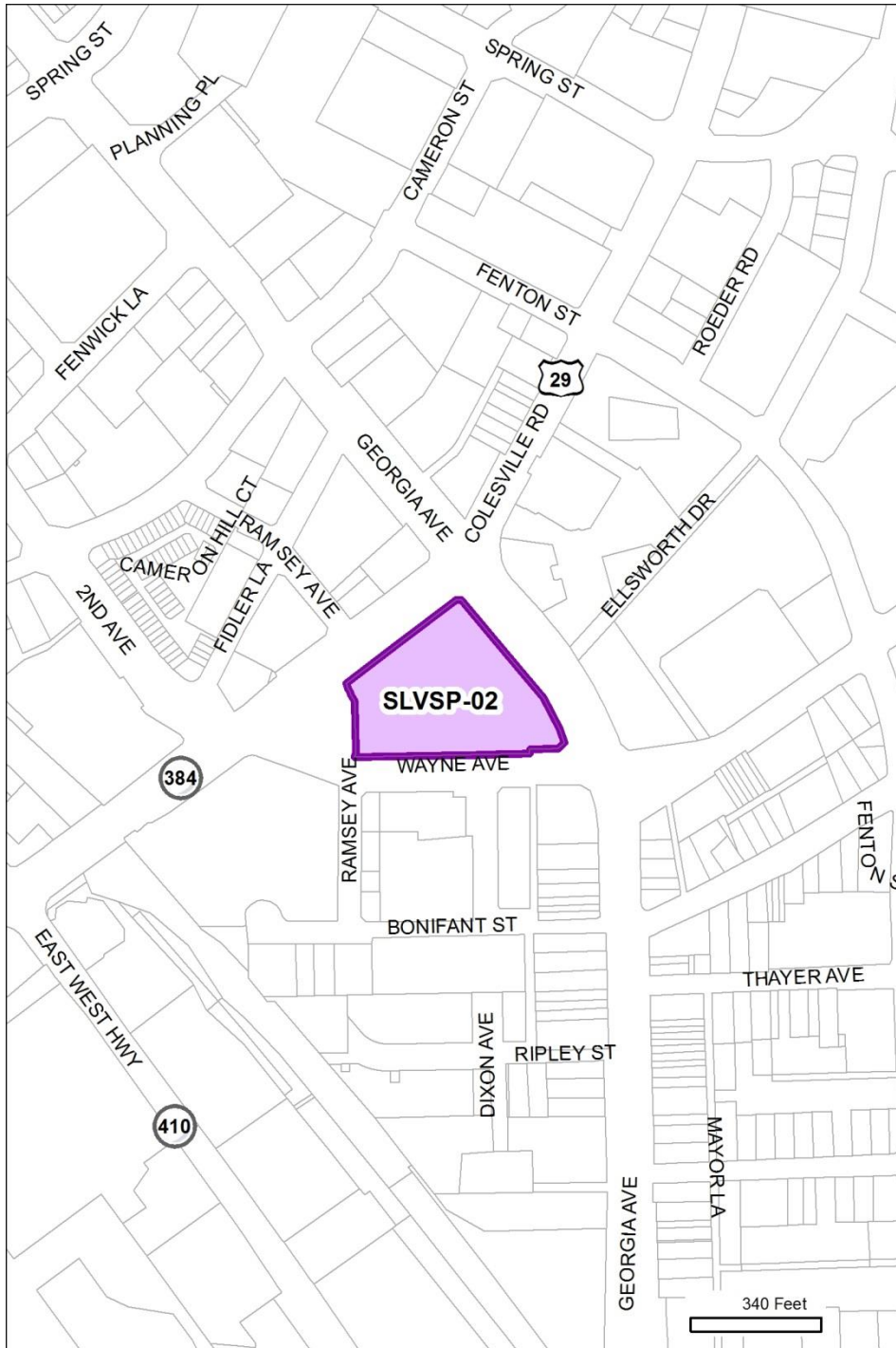
In some cases, properties were not converted using the standard conversions as outlined earlier in the packet.

Generally, this is because the relevant Master or Sector Plan made recommendations regarding the appropriate density, height, or mix of uses on a given site.

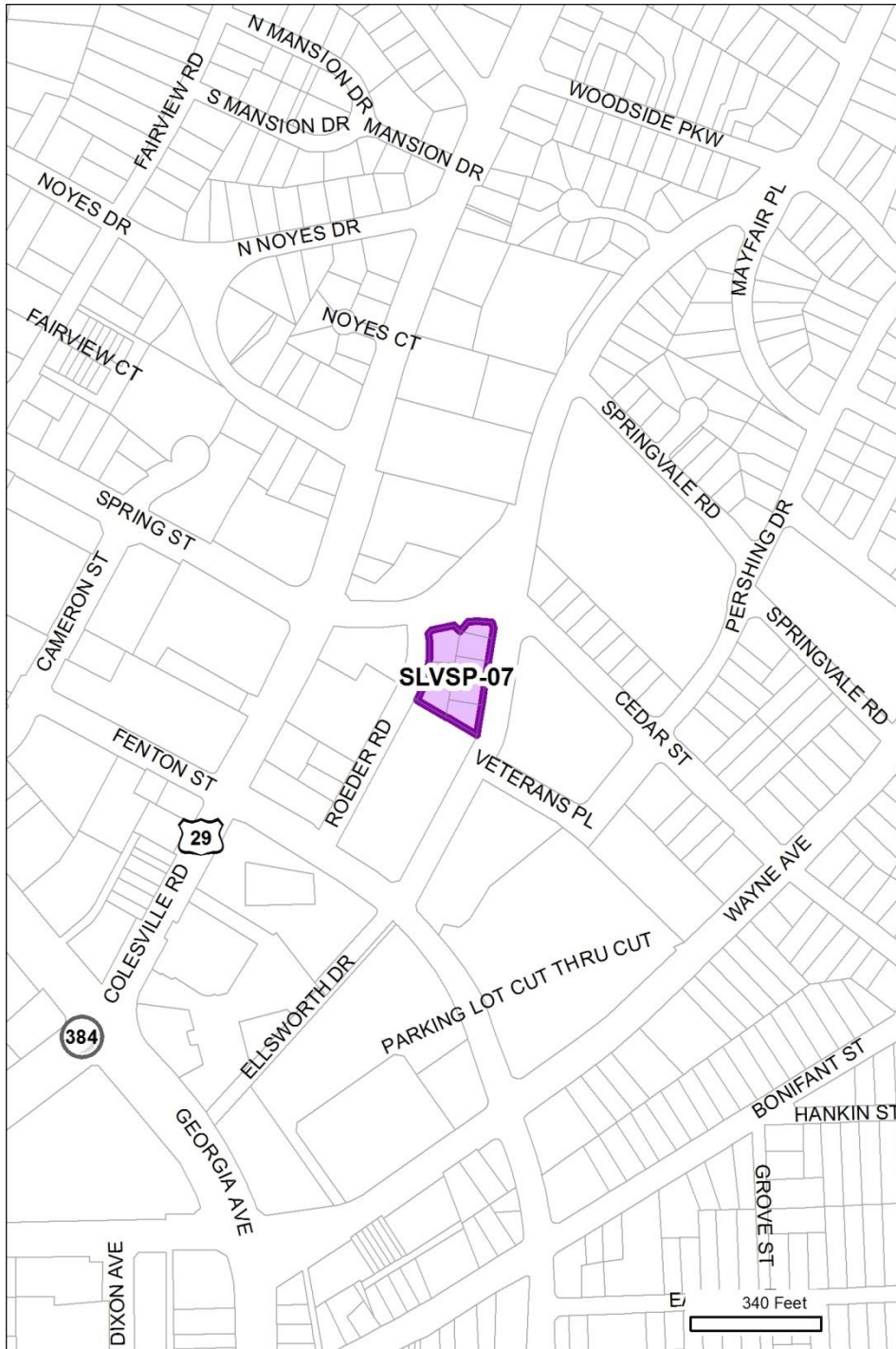
In other cases, the text of the zoning ordinance or an overlay zone can affect the development potential of a site, and therefore affect the conversion given as part of the draft proposed DMA.

Additionally, the PHED Committee requested that existing site approvals be reflected in the draft proposed DMA, so non-standard conversions sometimes reflect what projects have been approved for.

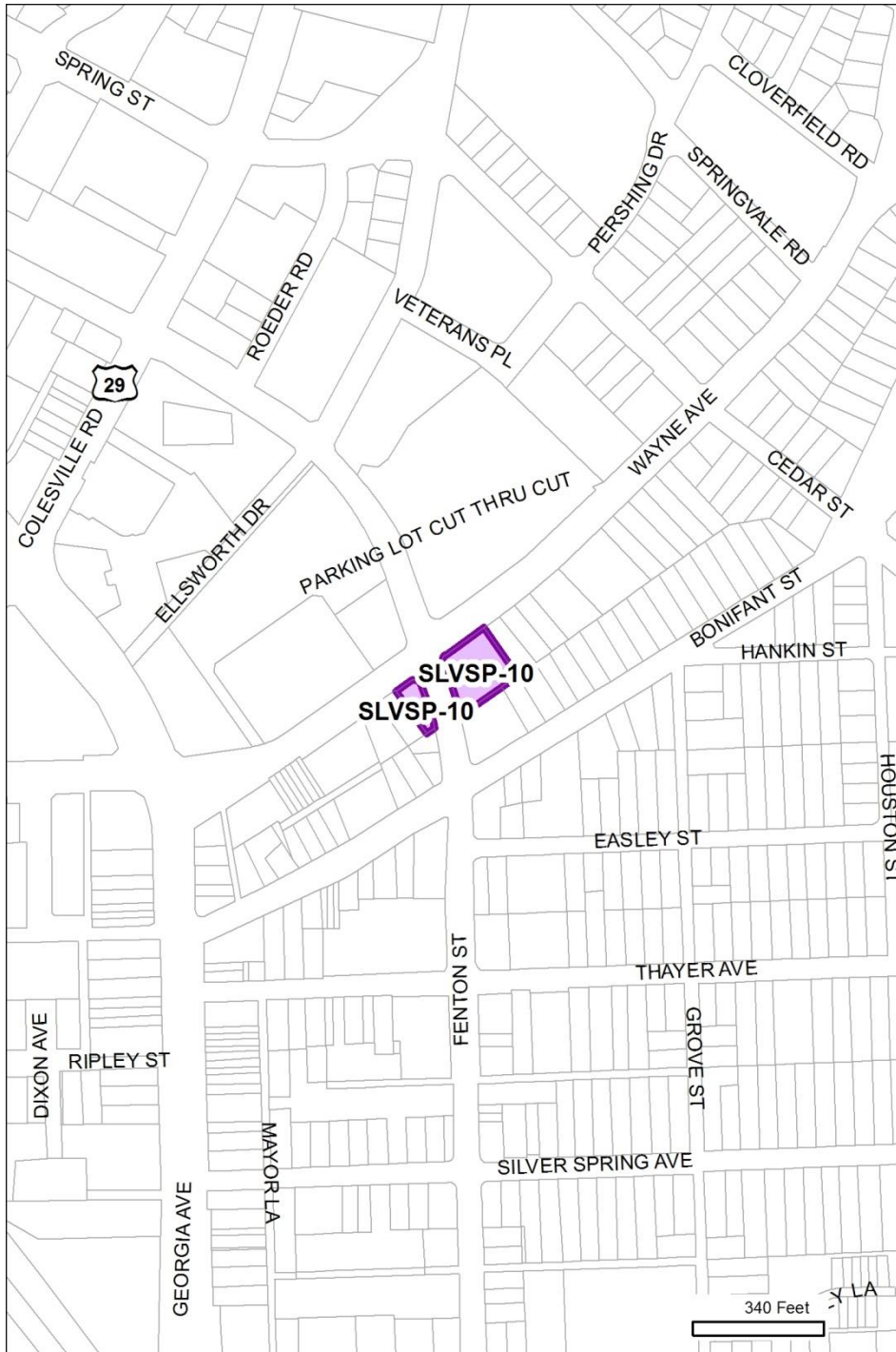
The following pages will give detail on all of the non-standard conversions in this plan area.



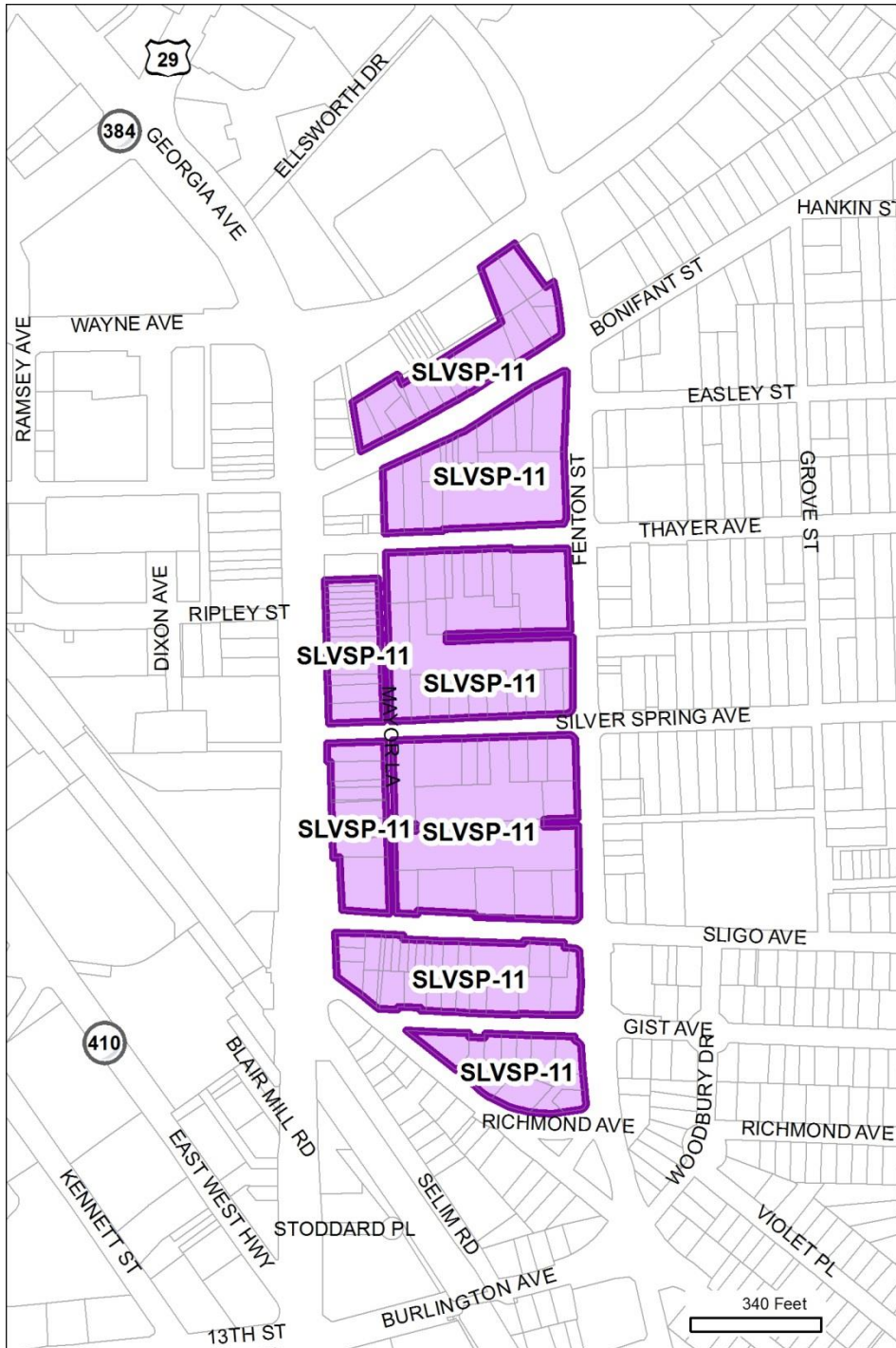
MP Number:		SLVSP-02
Master Plan:		Silver Spring CBD
Location:		Discovery Communications
Existing Zone:		CBD-2
Standard Conv:		CR-5.0 C-4.0 R-4.75 H-145 T
Proposed Conv:		CR-5.0 C-4.0 R-4.75 H-200 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 200'
Reason for non-standard conversion:		
Silver Spring CBD Sector Plan, page 43: <i>"Allow additional height above 143' on the Silver Triangle site with Planning Board Approval."</i>		
Montgomery County Zoning Ordinance, §59-C-6.235(b) [footnote 11]: <i>"Under the optional method of development process, the Planning Board may approve height over 143 feet, but not more than 200 feet, if ... (ii) the additional height is specifically recommended for the property in the applicable sector plan or urban renewal plan..."</i>		



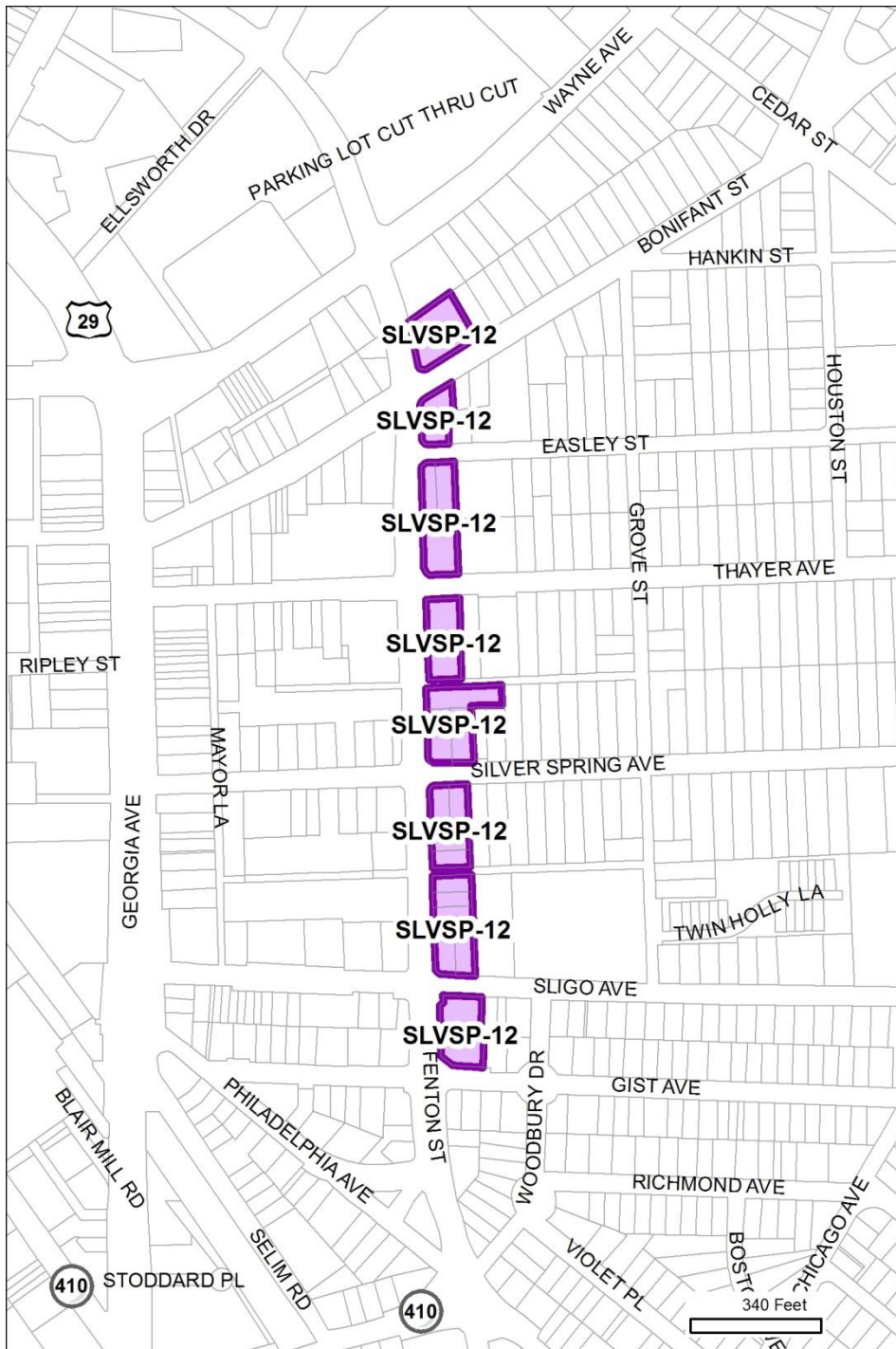
MP Number:		SLVSP-07
Master Plan:		Silver Spring CBD
Location:		Ellsworth & Spring
Existing Zone:		CBD-2
Standard Conv:		CR-5.0 C-4.0 R-4.75 H-145 T
Proposed Conv:		CR-5.0 C-4.0 R-4.75 H-75 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Reduced to 75'
Reason for non-standard conversion:		
Silver Spring CBD Sector Plan, page 43:		
<i>"Rezone the National Concrete Ready Mix parcels located on Cedar Street and Ellsworth Drive from CBD-1 to CBD-2 with a height limit of 60 feet, allowing the height to exceed 60 feet up to a maximum height of 75 feet with Planning Board approval based on compatibility with surrounding structures."</i>		



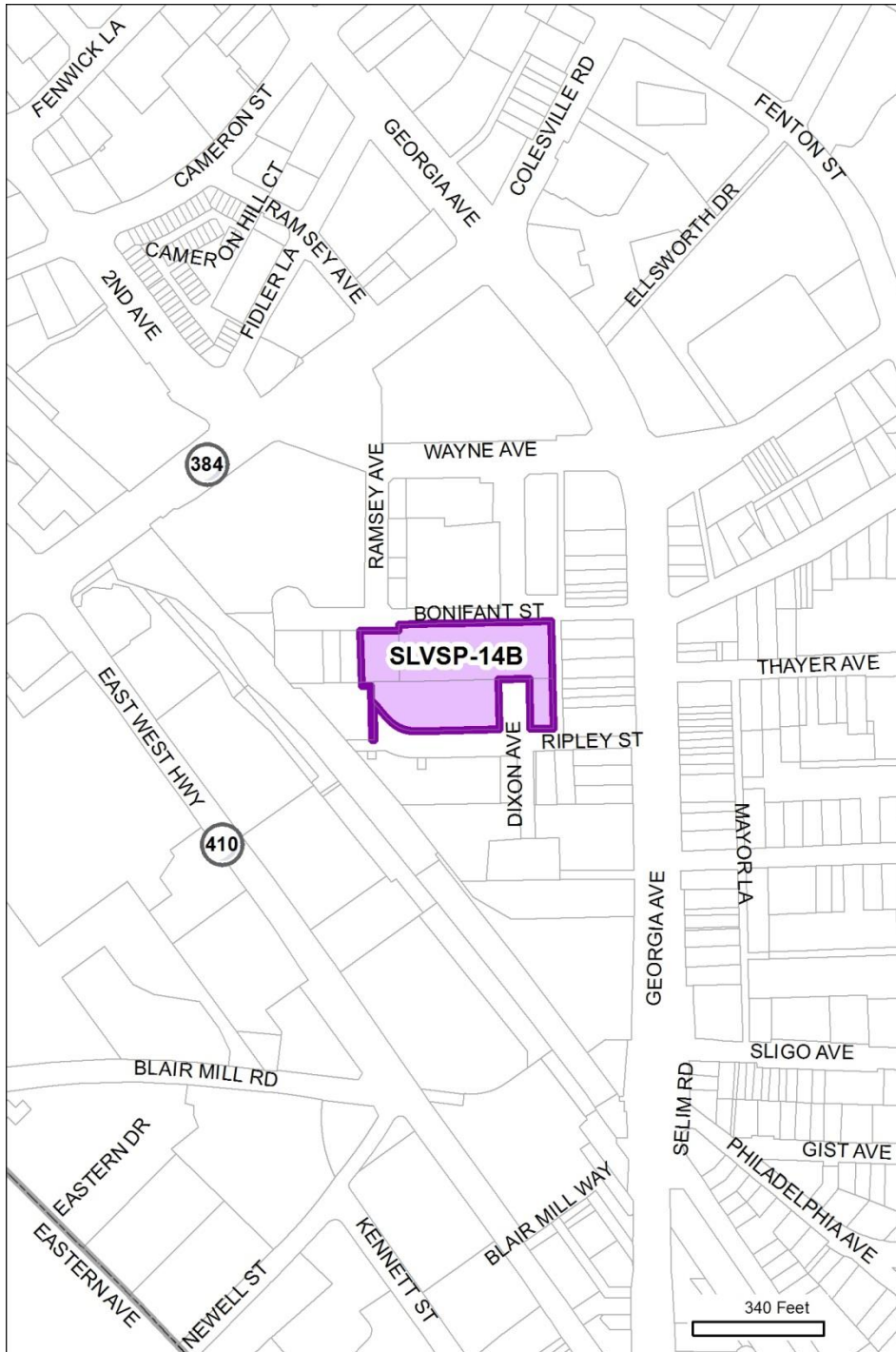
MP Number:		SLVSP-10
Master Plan:		Silver Spring CBD
Location:		Wayne & Fenton
Existing Zone:		CBD-1
Standard Conv:		CR-3.0 C-2.0 R-2.75 H-90 T
Proposed Conv:		CR-3.0 C-2.0 R-2.75 H-75 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Reduced to 75'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-18.192(b)(1)(D): <i>"[Building Height in the overlay zone] for property located in a block that includes property zoned in any one-family residential classification, must not exceed 45 feet for all uses, except the building height must not exceed 60 feet for: (i) residential use; or (ii) mixed-use optional method project, if at least 33% of the project's floor area is residential and the project includes a hotel."</i> Montgomery County Zoning Ordinance §59-C-18.192(b)(1)(E): <i>"for properties with frontage on both Wayne Avenue and Fenton Street, notwithstanding the height limitations in Subsection (b)(1)(B)-(D), may be increased by 15 feet for a building that includes residential uses or a mix of residential and commercial uses, if such additional height is not more than 200 feet from the right-of-way line for Fenton Street as recommended in the Approved and Adopted 2000 Silver Spring CBD Sector Plan..."</i>		



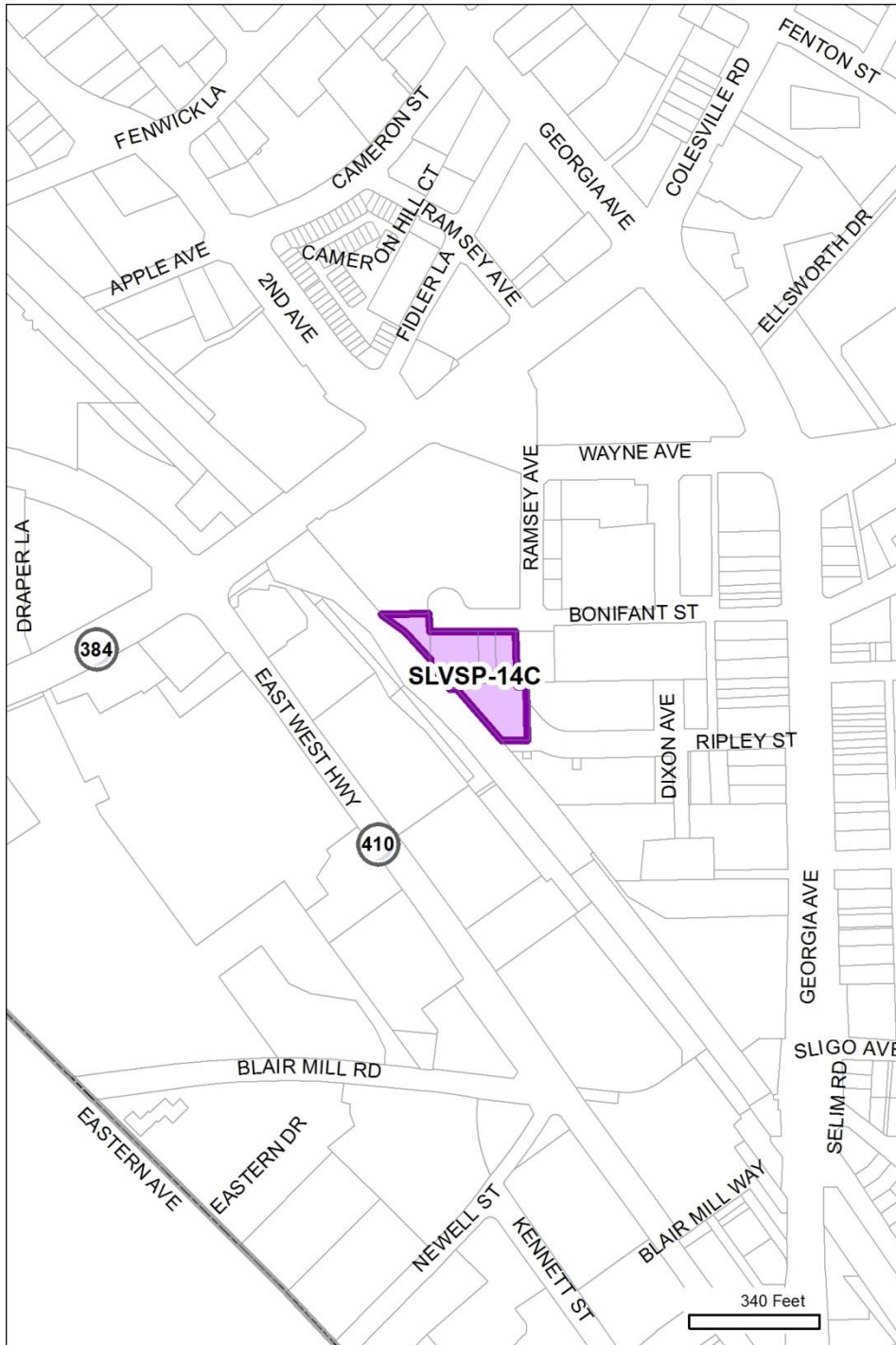
MP Number:		SLVSP-11
Master Plan:		Silver Spring CBD
Location:		Fenton Village
Existing Zone:		CBD-1
Standard Conv:		CR-3.0 C-2.0 R-2.75 H-90 T
Proposed Conv:		CR-3.0 C-2.0 R-2.75 H-110 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 110'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-18.192(b)(1)(C): <i>"[Building Height in the overlay zone] within the area between a major highway and a street that confronts a block that includes property zoned in any one-family residential classification, must not exceed 60 feet but may increase up to 90 feet the maximum height if at least 33% of a project's floor area is residential; however, if additional building height is necessary to allow to accommodate workforce housing units and at least 33% of the project's floor area is residential, up to 110 feet and where the additional height is placed near a major highway and decreases in the direction of the closest property zoned in any one-family residential classification;"</i>		



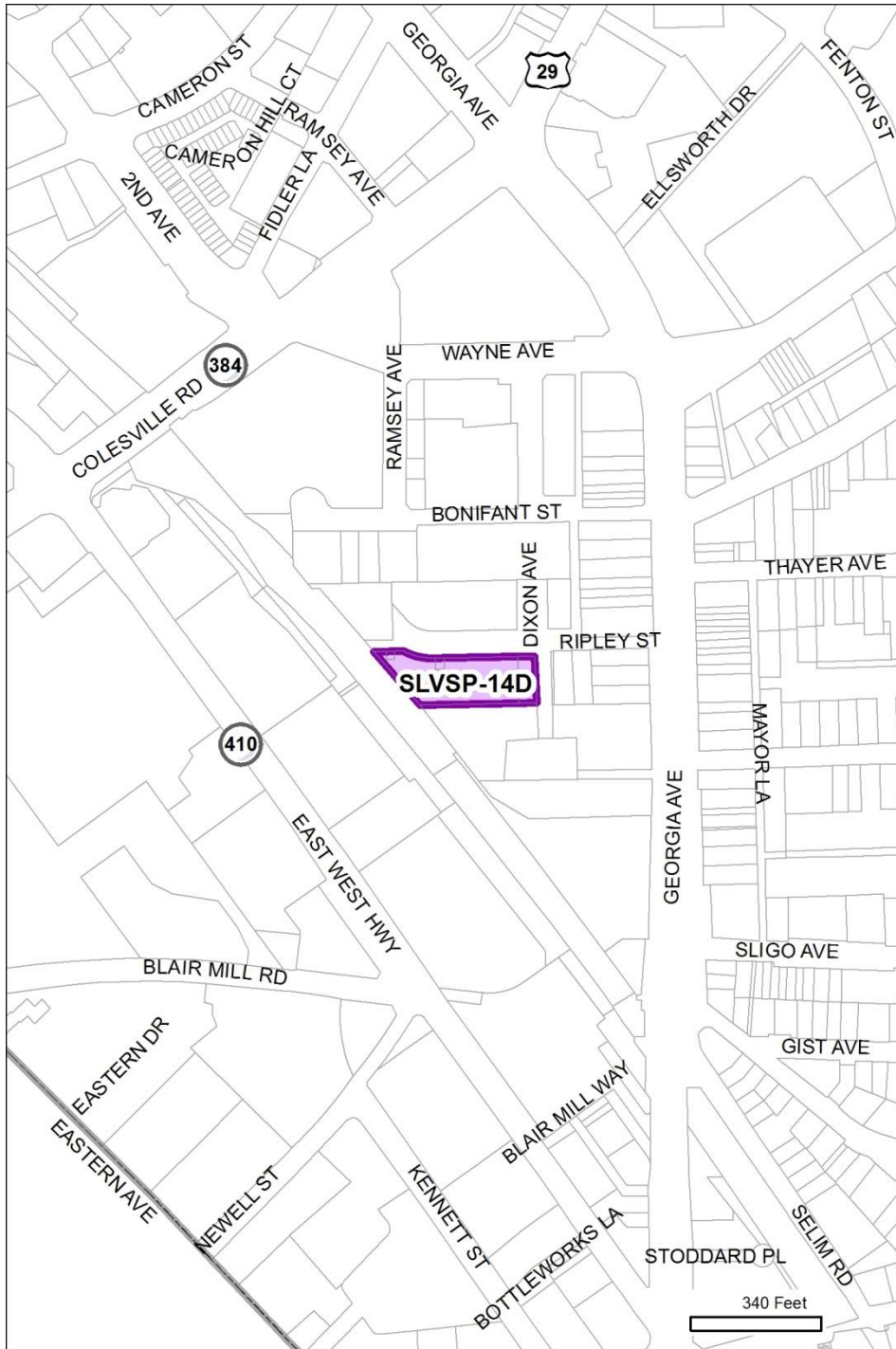
MP Number:		SLVSP-12
Master Plan:		Silver Spring CBD
Location:		Fenton Village
Existing Zone:		CBD-1
Standard Conv:		CR-3.0 C-2.0 R-2.75 H-90 T
Proposed Conv:		CR-3.0 C-2.0 R-2.75 H-60 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Reduced to 60'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-18.192(b)(1)(D): <i>"property located in a block that includes property zoned in any one-family residential classification must not exceed 45 feet for all uses except the building height must not exceed 60 feet for: (i) residential use; or (ii) mixed use optional method project, if at least 33% of the project's floor area is residential and the project includes a hotel."</i>		



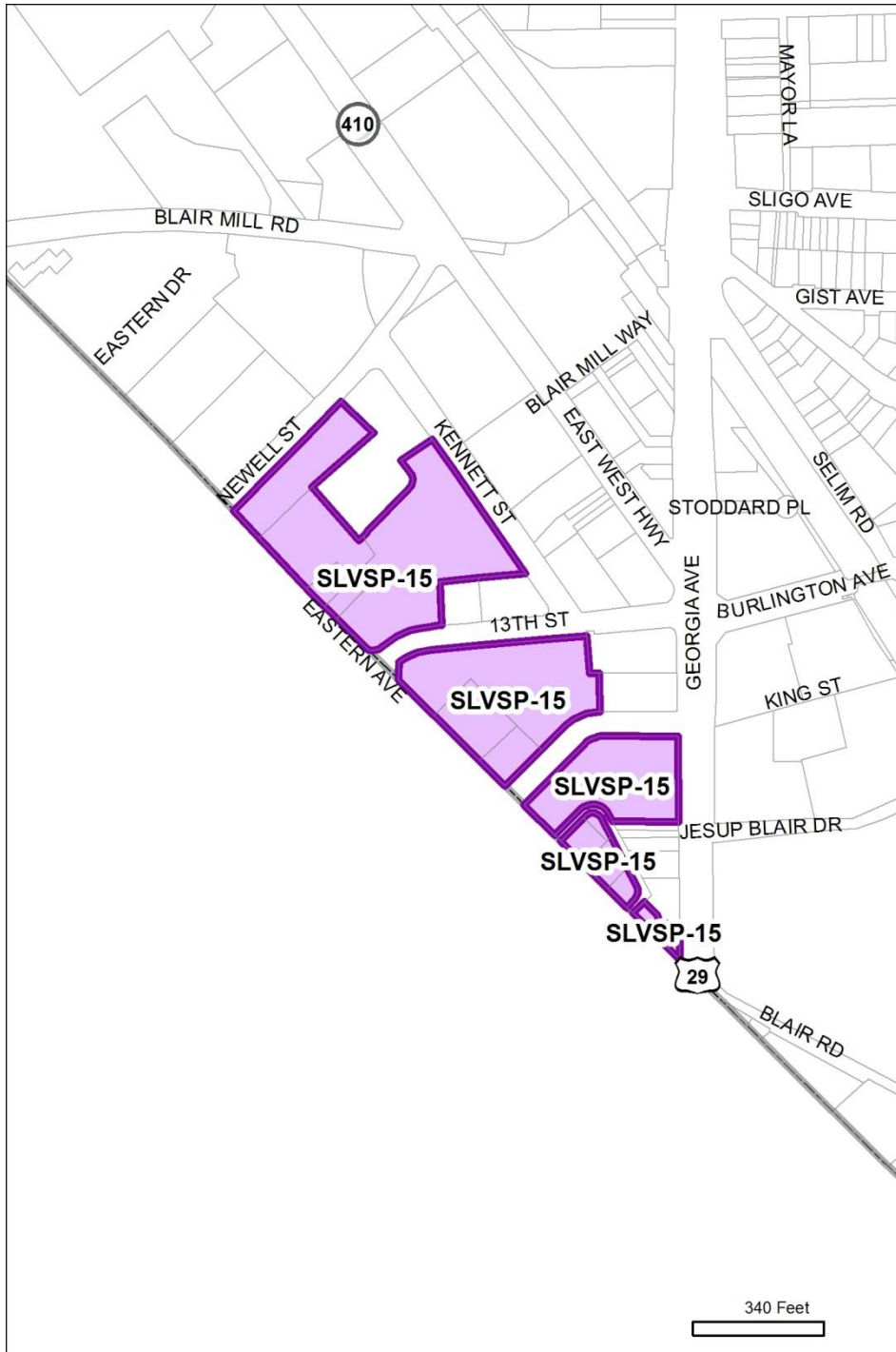
MP Number:		SLVSP-14B
Master Plan:		Silver Spring CBD
Location:		Bonifant & Dixon
Existing Zone:		CBD-2
Standard Conv:		CR-5.0 C-4.0 R-4.75 H-145 T
Proposed Conv:		CR-5.0 C-4.0 R-5.0 H-200 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Increased to 5.0
	Height:	Increased to 200'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-6.235(b) [footnote 11]: <i>"Under the optional method of development process, the Planning Board may approve height over 143 feet, but not more than 200 feet, if: ... (ii) the additional height is specifically recommended for the property in the applicable sector plan or urban renewal plan or the property is within a revitalization area designated in the applicable sector plan is located fully or partially within 800 feet of an entrance to a metro station..."</i>		
Notes:		
This site has been approved for development with a residential FAR of 5.0. As a result, the conversion shows the approved 5.0 FAR of residential that has already been approved. SEE ALSO: Change log document MAP-S-228A.		



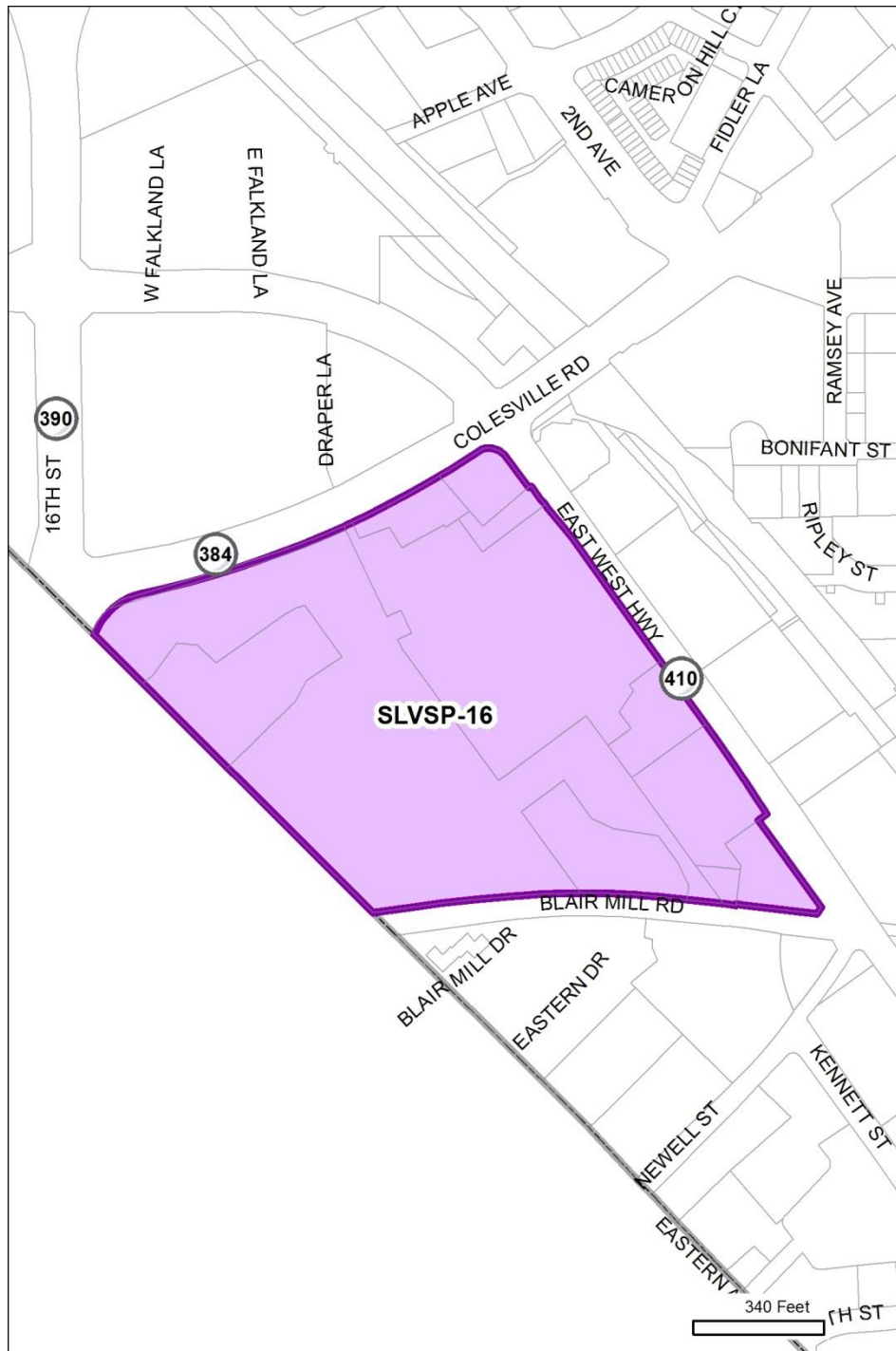
MP Number:		SLVSP-14C
Master Plan:		Silver Spring CBD
Location:		Bonifant & Ramsey
Existing Zone:		CBD-2
Standard Conv:		CR-5.0 C-4.0 R-4.75 H-145 T
Proposed Conv:		CR-5.0 C-4.0 R-4.75 H-200 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 200'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-6.235(b) [footnote 11]: <i>"Under the optional method of development process, the Planning Board may approve height over 143 feet, but not more than 200 feet, if: ... (ii) the additional height is specifically recommended for the property in the applicable sector plan or urban renewal plan or the property is within a revitalization area designated in the applicable sector plan is located fully or partially within 800 feet of an entrance to a metro station..."</i>		



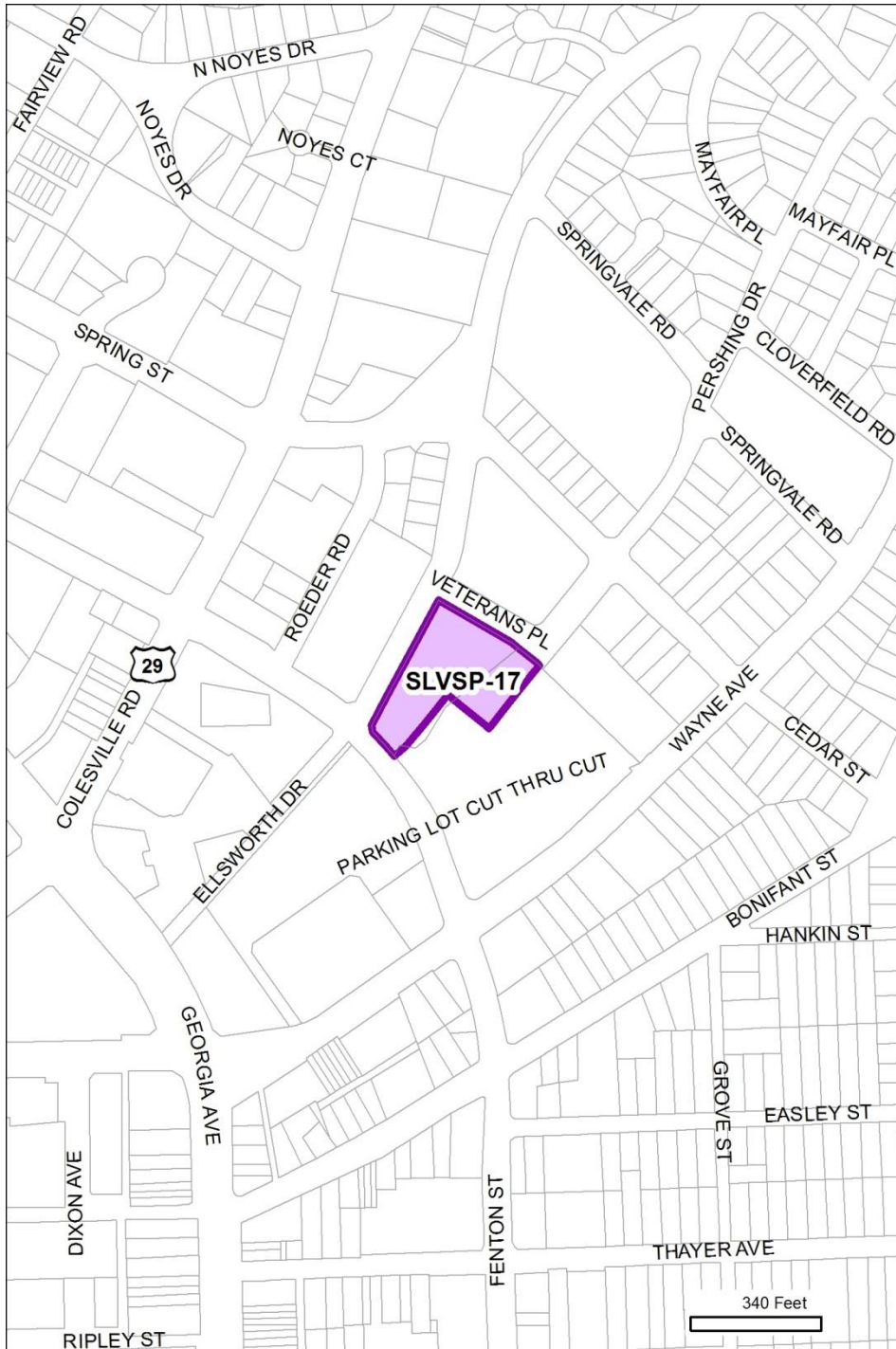
MP Number:		SLVSP-14D
Master Plan:		Silver Spring CBD
Location:		Ripley & Dixon
Existing Zone:		CBD-2
Standard Conv:		CR-5.0 C-4.0 R-4.75 H-145 T
Proposed Conv:		CR-5.0 C-4.0 R-4.75 H-200 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 200'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-6.235(b) [footnote 11]: <i>"Under the optional method of development process, the Planning Board may approve height over 143 feet, but not more than 200 feet, if: ... (ii) the additional height is specifically recommended for the property in the applicable sector plan or urban renewal plan or the property is within a revitalization area designated in the applicable sector plan is located fully or partially within 800 feet of an entrance to a metro station..."</i>		



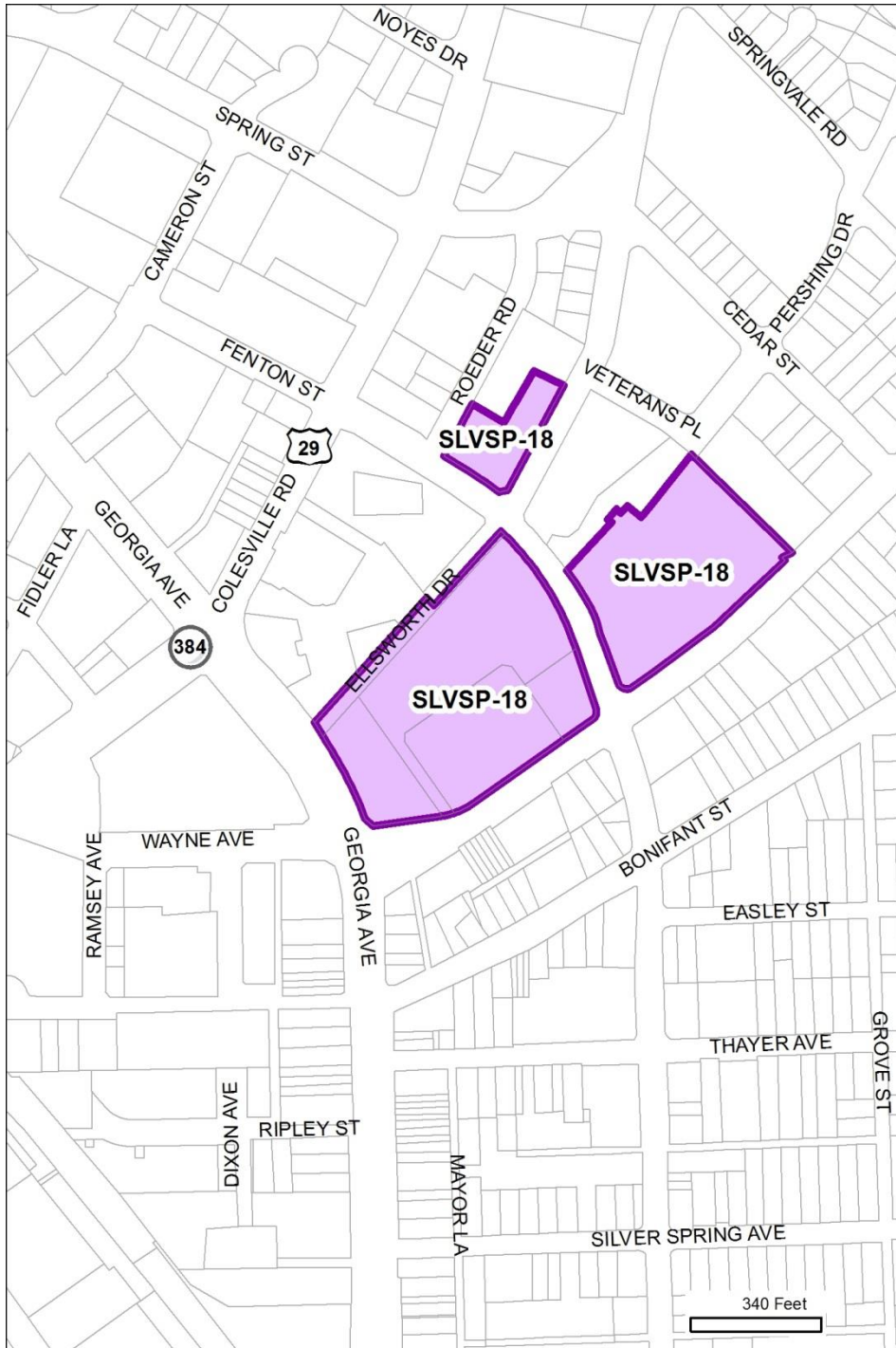
MP Number:		SLVSP-15
Master Plan:		Silver Spring CBD
Location:		Eastern Ave
Existing Zone:		CBD-1
Standard Conv:		CR-3.0 C-2.0 R-2.75 H-90 T
Proposed Conv:		CR-3.0 C-2.0 R-2.75 H-125 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 125'
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-18.202(b)(1): <i>"Building height in the overlay zone along Newell Street and Eastern Avenue that confronts a residential zone in the District of Columbia must not exceed a height of 45 feet. However, this building height may be increased to: (A) a maximum of 90 feet for any building or portion of a building that is set back at least 60 feet from the street; or (B) a maximum of 125 feet for residential development that is set back at least 100 feet from Eastern Avenue and Newell Street and includes a public parking garage constructed under a General Development Agreement with the County."</i>		



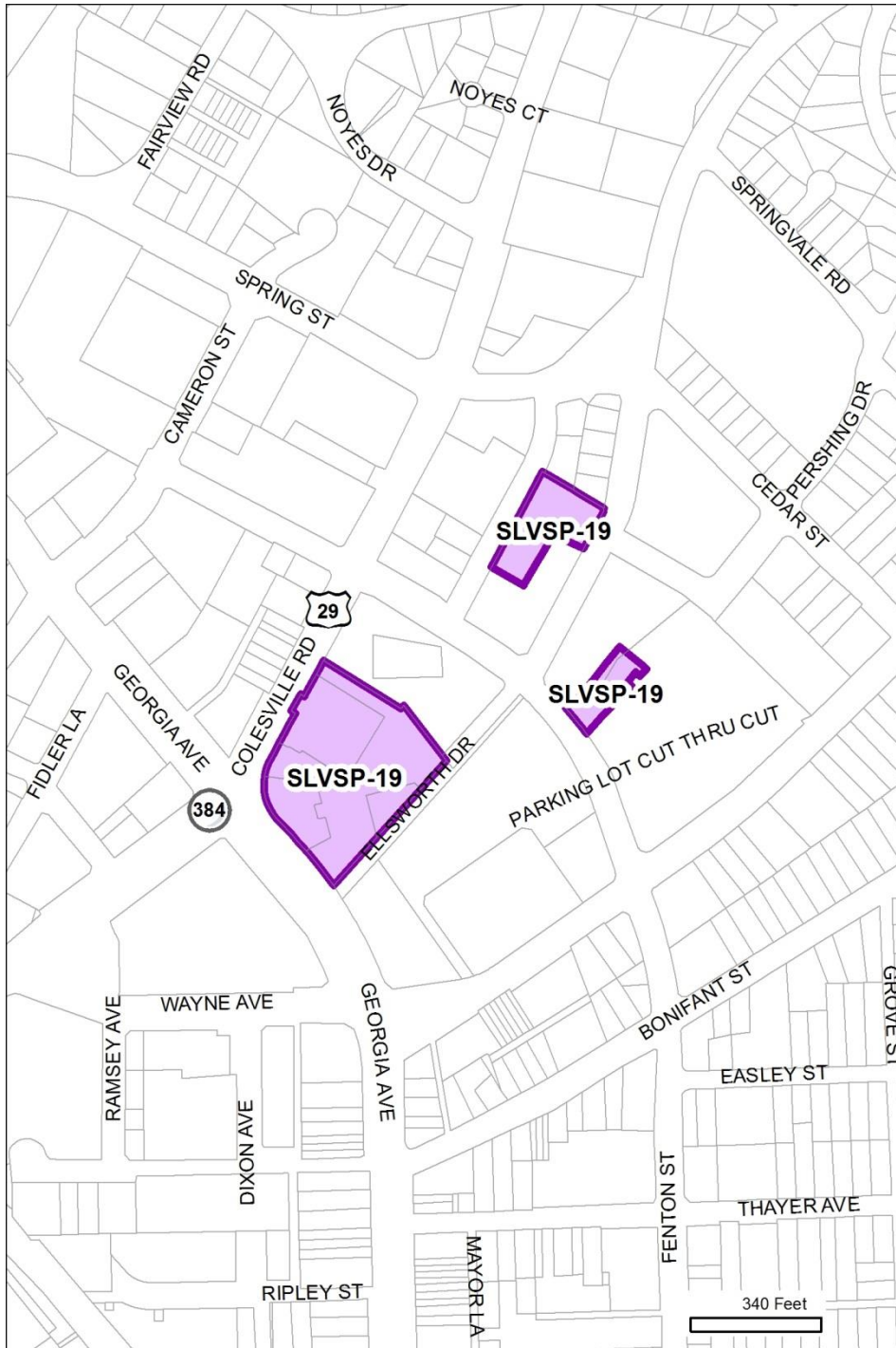
MP Number:		SLVSP-16
Master Plan:		Silver Spring CBD
Location:		The Blairs
Existing Zone:		CBD-R2
Standard Conv:		CR-5.0 C-1.0 R-5.0 H-200 T
Proposed Conv:		CR-5.0 C-0.5 R-5.0 H-200 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Reduced to 0.5
	Resid'l FAR:	Standard
	Height:	Standard
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-6.234(a)(ii)¹⁸ and Montgomery County Zoning Ordinance §59-C-6.234(b)(iii)(A)¹⁸: <i>"On sites of 10 contiguous acres or more, the amount of non-residential development is limited to a maximum of 450,000 gross square feet."</i>		



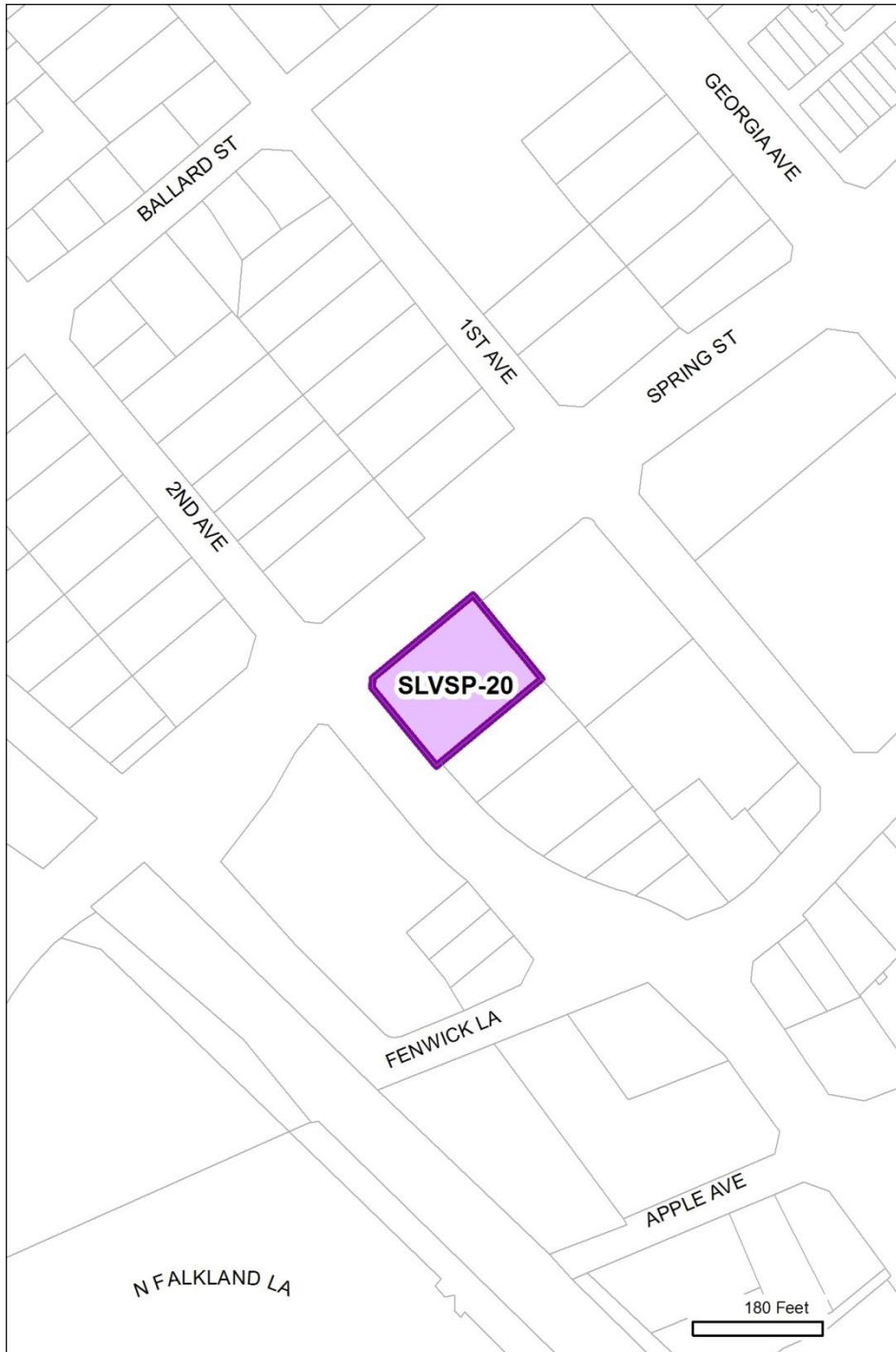
MP Number:		SLVSP-17
Master Plan:		Silver Spring CBD
Location:		Downtown Silver Spring
Existing Zone:		CBD-0.5
Standard Conv:		CR-1.5 C-1.0 R-1.0 H-60 T
Proposed Conv:		CR-1.5 C-1.0 R-1.0 H-90 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 90'
Reason for non-standard conversion:		
Match Development Approvals: <i>Under certain circumstances, the Planning Board may increase height in the CBD-0.5 zone to 90'.</i> <i>This site is being developed under project plan 91998005A and 91998005B, and has been approved for a height of 90' in the CBD-0.5 zoned areas.</i> <i>For that reason, the conversion is proposing a height limit of 90 feet to match the development which has already been approved.</i>		



MP Number:		SLVSP-18
Master Plan:		Silver Spring CBD
Location:		Downtown Silver Spring
Existing Zone:		CBD-1
Standard Conv:		CR-3.0 C-2.0 R-2.75 H-90 T
Proposed Conv:		CR-3.0 C-2.0 R-2.75 H-145 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 145'
Reason for non-standard conversion:		
Match Development Approvals:		
<i>Under certain circumstances, the Planning Board may increase height in the CBD-1 zone to 143'.</i>		
<i>This site is being developed under project plan 91998005A and 91998005B, and has been approved for a height of 143' in the CBD-1 zoned areas.</i>		
<i>For that reason, the conversion is proposing a height limit of 145 feet to match the development which has already been approved.</i>		



MP Number:		SLVSP-19
Master Plan:		Silver Spring CBD
Location:		Downtown Silver Spring
Existing Zone:		CBD-2
Standard Conv:		CR-5.0 C-4.0 R-4.75 H-145 T
Proposed Conv:		CR-5.0 C-4.0 R-4.75 H-200 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Standard
	Resid'l FAR:	Standard
	Height:	Increased to 200'
Reason for non-standard conversion:		
Match Development Approvals: <i>Under certain circumstances, the Planning Board may increase height in the CBD-2 zone to 200'.</i> <i>This site is being developed under project plan 91998005A and 91998005B, and has been approved for a height of 200' in the CBD-2 zoned areas.</i> <i>For that reason, the conversion is proposing a height limit of 200 feet to match the development which has already been approved.</i>		



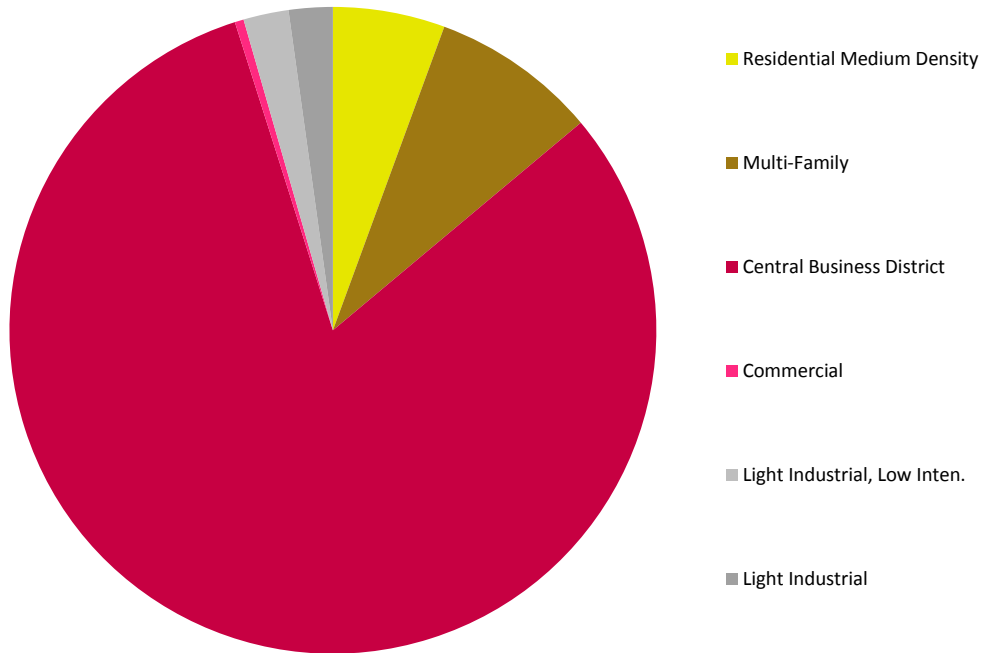
MP Number:		SLVSP-20
Master Plan:		Silver Spring CBD
Location:		2 nd & Spring Street
Existing Zone:		CBD-R1
Standard Conv:		CR-3.0 C-0.75 R-3.0 H-145 T
Proposed Conv:		CR-3.0 C-1.25 R-3.0 H-145 T
Modifications	Zone Group:	Standard
	Overall FAR:	Standard
	Comm'l FAR:	Increased to 1.25
	Resid'l FAR:	Standard
	Height:	Standard
Reason for non-standard conversion:		
Montgomery County Zoning Ordinance §59-C-6.23 [footnote 17]: <i>" The FAR may be increased to FAR 1.2 by the Planning Board if the site will be owned and occupied by a nonprofit organization that provides needed child care and adult day care services in cooperation with the Montgomery County Department of Health and Human Services that is in effect on December 31, 1999.</i> <i>See also: Site Plan # 820020160</i>		

ZONE IMPLEMENTATION

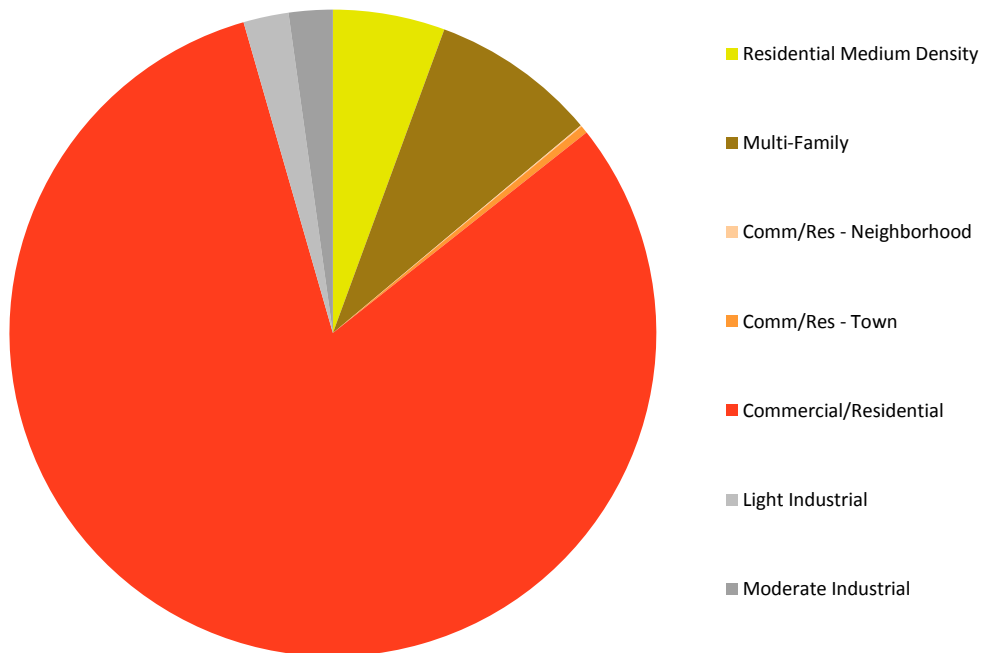
Silver Spring CBD					
Existing			Proposed		
Zone	Acres	Percent	Zone	Acres	Percent
R-60	15.18	5.60	R-60	15.18	5.60
R-10	14.25	5.25	R-10	14.25	5.25
R-20	8.27	3.05	R-20	8.27	3.05
CBD-0.5	11.91	4.39	CR-1.5 C-1.0 R-1.0 H-60 T	10.00	3.69
			CR-1.5 C-1.0 R-1.0 H-90 T	1.91	0.70
CBD-1	82.90	30.56	CR-3.0 C-2.0 R-2.75 H-110 T	21.14	7.89
			CR-3.0 C-2.0 R-2.75 H-125 T	9.95	3.67
			CR-3.0 C-2.0 R-2.75 H-60 T	3.86	1.42
			CR-3.0 C-2.0 R-2.75 H-75 T	0.69	0.25
			CR-3.0 C-2.0 R-2.75 H-90 T	34.53	12.73
			CR-3.0 C-2.0 R-2.75 H-145 T	12.47	4.60
CBD-2	68.85	25.38	CR-5.0 C-4.0 R-4.75 H-145 T	54.62	20.14
			CR-5.0 C-4.0 R-4.75 H-200 T	10.57	3.90
			CR-5.0 C-4.0 R-4.75 H-75 T	0.89	0.33
			CR-5.0 C-4.0 R-5.0 H-200 T	2.77	1.02
CBD-3	13.91	5.13	CR-8.0 C-6.0 R-7.5 H-200 T	13.91	5.13
CBD-R1	9.90	3.65	CR-3.0 C-0.75 R-3.0 H-145 T	9.25	3.41
			CR-3.0 C-1.25 R-3.0 H-145 T	0.65	0.24
CBD-R2	32.63	12.03	CR-5.0 C-0.5 R-5.0 H-200 T	29.00	10.69
			CR-5.0 C-1.0 R-5.0 H-200 T	3.63	1.34
C-2	1.05	0.39	CRT-2.25 C-1.5 R-0.75 H-75	1.05	0.39
C-T	0.16	0.06	CRN-0.5 C-0.5 R-0.25 H-35	0.16	0.06
I-1	5.95	2.19	IM-2.5 H-50	5.95	2.19
I-4	6.13	2.26	IL-1.0 H-50	6.13	2.26
Grand Total	271.25		Grand Total	271.25	

ZONE IMPLEMENTATION

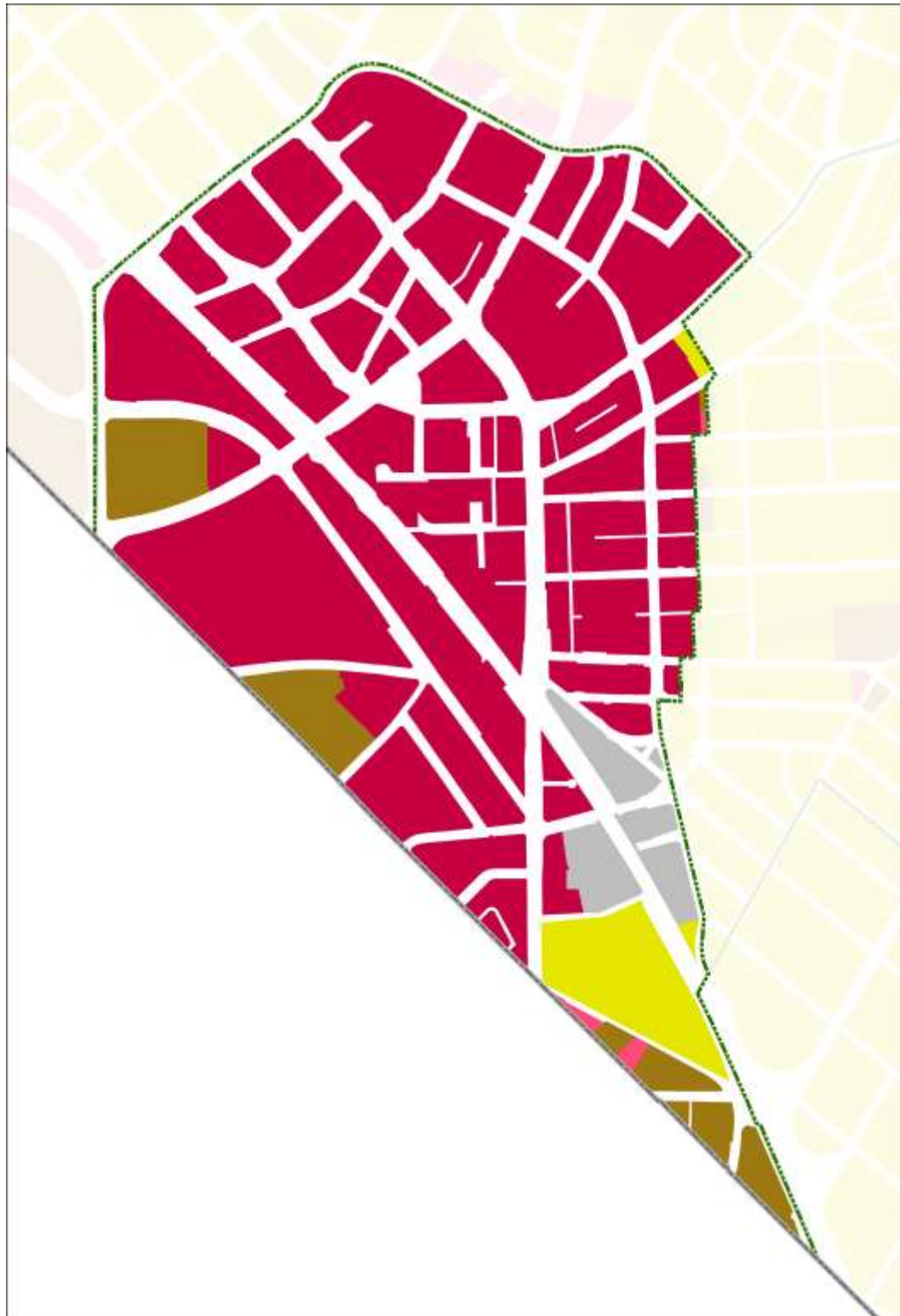
Silver Spring CBD: Existing Zoning



Silver Spring CBD: Proposed Zoning



EXISTING ZONING MAP



Existing Zones

Residential Medium Density
R-60

Multi-Family
R-20
R-10

Commercial
C-T
C-2

Central Bus. Dist.
CBD-0.5
CBD-1
CBD-2
CBD-3
CBD-R1
CBD-R2

Light Industrial
I-1
I-4

PROPOSED ZONING MAP

Proposed Zones

 **Residential
Medium Density**
R-60

 **Multi-Family**
R-20
R-10

 **Comm/Res-
Neighborhood**
CRN

 **Comm/Res-
Town**
CRT

 **Commercial/
Residential**
CR

 **Light Industrial**
IL

 **Moderate
Industrial**
IM



PLANNING AREA CONTEXT

