ZONING CODE REWRITE

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.

After several public sessions and many worksessions, the Board is nearing the end of its review. After additional worksessions in February to consider definitions, parking and other outstanding issues, the Board will undertake an implementation review, where they will evaluate and make recommendations on potential zone changes. Later this spring, following the completion of the text and implementation review, a Planning Board Draft will be sent to County Council for consideration.

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:

- **Agricultural and Rural**
  - Rural Density Transfer (RDT)
  - Agricultural Reserve (AR)

- **Residential**
  - R-60 (detached residential)
  - R-60/TDR (detached residential)
  - R-60 (detached residential)
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 VISION

The East Silver Spring Master Plan was approved and adopted in December 2000. Four themes guide the recommendations of the East Silver Spring Master Plan: Preservation of community character; revitalization of commercial centers; community facilities improvement and environmental resource protection; and creation of a neighborhood-friendly circulation system.

PLAN HIGHLIGHTS

The Master Plan recommends preserving the existing residential character of East Silver Spring by providing a wider range of housing types in the area, encouraging maintenance of the housing stock, protecting historic resources, and limiting the concentration of special exception commercial uses along the highways between commercial centers. The Plan also recommends improving the neighborhood’s commercial centers by revitalizing University Boulevard and expanding commercial uses in the Flower Village and Clifton Park Crossroads commercial centers.

Protection of East Silver Spring’s community facilities, environmental resources, and parks are recommended through a variety of measures. The Plan advocates renovating existing facilities and providing new facilities for recreational programs, supporting an urban forestry concept, and improving community access to Northwest Branch and other stream valley parks.

Lastly, the Master Plan seeks to ensure neighborhood-friendly circulation and transportation opportunities. The Plan recommends supporting a system of sidewalks, paths, and bikeways for pedestrian use, improving traffic circulation, and expanding transit services.
The East Silver Spring Planning Area currently has 11 zones: 2 Commercial and 9 Residential.

**Existing Residential:**
- R-40: Detached Unit, Single-Family
- R-60: Detached Unit, Single-Family
- R-90: Detached Unit, Single-Family
- RT-8: Townhouse, Single-Family
- R-12.5: Townhouse, Single-Family
- R-10: Multi-Family, High Density
- R-H: Multi-Family, High-Rise
- R-20: Multi-Family, Medium Density
- R-30: Multi-Family, Low Density

**Existing Commercial:**
- C-1: Convenience Commercial
- O-M: Office Building, Moderate Intensity

The existing R-40 zone will remain R-40. The existing R-60 and R-90 will remain. The existing RT-8, and RT-12.5 will remain. The R-H, R-20, and R-30 zones will remain.

The existing C-1 zone will translate to the proposed zones CRN (Commercial Residential Neighborhood), and CRT (Commercial Residential Town) based on the standardized translation. Each parcel’s proximity to residential neighborhoods was considered in the translation decision, with the overall goal to retain currently allowed heights and densities and maintain context sensitivity. The existing O-M zone has typically consisted predominantly of office uses and will change to the proposed EOF (Employment Office).
## ZONE IMPLEMENTATION

### Silver Spring East

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EXISTING ZONING MAP

Existing Zones

- **Residential Medium Density**
  - R-40
  - R-60
  - R-90

- **Townhouse**
  - RT-8
  - RT-12.5

- **Multi-Family**
  - R-30
  - R-20
  - R-10
  - R-H

- **Commercial**
  - C-1
  - O-M