Today’s Presentation

- Project Update
- Approach
- Project Objectives
- Layout and Format
- Annotated Outline
- Sustainability Audit
- Next Steps
Montgomery County Revised Zoning Code

PROJECT UPDATE
Project Team

- Code Studio (Austin)
  - Project Management, Code Drafting
- Rhodeside & Harwell (Alexandria)
  - Public Outreach, Landscape Architecture
- Farr Associates (Chicago)
  - Sustainability, Urban Design
- Nelson\Nygaard (Boston, NYC)
  - Parking, Transportation
Scope of Work

- Three Phases
  - Annotated Outline
  - Code Drafting
  - Implementation (Optional)

- Phase 1: Annotated Outline
  - 1.4 Draft Annotated Outline
  - 1.5 Draft Approach Report
  - 1.6 Staff/Zoning Advisory Panel Meeting
  - 1.7 Final Annotated Outline/Approach Report
  - 1.8 Council Update/Community Forums
Zoning Discovery

- White Paper
  - Technical Appendix
  - Fact Sheets
- “Green” Papers
Zoning Discovery (cont)

- **Goals:**
  - Simplify and streamline the standards and process
  - Match land use to development patterns
  - Rationalize development standards
  - Accommodate change, recognize consistency
  - Update technology
Zoning Discovery (cont)

- Key Policy Issues
  - Changing residential growth from greenfields to infill
  - Designing for people
  - Designing for green
  - Designing for connections
  - Focus on accommodating right growth in right place
Montgomery County Revised Zoning Code

APPROACH
Basis of Analysis

- Zoning Discovery
- Stakeholder Sessions
- Critical Review
  - Regulations, plans, reports, studies
- Best Practices
- Consultant Experience
Project Objectives - A ten-point summary of the general and coding objectives for the project.

Layout and Format - Addresses the look, feel, structure and maintenance of the new zoning code and concludes with a proposed outline.

Annotated Outline - Making up the bulk of the document, this section provides a detailed explanation of the ideas and approaches to a model outline for the new zoning code.

Sustainability Audit - A comprehensive review of the existing zoning code, including tools that would improve sustainability.
PROJECT OBJECTIVES
Objectives

1. Shift Emphasis from Greenfields to Infill
   - Greenfields almost gone
   - Redevelopment, infill will become more common
2. Re-Think the Planning and Zoning Framework
   - Master Plan -- Code -- Design Guidelines
   - “Toolkit” in place of “one-off’s”
3. Match Regulations to Impacts
   - Right rules, right place (context)
4. Improve the Quality of Development
Objectives (continued)

5. Provide Incentives for Public Benefits
   - Ensure development benefits the community

6. Simplify and Streamline Standards and Process
   - Single, unified plan review
   - Consolidated districts, “families” = similar approach

7. Match Land Use and Development Patterns
   - Encourage mixed use
   - Focus on physical design (built form)
8. Provide Easy Access and Use of Code
   - Improve web interface, update speed
   - User-friendly features, plain English

9. Modernize and Consolidate
   - Intuitive Table of Contents
   - Consistent, modern uses

10. Efficient and Effective Implementation Strategy
    - Text amendment, map changes
    - For future discussion . . .
LAYOUT AND FORMAT
Document Improvements

- Plain English
  - Dump the Footnotes!

- Digital Enhancements
  - Clickable Table of Contents, Cross-References

**DOCUMENT CHECKLIST FOR PLAIN LANGUAGE**

- Written for the average reader
- Organized to serve the reader’s needs
- Has useful headings
- Uses active voice
- Uses short sections and sentences
- Uses the simplest tense possible
- Omits excess words
- Uses concrete, familiar words
- Uses lists and tables to simplify complex material
- Uses no more than two or three subordinate levels
- Simple graphics used to convey concepts
Page Layout

- Running header
- Titles
- Graphics, tables
- Indented Text
- White Space
- Version (date)
Outline

**Current**

A. In General
B. Exemption From Controls
C. Zoning Districts, Regulations
D. Zoning Districts – Approval Procedures
E. Off-Street Parking and Loading
F. Signs
G. Special Exceptions, Variances, and Nonconforming Uses
H. Amendment Procedures

**Proposed**

A. General Provisions
B. Zoning Districts Established
C. Uses and Use Standards
D. District Regulations
E. General Development Standards
F. Administration and Enforcement
G. Definitions
How to Read This Chapter

The annotated outline in this chapter is crafted to help the reader understand where existing provisions are located, and which provisions may be entirely new. An overview of the proposed code outline is included in the Table of Contents at the beginning of this document. Shown below are a few of the formatting conventions applied:

[Sec. 59-A-1.1. Reference to existing section of Chapter 59, Zoning] = Relevant section of existing Montgomery County Zoning Code

[NEW] = An entirely new section.
A. General Provisions

- Key Legal Provisions
- Transitional Provisions
  - Rules for Application After Adoption
  - May Include District Conversion Table
B. Zoning Districts Established

- Convert TDR’s to an Overlay
  - Retain same base districts
- Group Districts in Families
  - Similar approach to all districts within the family
C. Uses and Use Standards

- Use Interpretation (administrative)
- Allowed Use Table(s)
- Use Categories
  - Consolidate uses into groups like “retail sales”
- Use Standards
  - Apply to a specific use, linked from table to text
  - Replaces footnotes
- Accessory Uses
- Temporary Uses
D. District Regulations

- Measurement and Exceptions
  - Visual, where possible

- Development Typologies
  - Alternative to MPDU, Cluster and TDR Methods
  - Density Incentive for Providing Public Benefits
    - Environment, Design, Diversity, Connectivity
Development Typologies

- Possible Patterns/Templates:
  - Conservation Subdivision
  - Cottage Housing
  - Neighborhood Center

- Building Types
  - Supplement traditional height, bulk, setback
  - Standards for multiple building types where allowed together in the same district
  - Often described as “form standards”
Sample Building Type Palette

**Single-Family House**
A building type containing one principal dwelling unit typically located on a single lot with private yards on all four sides.

**Attached House**
A building type containing two principal dwelling units on a single lot with private yards on all four sides. Each unit has its own external entrance. Units can be located on separate floors, side by side, or back-to-back. Often called a duplex or two family house.

**Townhouse**
A building type with three or more attached dwelling units consolidated into a single structure. Each unit shares a common side wall or a common floor or ceiling. Units may be stacked vertically; however, no more than one unit is permitted above another unit. Each ground floor unit has its own external street facing entrance.

**Apartment**
A building type containing three or more dwelling units consolidated into a single structure. An apartment contains internal common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building often shares a common entrance. Primary entrances are prominent and street facing.

**Mixed Use**
A building type intended for ground floor commercial uses with upper-story residential or offices uses. Windows are provided on the ground floor to encourage interaction between the pedestrian and the ground story space. Primary entrances are prominent and street facing and are spaced at regular intervals along the street edge.

**Shopfront**
A building type intended primarily for ground floor retail and upper-story residential or offices uses. Large storefront windows are provided to encourage interaction between the pedestrian and the ground story space. Each ground floor unit has a street facing entrance spaced at regular intervals along the street edge. This building type should be linked to priority retail streets as specified in any applicable master plan.
## D.4. Agricultural Districts

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Proposed Zone</th>
<th>Intended Purpose</th>
<th>Current Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC</td>
<td>Agriculture Conservation</td>
<td>To protect and preserve land exclusively for large-scale agricultural and farming activity. Residential is allowed as an accessory use to the agricultural activity.</td>
<td>RDT</td>
</tr>
<tr>
<td>AR</td>
<td>Agricultural Residential</td>
<td>To preserve and accommodate small-scale farming and rural housing.</td>
<td>R, RC, LDRC</td>
</tr>
</tbody>
</table>
## D.5. Residential Districts

<table>
<thead>
<tr>
<th>RESIDENTIAL DISTRICTS</th>
<th>Description</th>
<th>Codes</th>
</tr>
</thead>
<tbody>
<tr>
<td>RE-2 Residential Estate -2</td>
<td>Estate housing with detached units on 2 or more acres.</td>
<td>RE-2, RE-2/TDR, RE-2C, RE-2C/TDR</td>
</tr>
<tr>
<td>RE-1 Residential Estate -1</td>
<td>Estate housing with detached units on 1 or more acres.</td>
<td>RE-1, RE-1/TDR</td>
</tr>
<tr>
<td>RLD-20 Residential Low Density -20</td>
<td>Low-density housing with detached units on minimum 20,000 square foot lots.</td>
<td>R-200, R-200/TDR, R-150, R-150/TDR, RNC, RNC/TDR, RMH-200</td>
</tr>
<tr>
<td>RMD-9 Residential Medium Density -9</td>
<td>Medium-density housing with detached units on minimum 9,000 square foot lots.</td>
<td>R-90, R-90/TDR</td>
</tr>
<tr>
<td>RMD-6 Residential Medium Density -6</td>
<td>Medium-density housing with detached units on minimum 6,000 square foot lots.</td>
<td>R-60, R-60/TDR, R-40, RMH</td>
</tr>
<tr>
<td>RHD-6 Residential High Density -6</td>
<td>High-density housing with a variety of unit types on minimum 6,000 square foot single-family detached lots (with smaller lots for other unit types).</td>
<td>RT-6, RT-8</td>
</tr>
<tr>
<td>RHD-4 Residential High Density -4</td>
<td>High-density housing with a variety of unit types on minimum 4,000 square foot single-family detached lots (with smaller lots for other unit types).</td>
<td>RT-10</td>
</tr>
<tr>
<td>RHD-2 Residential High Density -2</td>
<td>High-density housing with a variety of unit types on minimum 2,000 square foot single-family detached lots (with smaller lots for other unit types).</td>
<td>RT-12.5, RT-15, R-30, R-30/TDR, R-40lex</td>
</tr>
</tbody>
</table>
## D.6. Mixed Use Districts

### Mixed Use Districts

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Proposed Zone</th>
<th>Intended Purpose</th>
<th>Current Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR</td>
<td>Commercial/Residential</td>
<td>To allow mix of residential and nonresidential uses at varying densities and heights; 0.25 - 8.0 FAR</td>
<td>CR, C-Inn, R-20, R-20/TDR, C-T, R-H, R-10, R-10/TDR, CBD-0.5, CBD-R1, CBD-R2, CBD-1, CBD-2, CBD-3, HM, TSR, TSM, TOMX-2, TOMX-2/TDR, TMX-2, C-1, C-2, C-3, C-4, C-5, C-6, MXTC, MXTC/TDR, MXPD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CR Components</th>
<th>Description</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>-C</td>
<td>Max nonresidential density</td>
<td>0.25 - 7.5 FAR</td>
</tr>
<tr>
<td>-R</td>
<td>Max residential density</td>
<td>0.25 - 7.5 FAR</td>
</tr>
<tr>
<td>-H</td>
<td>Max height</td>
<td>40 - 300 feet</td>
</tr>
</tbody>
</table>
## D.7. Mixed Campus District

To provide office and employment opportunities with supporting housing and commercial uses, especially for medical/biotech/scientific research and industry.

<table>
<thead>
<tr>
<th>MC Components</th>
<th>Description</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>-C</td>
<td>Max nonresidential density</td>
<td>0.25 - 3 FAR</td>
</tr>
<tr>
<td>-R</td>
<td>Max residential density</td>
<td>0.25 - 2.5 FAR</td>
</tr>
<tr>
<td>-H</td>
<td>Max height</td>
<td>40 - 125 feet</td>
</tr>
</tbody>
</table>

O-M, C-O, I-3, R&D, LSC, CP
### D.8. Industrial Districts

<table>
<thead>
<tr>
<th>INDUSTRIAL DISTRICTS</th>
<th>Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>IL</td>
<td>Industrial Light - To protect and preserve areas for light industry, artisan, warehousing and distribution.</td>
<td>I-1, I-4, RS</td>
</tr>
<tr>
<td>IH</td>
<td>Industrial Heavy - To protect and preserve areas for heavy industry and manufacturing.</td>
<td>I-2, MRR</td>
</tr>
</tbody>
</table>
## D.9. Planned Development (PD)

<table>
<thead>
<tr>
<th>PD</th>
<th>Planned Development</th>
<th>PD, TS, PN, PRC, MXN, PCC, RMX-1, RMX-2, RMX-2C, RMX-3, RMX-3C, RMX-1/TDR, RMX-2/TDR, RMX-2C/TDR, RMX-3/TDR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To allow a type of development integrating varied and compatible land uses with greater flexibility in site planning and building design.</td>
<td></td>
</tr>
</tbody>
</table>

Overlay Districts

- New TDR Overlays
- Retain Environmental Overlays
- Seek to Replace Design Overlays
E. General Development Standards

- Streetscape
- Access Management
- Parking and Loading
- Landscaping and Screening
- Outdoor Site Lighting
- Signs
- Outdoor Display and Storage
- Resource Protection
F. Administration and Enforcement

- Review Bodies
- Common Review Procedures
- Development Review
- Nonconformities
- Enforcement
G. Definitions

- Word Usage
- Abbreviations
- Defined Terms
Montgomery County Revised Zoning Code

SUSTAINABILITY AUDIT
Sustainability Audit

- Buildings and Neighborhoods
- Stormwater
- Parking
- Tree Canopy and Heat Island
- Water Reuse and Irrigation
- Energy
- Food Production
- Lighting
- Waste Reduction
# Sustainability Audit

## BUILDINGS AND NEIGHBORHOODS

<table>
<thead>
<tr>
<th>Sustainability Objective</th>
<th>Code Section</th>
<th>Priority Level</th>
<th>Applicable Context</th>
<th>Existing Code</th>
<th>Recommended Changes</th>
<th>References</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit supported density along transit corridors and stations</td>
<td>Zoning (districts and mapping)</td>
<td>1</td>
<td>Sub-Res TND-Res Sub-Com TND-Com</td>
<td>59-C-1.3, 59-C-1.53: Most small housing development standards max out around 6 DU/AC. Other mixed use and multifamily allows higher densities sufficient to support transit.</td>
<td>REQUIRE minimum housing density to support transit type (metro, commuter rail, bus rapid transit) within a quarter mile of corridors/stations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilize TDRs to increase density in desired locations</td>
<td>Zoning</td>
<td>1</td>
<td>All</td>
<td>59-C-1.33 Transferable Development Rights Zones 59-C-15.868: CR zones give a density incentive to those utilizing TDRs in TDR designated receiving areas.</td>
<td>CONTINUE utilizing Transferable Development Rights per area Master Plans &amp; Sector Plans to preserve high quality ag/natural land and focus density, especially near transit.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## COMMERCIAL MIXED USE

| Mixed use commercial areas, including offices and residential above stores | Zoning (uses) | 1 | Sub-Com TND-Com Urban | Permitted in several districts, including: Central Business Districts, Planned Neighborhood, Mixed Use Neighborhood, Mixed Use Planned Development, Transit Station Development Areas, Residential Mixed Use Districts, Mixed Use Town Center, Transit Oriented Mixed Use Zones, Transit Mixed Use Zone | CONTINUE to permit vertically mixed-use buildings in appropriate areas |            |       |

| Walkability to daily retail/services/civic uses (within 1/4 to 1/3 mile radius of most households) | Subdivision | 1 | Sub-Res TND-Res | 59-C-2.3: Commercial uses not permitted except in a limited capacity in MF districts 59-C-1.3, 59-C-1.53, 59-C-1.4, 59-C-1.53, 59-C-1.72: Most small housing development standards max out around 6 DU/AC | REQUIRE minimum density in key walkable neighborhoods to support a corner store PERMIT corner stores in new residential subdivisions with development standards OR REQUIRE new subdivisions to incorporate some level of commercial development to suit daily needs of residents | LEED-ND (NPD C3); SmartCode; Rocky Mountain Land Use Institute Sustainable Code |            |       |
Sustainability Audit

- Comments Needed
  - Zoning Advisory Panel
  - Executive Agencies

- Strategy
  - Gauge Willingness to Implement Concepts
  - Not All Elements Found in Zoning
  - Requires Coordinated Approach
Montgomery County Revised Zoning Code

NEXT STEPS
Next Steps

- Public Open Houses
- Zoning Advisory Panel Discussion
- Ordinance Drafting (2010-2011)
Discussion . . .

More Information:

www.zoningmontgomery.org

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