Today’s Presentation

- Intro to the Team/Experience
- Scope of Work
- Progress to Date
- Project Approach
  - “Food for Thought”
- Discussion Group Dialogue
  - Breakout Session
Montgomery County Revised Zoning Code

PROJECT TEAM
PROJECT MANAGEMENT & ZONING

CODE STUDIO
Austin, TX

Lee D. Einsweiler
Colin P. Scarff

Project Management
Zoning
Code Drafting

NELSON\NYGAARD
Boston, MA

Jason Schreiber

Transportation Planning
Parking Analysis
Context Sensitive Design

FARR ASSOCIATES
Chicago, IL

Doug Farr
Leslie Oberholtzer

Sustainable Design
Urban Design
Rural Stewardship

RHODESIDE & HARWELL
Alexandria, VA

Deana Rhodeside
Ed Hamm

Public Outreach
Landscape Architecture
Local Support

ROBERT J. SITKOWSKI
Hartford, CT

Bob Sitkowski

Legal Review

TRANSPORTATION & PARKING

SUSTAINABLE URBANISM

OUTREACH & PUBLIC INVOLVEMENT

LEGAL REVIEW
Code Studio (Austin)

- Recognized National Zoning Experts
- Success in Urban, Suburban and Rural Settings
- Plain English Drafting, Illustrative Codes -- Broadcasting Code Intent
- Prior Experience with M-NCPPC Prince George’s County Mixed Use Zones

- Lee Einsweiler, Project Leader
  - 25+ Years Planning, Zoning Experience
  - Over 50 Adopted Codes, 20+ Full Re-Writes
  - Current Work: Denver (Zoning), Louisiana (Model Code Toolkit)
Farr Associates (Chicago)

- Leaders in Sustainable Coding, Planning & Architecture
- Initiators of LEED for Neighborhood Development
- Experience in Existing and Newly-Developing Communities

- Leslie Oberholtzer, RLA, LEED AP
  - 20+ Years Planning Experience
  - Current Work: Des Plaines, Illinois (Citywide Form-Based Code); Lakeland, Tennessee (Citywide Development Code); Michigan Avenue (Sustainable Streetscape Design)
Rhodeside & Harwell (Alexandria)

- Broad Planning and Urban Design experience locally, nationally and internationally
- Excellent communication capabilities
- Certified MFD firm with M-NCPPC

- Deana Rhodeside, PhD
  - 25+ Years Planning, Zoning Experience
  - Extensive M-NCPPC experience
  - Current Work: Montgomery County (Master Plan Reassessment); Portsmouth, VA (Form-Based Code); Prince George’s County (Mixed-Use Zoning)
Nelson\Nygaard (Boston & NY)

- Parking and Transportation Planning Experts
- Exclusive Focus on Sustainable, Livable-Community Development
- Digestible Language for Framework, Guidelines, Policy Statements or Code-Ready Regulatory Text

- Tom Brown
  - Specialist in Revising Accessory Parking Standards
  - Recent Work: DC (Framework for Comprehensive Re-Write), Raleigh, NC (Right-Sizing Parking Requirements); New Orleans and Ann Arbor (Guidelines to Foster Compact, Multi-Modal Downtowns)
Bob Sitkowski (W. Hartford)

- Sustainable Development Strategies
- Experienced in Evaluating, Drafting, and Implementing Zoning and Planning Regulations
- Has Represented Developers, Landowners, Municipalities and Advocacy Groups

Bob Sitkowski, AIA, AICP, LEED-AP
- Architect, Urban Designer, Planner and Lawyer
- Board of Directors, Form-Based Codes Institute, CT Green Building Council
- Former Counsel, Robinson & Cole (Hartford)
SCOPE OF WORK
Scope of Work

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

- Phase 1: Annotated Outline
  1.1 Existing Material Review
  1.2 Project Initiation Meeting
  1.3 Project Schedule
  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
Montgomery County Revised Zoning Code

PROGRESS TO DATE
Initial Issues Outreach

- Facilitated by Justice & Sustainability
- Invitation Only Focus Groups, September 2008
- 70+ Pages of Detailed Comments Available
Q1: What Works? What Does Not Work?
- Need the code published in electronic format
- Need instantaneous updates, hyperlinks to definitions, and cross references to relevant policies that may be scattered throughout the code
- Need to change the code from a suburban to an urban focus, with emphasis on infill and redevelopment
- Difficulty using and interpreting code, particularly the policy guidelines around TDRs and MPDUs
Initial Issues Outreach (cont)

- Q2: Most Successful Aspects of the Code?
  - Good overall organization
  - Good basic residential zones
  - Montgomery County has a diversity of great places to live
  - TDRs, MPDUs and other policy goals
Initial Issues Outreach (cont)

- Q3: Continue with Existing? Revise/Modify? Start From Scratch?
  - Very few support existing code
  - Broad support for a complete re-write, but understanding of practical impossibility
Initial Issues Outreach (cont)

- Q4: Suggestions to Make Code More User-Friendly?
  - Illustrations in master plans often create unrealistic expectations, subjective interpretations
  - Broad support for graphics to describe measurements
Q5: Larger Number of Zones with Fewer Uses or Fewer Zones With More Use Flexibility?

- Broad support for fewer zones
- Focus on performance and impacts
Initial Issues Outreach (cont)

- Q6: Application Processing Speed versus Public Participation?
  - Public participation and length of process not necessarily linked
  - Inter-agency coordination often a factor in delays
Q7: Does the Zoning Code Work to Implement Master Plans?
- Wide-ranging discussion with no consensus
Q8: Are Footnotes Helpful or Confusing?
- No consensus
- Agreed it is difficult when policy is embedded in footnotes
Q9: Allow Accessory Apartments by Right?

- Government stakeholders and land use professionals in favor
- Civic and community participants divided,
  - Some emphasized importance of special exception process in providing community input
  - Other participants supported the proposal as a way to generate affordable housing
Q10: Should Text Amendments be Grouped? Limited to Twice a Year?

- Many government stakeholders supported the idea
- Strong opposition from land-use professionals who preferred an emphasis on better quality County staff work and the role of the ZTA screening committee
Initial Issues Outreach (cont)

Q11: New or Emerging Issues?
- Sustainability and renewable energy
- Stormwater, particularly state regulations
- Bicycle and pedestrian safety
- Infill and redevelopment
Initial Issues Outreach (cont)

- Q12: Other Comments?
  - Responses varied widely
  - Many participants expressed an interest in further examination of form-based codes
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
Other Elements

- Zoning Advisory Panel
  - Represents stakeholders, provides a sounding board
- Web Site
  - [www.montgomeryplanning.org/development/zoning](http://www.montgomeryplanning.org/development/zoning)
- Recent Plans
  - Takoma/Langley Park
  - Gaithersburg West
  - Kensington
  - White Flint
Montgomery County Revised Zoning Code

PROJECT APPROACH
Easy to Use and Understand

- Code Should be Readable
- Use Plain English
- Use Special Phrases Only when Necessary and Well Recognized Meaning
- Use Language Consistently
- Attractively Presented with Tables, Graphics, Flowcharts
Legally Sound

- Code Should Respect and Respond to Legal Limitations and Challenges
  - Uses With Special Federal or State Protections
  - Procedural Requirements of Law, Streamlined Where Appropriate
Sustainable Coding Process

Tier 1: Neighborhood Completeness
- Mix of Housing/Accessory DU
- Multi-modal Streets
- Walkability
- Transit Oriented Developments

Tier 2: Energy Conservation
- Energy Generation: Renewable & District
- Tree Canopy Requirements
- Transportation Demand Management
- Water Conservation
- Lighting
Single-Use Areas

- Majority of the County; Bulk of the Zoning Code
- Maintain/Preserve Existing Character
  - Protect Established Neighborhoods
- Streamline Development Review
- Update Dimensional Standards
- Improve Base Development Standards (Quality)
- Review and Consolidate Permitted Uses
- Consolidate Existing Zoning Districts
- Amend Parking Regulations
- Make Document Easy to Use and Understand
Pedestrian-Oriented, Mixed Use Areas

- Emphasis on Form & Character Rather than Use & Density
- Form Standards Integrated into Zoning Code
- Standards Applied Through Pro-Active Area Plans
Improved Clarity, Predictability

Old Standards:
Hard to Understand

New Standards:
Must Be Clear, Understandable and Predictable
Red on Zoning Map

Also Red on a Zoning Map
Important Elements: Height
Important Elements: Building Placement
Important Elements: Windows & Doors
Important Elements: Use
Important Elements: Street Space
Elements of Form: Public Space
Montgomery County Revised Zoning Code

DISCUSSION GROUP DIALOGUE
Breakout Session

- Group Discussion (40 minutes)
- Key Questions:
  - Major issues that were not raised tonight?
  - Anything you did not agree with? Anything right on target?
  - Certain growth areas shifting from “suburban” to “urban” – what needs to be considered there?
  - What does a “user-friendly” code mean to you?
  - What is the appropriate role of public participation in planning and zoning decision-making?
- Report Back
  - Top issues or concerns