



REGULATORY RECOMMENDATIONS

The following chapter describes the recommendations for regulatory measures that could be utilized to encourage appropriate development in the Town Center. These tools are based upon recommendations described elsewhere in this document and represent a description of the implications of the land use and urban design policies. The regulations fall within one of two categories:

- Zoning Map & Zoning Ordinance Revisions, or
- Design Guidelines Recommendations.

Zoning Map & Ordinance Revisions

There are currently 14 zoning classifications for land within the study area of the Town Center Master Plan that allow the following uses: general commercial, high and low density multi-family residential, high rise apartments, retail and services, offices, office intended to preserve residential structures, mixed-use developments, and service industrial uses. The table on page 86 summarizes the allowable uses and associated densities and maximum building heights.

Existing Town Center Zoning Issues

A review of the existing regulations affecting development in the Town Center area indicates the following:

- Town Center Office (TCO) zones make allowances for most types of retailing with limitations but originally did not al-

- low residential uses. Subsequent amendments have provided for the inclusion of multi-family residential uses.
- Town Center Mixed Use (TCM) zones allow for office, commercial, and residential uses.
- Hotels are not allowed in the TCO-1 zone.
- The TCO-1 zone does not allow more than 15% of the gross floor area of a building to be devoted to retail uses; in the TCO-2 zone, the limit is 25% of the gross floor area.
- A service drive parallel to MD 355 is required to provide access between adjoining lots in the TCO-2 and TCM-1 zones.
- In the TCM-2 zone, all off-street parking is required to be located underground or in a building.
- No stated standard for minimum lot coverage.
- Height limits generally between 75 feet and 100 feet in TCM zones; proposals under the optional development guidelines allow heights up to 235 feet (in TCM-2 zone only).

In 1981, Denver developed a plan for the 16th Street Mall that would use transit services effectively to supplement existing city programs and enhance the mall's influences on Denver's downtown economy. This was planned through a centralized management system of the mall district, using elements such as complementary public improvements, a comprehensive parking program, design standards, and mall management.

Summary of Existing Zoning

Zoning Classification	General Purpose	Allowable Density	Height Limits	Other
C-2 General Commercial	Provide a wide range of retail uses, services, commercial activities, and offices of medium intensity to protect abutting residential zones.	FAR of 2.0	75'	
R-20 Multiple Family Residential	Promote a suitable environment for family life through the provision of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development, and to foster development compatible with the topography, and other natural characteristics of the area.		45'	
R-30 Multiple Family Residential, Low Density Residential			45'	
R-60 One-Family Detached Residential			35'	
R-90 One-Family Detached Restricted Residential			35'	
R-H High Rise Apartments, Residential			110'	
RPC Rockville Pike Commercial	Provide a wide range of retail uses, services, commercial activities, and residential opportunities within the Rockville Pike Corridor Area.	FAR of 0.35 (can be increased to 1.5 under optional method of development)	Maximum 35' (75' under optional method of development)	
TCO-1 Town Center Office One	Provide office space with convenience retail uses as a transition between commercial uses and low density, residential scaled office uses.	FAR of 1.0	Maximum 45'	Vehicular access to North & South Washington Street is prohibited; no parking is permitted between the public right-of-way & the building line
TCO-2 Town Center Office Two	Provide office space with some general retail uses.	FAR of 2.0	Maximum 75'	Service drive is required adjacent to MD 355 to provide access between adjoining lots, parking is prohibited between the build-to line and the building
O-1 Office Building	Provide office space and complementary services uses and to provide a transition between general commercial and residential uses.	FAR of 3.0; multi-family limited to 60 d.u.a. (100 d.u.a. under optional method of development)	Maximum 75'	
O-2 Transitional Office	Provide office space that establishes a transition between residential neighborhoods and commercial/office uses and that promotes the preservation of residential structures.	Same as that in most proximate residential zone		
TCM-1 Town Center Mixed Use One	Provide for mixed-use developments containing office, commercial, and residential uses separately or in any combination.	FAR of 3.0	Maximum 75'; 100' under optional method of development	Service drive is required adjacent to MD 355 to provide access between adjoining lots, parking is prohibited between MD 355 and the building
TCM-2 Town Center Mixed Use Two	Provide for mixed-use developments containing office, commercial, and residential uses at the greatest development density.	FAR of 4.0 (can be increased to 6.0 under optional method of development)	Maximum 100'; 235' under optional method of development	All off-street parking required to be located underground or in a building
I-1 Service Industrial	Provide space for certain industrial uses, general wholesaling, and retailing facilities for certain commodities appropriate in an industrial zone.	FAR of 0.75	Maximum 40'	

- Allowable densities near the Metro station are one-quarter to one-half that of the TCM-2 zone, which allows for the greatest development density in the Town Center.

These conditions result in the following:

- A hotel could not be constructed along the west side of North Washington Street between Jefferson Street and

Martins Lane.

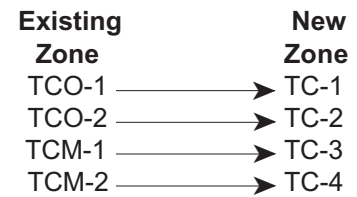
- The potential for an effective medium-to high-density transit-oriented development that maximizes the role of the Metro station is compromised because of use limitations and an allowable FAR on the west side of the station of only 2.0. The eastern portion of the station is zoned Service Industrial with a .75 FAR.
- Service drive requirements result in a

suburban pattern of development, allowing large setbacks and surface parking in front of buildings on MD 355.

The existing zoning requirements, coupled with these results adversely affect the implementation of the Town Center Master Plan; therefore, the Plan recommends the changes described below (and summarized on the table on this page):

- The renaming of all Town Center zones to reflect the mixed uses permitted in the zones. In other words, both TCO and TCM zones would become TC zones.

The resulting zones would have the same FARs but would allow for a mix of uses similar to the existing TCM-1 and TCM-2 zones. In order to clarify the relationship between the classification of the zoning district and the FARs associated with each category, the following name changes are recommended:

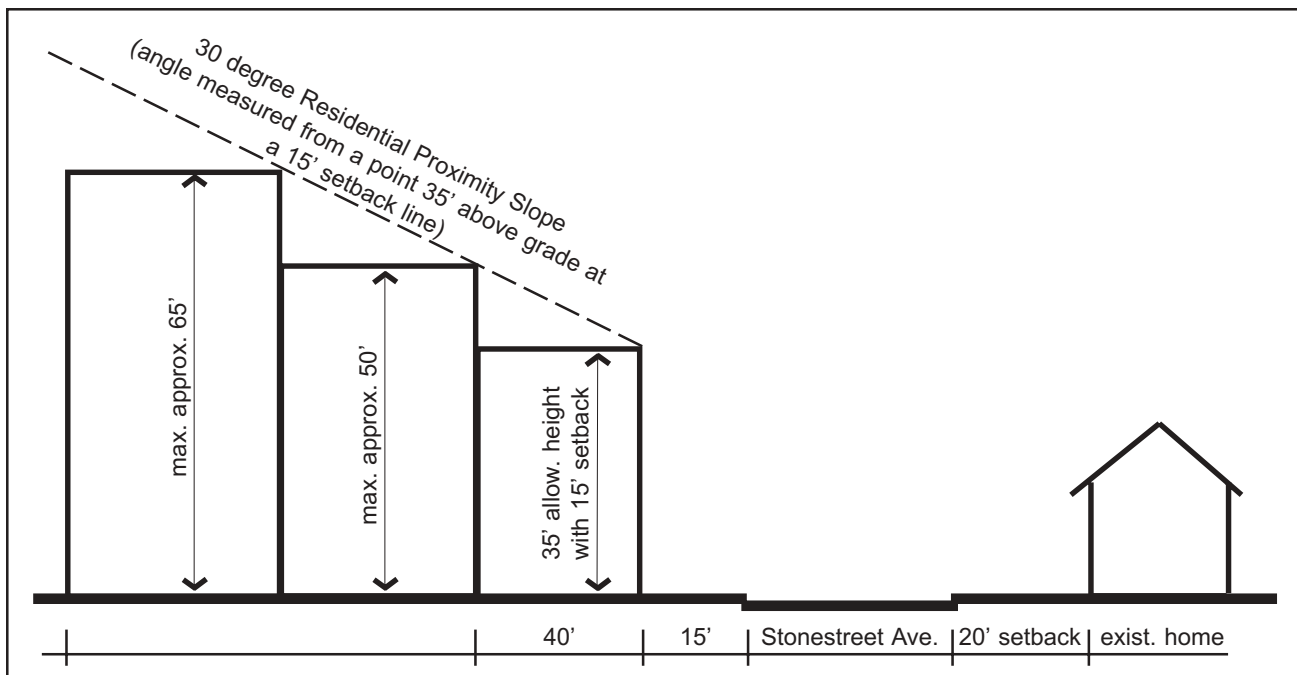


Summary of Proposed Zoning

Zoning Classification	General Purpose	Allowable Density	Height Limits	Change from Existing
C-2 General Commercial	Provide a wide range of retail uses, services, commercial activities, and offices of medium intensity to protect abutting residential zones.	FAR of 2.0	75'	Some existing C-2 areas changed to TC-2
R-20 Multiple Family Residential	Promote a suitable environment for family life through the provision of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development, and to foster development compatible with the topography, and other natural characteristics of the area.		45'	No change
R-30 Multiple Family Residential, Low Density Residential			45'	Some new R-30 areas added
R-60 One-Family Detached Residential			35'	Some existing R-60 areas changed to R-30
R-90 One-Family Detached Restricted Residential			35'	Some existing R-90 areas changed to O-1
R-H High Rise Apartments, Residential			110'	No change
RPC Rockville Pike Commercial	Provide a wide range of retail uses, services, commercial activities, and residential opportunities within the Rockville Pike Corridor Area.	FAR of 0.35 (can be increased to 1.5 under optional method of development)	Maximum 35' (75' under optional method of development)	No change
TC-1 Town Center One	Provide for a mix of uses conducive to the creation of an active and 'alive after five' Town Center.	FAR of 1.0	Maximum 45'	Revision of TCO-1 to allow for greater mix of uses; new areas added east of railroad tracks
TC-2 Town Center Two		FAR of 2.0	Maximum 75'	Revision of TCO-2 to allow for greater mix of uses; new areas added along east side of MD 355 and along west side of North Washington Street
TC-3 Town Center Three		FAR of 3.0	Maximum 75'; 100' under optional method of development	Renaming of existing TCM-1 zone
TC-4 Town Center Four		FAR of 4.0 (can be increased to 6.0 under optional method of development)	Maximum 100'; 235' under optional method of development	Renaming of existing TCM-2 zone
O-1 Office Building	Provide office space and complementary services uses and to provide a transition between general commercial and residential uses.	FAR of 3.0; multi-family limited to 60 d.u.a. (100 d.u.a. under optional method of development)	Maximum 75'	Some new O-1 areas added
O-2 Transitional Office	Provide office space that establishes a transition between residential neighborhoods and commercial/office uses and that promotes the preservation of residential structures.	Same as that in most proximate residential zone		No change
I-1 Service Industrial	Provide space for certain industrial uses, general wholesaling, and retailing facilities for certain commodities appropriate in an industrial zone.	FAR of 0.75	Maximum 40'	Some areas replaced with TC-1 and TC-3 zones

The following is a list of recommended zoning changes:

1. A change in zoning of the west side of the Metro station property from TCO-2 (FAR of 2.0) to TC-4 (FAR of 4.0) increasing the maximum permitted density to take advantage of the transit opportunities at the site.
2. A change in zoning of the east side of the Metro station property from I-1 (FAR of .75) to TC-3 (FAR of 3) and the institution of a Residential Proximity Slope influencing this property as illustrated in the diagram below.
3. A change in zoning of properties on the west side of Washington Street between Jefferson Street and Wood Lane from TCO-1 (FAR of 1.0) to the new TC-1 zone which would not change the density of the properties but would allow greater flexibility in uses.
4. A change in zoning of properties on the west side of North Washington Street and MD 355
5. A change in zoning of properties on the east side of MD 355 north of Park Road from TCO-2 (FAR of 2.0) to TC-2 (FAR of 2.0) to allow for greater flexibility of uses.
6. A potential future change in zoning of properties to the west of North Stonestreet Avenue between Park Road and Lincoln Avenue and to the east of North Stonestreet Avenue between Park Road and Howard Avenue from I-1 (FAR of .75) to TC-1 (FAR of 1.0) to allow for residential and low-density office uses. (Note: Any Zoning changes for property in the Planning Area abutting North Stonestreet Avenue would occur in the context of a Neighborhood Plan for the area.)
7. A change in zoning of property at the southwest corner of Fleet Street and Monroe



A residential proximity slope should be utilized at the Metro station to protect adjacent residences.

- Street from R-90 to R-30, or to a new zone that would allow for an appropriate scale of single-family attached or multifamily development.
8. A change in the optional method of development for property north of Beall Avenue and east of Maryland Avenue extended from TCM-1 (FAR of 3.0) to TC-4 (FAR of 4.0) if provisions for proposed public street extension projects are made. Otherwise, properties would be subject to the TC-3 (currently named TCM-1) standards.
 9. A change in the optional method of development for property north of Dawson Avenue between North Washington Street and MD 355 from TCM-1 (FAR of 3.0) to TC-4 (FAR of 4.0) if provisions for proposed public street extension projects are made. Otherwise, properties would be subject to the TC-3 (currently named TCM-1) standards.
 10. A requirement for ground floor retail uses in properties that front Maryland Avenue; the resulting ground floor retail space would not be included in the FAR calculations and maximum heights would be measured starting from the second floor or 16 feet above the street level, whichever is lower.
 11. Allowance of surface parking (except on Maryland Avenue) as long as the lots are screened and no larger than 50,000 square feet.
 12. Creation of an Urban Design Overlay District (see map on page 91) within which the *Design Guidelines* recommendations described below would be applicable.
 13. A change in the maximum height limit to 110 feet for buildings built prior to July 1, 2001 in the TC-2 Zone, immediately south of Church Street and east of MD 355.
 14. Allowing freestanding restaurants in the TC-1 Zone as a permitted use along North Washington Street. Drive-through restaurants shall not be allowed. To encourage restaurants to locate in the proposed restaurant district, flexible parking regulations should be developed to allow for parking reductions when valet or other public or private off-site parking is provided.
- These changes are shown on the *Proposed Zoning* map following page 88. No existing zoning requirements other than those described above would change. The Master Plan proposes these changes but recommends that City staff, in conjunction with property owners, evaluate these proposals further.

Design Guidelines Recommendations

The Master Plan recommends the creation of Design Guidelines for use in an Urban Design Overlay District (see map on page 91). The boundary of this district corresponds with the desired urban areas within the Town Center Planning Area. The creation of such standards will help to ensure that the design of new Town Center development meets the *Goal and Objectives* of the Master Plan.

The Town Center Planning Area includes areas at its periphery that are not always identified as being within the urban core of the Town Center. The guidelines would not apply to those areas. In addition, some areas in the Planning Area deserve further study as part of a neighborhood planning effort incorporating other areas beyond the Town Center Planning Area boundaries. The creation of any design standards for those areas should be done in conjunction with those neighborhood planning efforts.

The recommended Design Guidelines for the Town Center are based upon the *Desired Framework* and the goal of reinforcing the East



Visual Benchmarks for Town Center Developments

Montgomery Avenue-Courthouse Square-Maryland Avenue corridor as a primary L-shaped spine of activity—the centerpiece of the Town Center. In addition, this corridor can serve as a division between the scale of development associated with intense traffic/transit corridors along MD 355 and the Metro tracks and a scale of development that is better suited adjacent to the residential neighborhoods to the west. A description of the zoning revisions that support such an approach were outlined above and include standards for building height; the Design Guidelines offer solutions for how those buildings are placed on a site and how the architecture is designed.

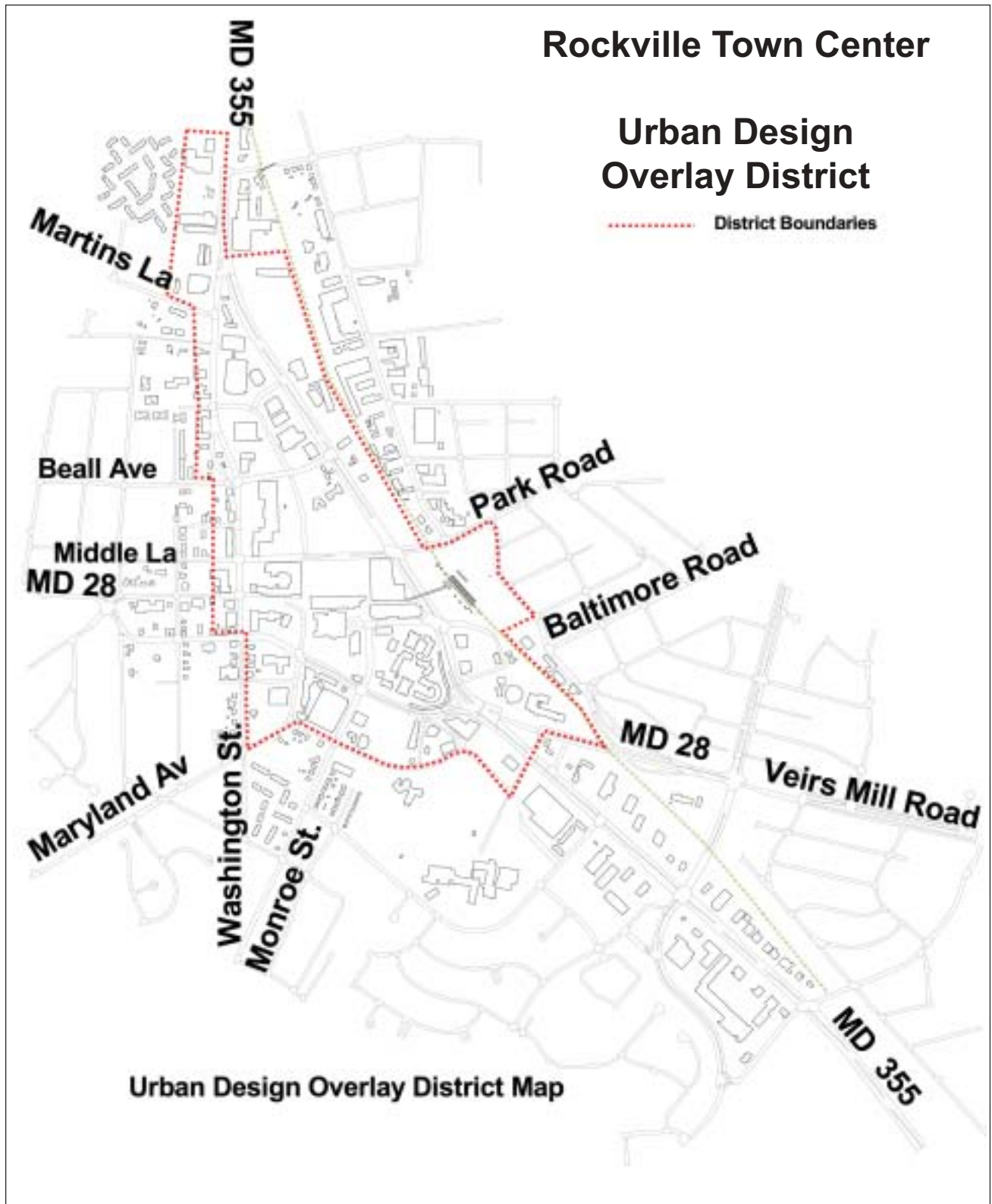
The Design Guidelines are intended to provide guidance for developers and designers as to how future construction in the Town Center should be designed. The Guidelines are not intended to be requirements but principles that should be followed. Exceptions to the Guidelines will be considered if the design as proposed meets the intent of the guidelines and the purpose of the Town Center Master Plan. The Guidelines shall apply to both public and private development within the Urban Design Overlay District.

The Design Guidelines are based, in part, on the image preference survey that was conducted at the public open house. The images above should serve as visual benchmarks that indicate how the Town Center should look.

Urban Design Overlay District Guidelines

The following guidelines are intended to achieve the following objectives:

- Celebrate Maryland Avenue as the Town Center centerpiece through the use of outstanding and creative design solutions.
- Celebrate Washington Street north of Jefferson Street as a high quality, mixed-use street that serves as an appropriate transition to the residential neighborhoods.
- Bring buildings up to the street edge and reinforce a sense of urban enclosure by placing parking behind buildings.
- Encourage high quality materials in all aspects of site and building development.
- Incorporate open space (landscaping and/or plazas) into private building plans
- Create streetscapes and public spaces that feel comfortable to pedestrians by encouraging inclusion of green space and/or green areas.
- Utilize traditional storefront design techniques wherever possible; maximize opportunities for street activity by incorporating open and inviting ground floors.



Site Layout

SL-1: All site plan layouts shall give first consideration to pedestrians.

SL-2: All buildings must be built at the edge of public right-of-way except those that front onto MD 355 and South Washington Street south of Vinson Street. Building setbacks shall be sufficient to provide for pedestrian circulation and activity. Thus, additional dedication of public right-of-way may be required. All MD 355 frontage may be set back to incorporate green space that complements proposed open space on the east side of MD 355.

SL-3: No side or rear setbacks are required; minimum ten feet if provided.

SL-4: Parking must be located to the side or rear of the structure except as described below under Parking Design.

SL-5: Building facades on Maryland Avenue between Courthouse Square and Dawson Avenue and on North Washington Street between Montgomery Avenue and Beall Avenue must occupy 100% of the street frontage. This street frontage requirement may be reduced to 80% if the development creates plazas or courtyards, and allows for alley access to parking in the rear with pedestrian walkways.

SL-6: Recessed entrances shall be designed so that they do not exceed 50% of the width of the storefront, nor 10 feet in depth.

SL-7: New curb cuts shall be avoided or minimized on Maryland Avenue and Washington Street.

SL-8: Loading and service areas shall be located and designed to minimize their visibility from public rights-of-way and public spaces. The use of walls and landscaping to screen views of these areas is encouraged.



The size of recessed entries should be limited (SL-6) so that dark spaces are not created and activity is not pushed back away from the street.

Building Scale & Massing

BSM-1: Buildings throughout the overlay district should be at least 2 stories in height. Along Maryland Avenue north of East Jefferson Street, buildings should be at least 3 floors in height.

BSM-2: Building frontage widths or bays in all areas west of MD 355 should be scaled to the pedestrian with a rhythm of 15-30 feet spacing that creates facade interest.

BSM-3: An upper floor building setback shall be encouraged on Maryland Avenue and North Washington Street. Upper floors 45 feet above the street level of buildings that exceed 60 feet in height must be set back 15 feet from the lower facade on both streets. Building heights above the required setback are determined by zoning classifications. The goal of this guideline is to allow more sunlight to reach the street and, more importantly, to maintain a low- to medium-rise streetscape character that will be more comfortable to pedestrians. Building setbacks that result in the mass of tall buildings being recessed so that they appear to be out of view from pedestrians at street level can help to maintain an appropriate, pedestrian-friendly scale to both Maryland Avenue and North Washington Street. Building setbacks become more



Building setbacks (BSM-3) such as those seen on this building in Santa Monica, CA can be utilized to maintain a pedestrian scale to the street and to provide outdoor space to upper floor users.

critical the taller the building is. An appropriately designed 60 feet tall building may still feel comfortable to pedestrians, so some flexibility in regard to this guideline should be utilized.

BSM-4: Buildings located at corners should serve as gateways distinguishable from the rest of the buildings. As such, building heights at corners shall be allowed greater flexibility than



Special design treatments at corner locations are encouraged (BSM-4).

described in BSM-3 as long as design elements reinforce the corner location and are pedestrian friendly. At 40 feet from the corner, buildings shall be required to comply with upper level setbacks as described above.

BSM-5: Distinctive roof forms, profiles, and cornices shall be encouraged to provide a termination to the top of the building in such a manner as to complement and enhance the character of the Town Center. On sites at corners, the roof design should emphasize the corner.

Fenestration

F-1: Windows should comprise 25-50% of upper facades visible from public rights-of-way and should reflect a rhythm, scale, and proportion compatible with the overall building design.



Upper floor facades should consist of at least 25% window space (F-1) as shown on this building in Chicago, IL.

F-2: All buildings on Maryland Avenue shall incorporate a traditional storefront design with a large display windows of clear glass, bulkheads, recessed entries (where appropriate), transom windows, and suitable locations for signs at their ground levels. Modern and creative design solutions may be employed as long as the traditional storefront proportions are referenced. Multiple storefronts within the same building should be visually compatible in terms of scale, alignment, color, and materials. On Maryland



New construction on Maryland Avenue should reflect the proportions of traditional storefront design (F-2) as exhibited in this building in Charlotte, NC.

Avenue, at least 75% of the ground floor facade shall be glass.

F-3: Retail spaces on Maryland Avenue and North Washington Street shall be accessed directly from the sidewalk, rather than through lobbies or other internal spaces.

Architectural Detailing

AD-1: All buildings shall have their principal building pedestrian entrance on the facade.



Awnings and canopies should fit within defined architectural openings and respect the facade design. They should not interfere with other streetscape elements (AD-2 & 4).

AD-2: Above 7 feet, encroachments for projecting signs or awnings should be permitted into the right-of-way, providing encroachment does not interfere with trees, utilities, transit shelters, or other street furnishing.

AD-3: Awnings, canopies, and recessed entries should be designed as integral parts of the building.

AD-4: Awnings shall fit within framed openings and shall be a traditionally-designed sloped awning consistent with the architectural style and character of the building. Awnings shall be made of canvas fabrics, but not vinyl, fiberglass, or wood. Glass and metal awnings may be appropriate for some buildings but must be consistent with the architectural style of the building.

AD-5: All buildings shall incorporate elements which break up facade planes and create a visual play of light and shadow. Avoid long, uninterrupted horizontal elements.

AD-6: Vertical divisions of ground and upper floors should be consistent. Major horizontal elements of neighboring buildings and storefronts, such as awnings, sign bands, and cornices should align, if feasible.

AD-7: For all buildings above 2 stories, the ground floor shall be architecturally distinguished from the upper facade to form a visual base for the building, and create an intimate scale for the pedestrian.

AD-8: Sides and rears of buildings should be designed in a manner compatible with the design of the building front. No large blank wall surface will be allowed on facades that are visible from a public right-of-way.

AD-9: The use of high quality, durable materials which enhance the building and convey a sense of permanence shall be required. Desir-

able facade materials for new or renovated facades include brick, concrete, stucco, marble, granite, tile, and terra cotta.

AD-10: Sloped roofs visible from public rights-of-way should be of slate, tile, standing-seam metal, or other high quality materials.

Parking Design

Parking garages in the Town Center shall be adequate, convenient, and attractively designed. The view of parking structures from streets in Town Center and adjacent residential neighborhoods should be minimized, with the preferred locations being behind residential units, offices and stores along the street frontage or underground. An effective signage and wayfinding program shall be instituted in Town Center to guide visitors to parking facilities and mass transit connections.



Parking garages should be well-designed, incorporate other uses along the ground floor whenever possible, and should exhibit architectural detailing (PD-1 & 2)

PD-1: No surface parking shall be allowed along Maryland Avenue except for on-street parallel parking; structured parking would be allowed but it must be faced with other uses on the first and second floors at a minimum.

PD-2: Structured parking is allowed but it must incorporate well-designed architectural ele-

ments on facades that face the street.

PD-3: Surface parking must be screened with landscape or hardscape materials. When utilized, surface parking lots must be located to the side or rear of buildings.



Generally, signs should not extend above the window sills of the second floor (S-2).

Signage

S-1: Signs shall be integrated into the building design, but not detract from the architectural quality of individual buildings. Signs should respect the building facade. Signs are most effective when the architecture and rhythm of the street are preserved or emphasized by the design of the signs. Signs

should not obscure architectural details including any projection, relief, cornice, column, window or door opening or trim, or change of building material or pattern.

The City of Cleveland, through an ordinance passed in 1995, put a halt on the construction of surface parking lots within four downtown districts in order to 'preserve the urban architectural character of the most intensely development portions of downtown Cleveland.' (City of Cleveland, Ordinance #1876-94)

S-2: The proper sign location shall be the area of any building that is free of architectural detail and not higher than the lowest of the following: 25 feet above the adjacent sidewalk, the bottom of the window sills on the second story, or the highest part of the building under the roof.

S-3: Creativity in signage design is encouraged; non-descript box signs are discouraged.

S-4: No freestanding signs other than directional or street signs.