



## **PLANNING COMMISSION**

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**Wednesday, May 15, 2019**

**7:00 PM**

**Rockville City Hall**

**Mayor and Council Chambers**

**Meeting No. 14-2019**

### **AGENDA**

Gail Sherman, Chair

Don Hadley	Anne Goodman
Charles Littlefield	John Tyner, II
Sarah Miller	Rev. Jane E. Wood

Jim Wasilak, Staff Liaison  
Cynthia Walters, Deputy City Attorney  
Eliot Schaefer, Assistant City Attorney

- 1. Public Hearing**
    - A. Public Hearing on Draft Comprehensive Plan**
  
  - 2. Adjourn**
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**HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS**

**I. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS**

1. Staff presentation
2. City Board or Commission comment
3. Applicant presentation (10 min.)
4. Public comment (3 min, or 5 min for the representative of an association)
5. Planning Commission Discussion and Deliberation
6. Decision or recommendation by vote

The Commission may ask questions of any party at any time during the proceedings.

**II. PLANNING COMMISSION BROADCAST**

- Watch LIVE on Comcast Cable Rockville Channel 11 and online at: [www.rockvillemd.gov](http://www.rockvillemd.gov)
- Replay on Comcast Cable Channel 11:
  - Wednesdays at 7:00 pm (if no live meeting)
  - Sundays at 7:00 pm
  - Mondays, Thursdays and Saturdays at 1:00 pm
  - Saturdays and Sundays at 12:00 am (midnight)
- Video on Demand (within 48 hours of meeting) at: [www.rockvillemd.gov/VideoOnDemand](http://www.rockvillemd.gov/VideoOnDemand).

**III. NEW DEVELOPMENT APPLICATIONS**

- For a complete list of all applications on file, visit: [www.rockvillemd.gov/DevelopmentWatch](http://www.rockvillemd.gov/DevelopmentWatch).

**VI. ADDITIONAL INFORMATION RESOURCES**

- Additional resources are available to anyone who would like more information about the planning and development review process on the City’s web site at: [www.rockvillemd.gov/cpds](http://www.rockvillemd.gov/cpds).

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte (extra-record) communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission.



Agenda Item #:	A
Meeting Date:	May 15, 2019
Responsible Staff:	Cynthia Kebba

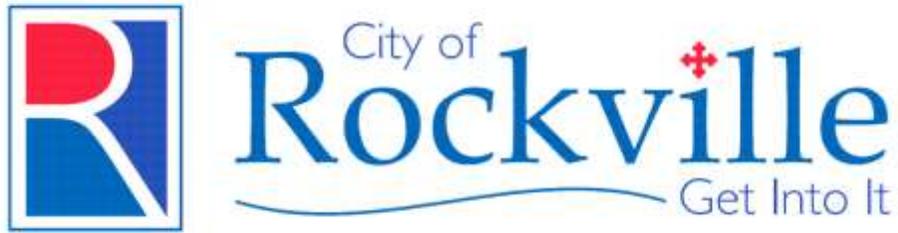
**SUBJECT:**

Public Hearing on Draft Comprehensive Plan

**RECOMMENDATION**

(Include change in law or Policy if appropriate in this section):

Hold a public hearing on the Comprehensive Plan: Draft for Planning Commission Public Hearing



## Planning Commission Staff Report

**MEETING DATE:** May 15, 2019

**REPORT DATE:** May 8, 2019

**RESPONSIBLE STAFF:** Cindy Kebba. Principal Planner Long  
Range Planning 240.314.8233  
  
CKebba@rockvillemd.gov

**SUBJECT:** Public Hearing on Draft  
Comprehensive Plan

### BACKGROUND:

On March 13, 2019, the Planning Commission approved release of the “Comprehensive Plan: Draft for Planning Commission Public Hearing” and set dates for the public hearing of May 15, May 22, and June 4, 2019. It also opened the public record for written testimony. Staff released the document the next day, on March 14, 2019. A link to the Draft Comprehensive Plan can be found on the Rockville 2040 project Web site, at [www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update](http://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update).

Also, on March 14<sup>th</sup>, staff forwarded the draft plan to the Maryland Department of Planning’s Clearinghouse and Plan Review section. Under the State Land Use Article, a draft must be forwarded to the State at least 60 days before the public hearing. The Maryland Department of

Planning has acknowledged by email both its receipt of the plan and that the City has met the 60-day requirement.

Consistent with State law, staff also forwarded a copy of, or a digital link to, the document to surrounding jurisdictions and other governmental agencies, including the Montgomery County Executive branch, Montgomery County Council, Montgomery County Planning, Montgomery County Public Schools, the City of Gaithersburg, and the Washington Metropolitan Area Transit Authority. This notification included a letter stating the release of the draft plan, the time and dates of the public hearing, and the other methods that testimony may be submitted (described below).

The Planning Commission's approval for release of this draft followed its review of a December 2018 Initial Staff Draft, which took place over six meetings held on January 9, 23, 26, 30, and February 9 and 13, 2019. The Planning Commission instructed staff to make revisions to the draft prior to release for public comment, and those revisions are reflected in the draft for the public hearing.

The draft, as released, constitutes a staff draft, as amended by the Planning Commission during review sessions. It does not yet constitute the Planning Commission's recommended plan. Commission members were clear during the review sessions that they may wish to make additional changes, especially because public testimony is central to how they will make such decisions.

## **DISCUSSION:**

### **Providing Public Testimony on the Draft Plan**

On May 15, 2019, the Planning Commission will hold the first Public Hearing for the Draft Comprehensive Plan, beginning at 7:00pm in the Mayor and Council Chambers.

As indicated above, the Planning Commission opened the public record on March 13<sup>th</sup> and is now inviting public testimony in the following ways:

1. Testify at a public hearing. The Planning Commission will hold public hearings on May 15, May 22, and June 4, 2019 at 7:00 pm in the Mayor and Council Chambers at City Hall, 111 Maryland Avenue, Rockville, MD 20850.
2. Submit written testimony through the online comment form, which can be found at the Rockville 2040 project home page, at <https://rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>.
3. Send email written testimony via [planning.commission@rockvillemd.gov](mailto:planning.commission@rockvillemd.gov). Please identify that the testimony is regarding the Planning Commission's Draft Comprehensive Plan for Public Hearing and, if applicable, the Element(s) on which you are commenting.

4. Mail written testimony to the Rockville Planning Commission, c/o Cindy Kebba, 111 Maryland Ave., Rockville, MD 20850.

All oral and written public testimony will be made available for review by the Planning Commission and the public.

Receiving public testimony on a draft plan is a key component of the Comprehensive Plan process. It is both required by State law and welcomed by the Planning Commission and staff. The draft has been developed through significant and intensive public outreach and collaboration. The public testimony process will allow the Planning Commission to test whether the draft adequately reflects the community's visions and goals for the future, as well as the policies and actions that are designed to achieve them. As such, the Commission will welcome comments that recommend adjustments to the draft as well as comments that are supportive.

### **Ground Rules for the Planning Commission Public Hearing**

At its March 13<sup>th</sup> meeting, the Planning Commission also discussed and approved a set of "Ground Rules for Planning Commission Public Hearings" (Attachment A), which will apply to those providing oral testimony on the Comprehensive Plan. The Planning Commission's Rules of Procedure (Section V.M.) establishes that "The Commission may adopt such rules as are reasonably necessary for the orderly conduct of the hearing." The attached draft ground rules are based on those that the Commission adopted for the Rockville Pike Neighborhood Plan, which also had more than one public hearing day, but have been updated to include the language used in the updated Rules of Procedure that were adopted on May 9, 2018. Having and following adopted ground rules will help to provide a fair and consistently managed public hearing process.

### **Summary of Plan Contents**

The Comprehensive Plan: Draft for Planning Commission Public Hearing constitutes the first major portion of the proposed update to the existing Comprehensive Master Plan, which was adopted by the Mayor and Council of Rockville on November 12, 2002 and can be found at <https://rockvillemd.gov/200/Master-Plan>.

The draft Comprehensive Plan for this public hearing covers State-required elements, as well as optional elements.

The draft includes:

- The Plan's Vision (p. 1) and Principles (p. 2)
- The State-required adoption of the State's Twelve Planning Visions (p. 7)
- The following Elements:
  - Land Use (p. 15)
  - Transportation (p. 55)
  - Recreation and Parks (p. 89)

- Community Facilities (p. 111)
- Environment (p. 123)
- Water Resources (p. 145)
- Economic Development (p. 173)
- Housing (p. 186)
- Historic Preservation (p. 205)
- Municipal Growth (p. 221)

Each Element contains a vision and a set of goals for that Element. Then, there are policies and actions that are designed to implement the goals and vision.

The second portion of the Plan has not yet been completed or released. It will cover the Planning Areas, which are closer looks at geographic subareas of the City. The current (2002) Comprehensive Master Plan covers that material in Chapters 11 and 12. The draft of the Planning Areas portion will be presented to the Planning Commission at a later date, for its review, adjustments and release. The Planning Commission decided, in 2018, that the contents of the first portion of the plan are sufficiently large that they merit review on their own. The Planning Areas portion will be brought forward after the public hearings, and after discussion with the Planning Commission.

### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission conduct a public hearing on the “Comprehensive Plan: Draft for Planning Commission Public Hearing,” with dates scheduled for May 15, 22, and June 4.

### **PUBLIC OUTREACH:**

After the draft plan release on March 14, 2019, staff initiated a public information program. The draft is posted on the city’s Web site, at <http://www.rockvillemd.gov/203/Rockville-2040-Comprehensive-Plan-Update>. It has been sent to the State Clearinghouse within the Maryland Department of Planning, relevant public agencies, and adjoining jurisdictions. Staff has held Informational Meetings, prior to the public hearings, to assist the public in understanding both the Draft Plan and the methods by which written and oral testimony may be provided.

Staff has also offered to visit with any community, business and other organizations, including City Boards and Commissions, that wished to have a presentation regarding the draft plan and on how to provide testimony. Staff has visited with many and has made many informational presentations.

In addition, staff worked with the city’s Public Information and Community Engagement office to provide information through Rockville Reports, Rockville 11, social media, and listserv emails

to provide information on the Draft Plan content, public hearing dates, methods to provide testimony, and to keep the public updated on the process.

At a broader level, the Draft Plan is the result of extensive community input that was gathered over a multi-year period, and continues to the present, in a process known as “Rockville 2040.” That process is summarized in the Introduction chapter of the Public Hearing Draft, but includes a kick-off meeting, 35 Listening Sessions, 4 Citywide Forums, 3 Open Houses, 2 Information Sessions, and many meetings with community members, community organizations, and other stakeholders as warranted. Staff has been available to talk and meet with any member of the broad Rockville community, including but not limited to residents, business owners, workers, representatives of non-profit organizations, and representative of governmental and quasi-governmental agencies.

### **BOARDS AND COMMISSIONS:**

City boards and commissions have participated in many of the public meetings held during the Rockville 2040 process; and city staff have attended various meetings of boards, commissions and other organizations (e.g. Rockville Economic Development, Inc., Rockville Housing Enterprises, etc.) to obtain input for the Initial Staff Draft. Staff will continue to meet with and provide briefings to City boards and commissions, as requested, on the Public Hearing Draft and on the ways that they may provide testimony. In addition, the Planning Commission may choose to include boards and commissions in post-hearing work sessions, on various topic areas.

### **NEXT STEPS:**

The Planning Commission will:

- Continue the public hearing process on May 22 and June 4, 2019.
- Hold work sessions to address testimony after the public hearings are concluded.
- Make final decisions regarding the contents of the draft plan that it wishes to recommend to the Mayor and Council.

Staff will also discuss with the Planning Commission, after the close of the public hearings, when the best time would be to start reviewing a draft of the planning areas section.

### **Attachments**

Attachment 1.A.a: Ground Rules for PC Comp Plan Public Hearings (PDF)

**Jim Wasilak**  
Jim Wasilak, Chief of Zoning 5/8/2019

## Ground Rules for Planning Commission Public Hearings

of the

### Planning Commission's Public Hearing Draft of the Comprehensive Plan

*Out of fairness to everyone, and in order to give everyone an opportunity to speak, these are the rules to which we will adhere for the public hearings on the Public Hearing Draft of the Comprehensive Plan:*

- There will be three public hearing dates:
  - Wednesday, May 15
  - Wednesday, May 22
  - Tuesday, June 4
- All public hearings will take place in the Mayor and Council Chambers at Rockville City Hall, starting at 7:00 pm.
- In order for everyone to have a chance to speak, every person or organization is limited to ONE opportunity to speak, even if the public hearings extend to other evenings, but you may supplement your oral testimony with written comments at any time while the public record is open.
- Speakers who have signed up to speak before the evening of the hearing will speak first. Speakers who signed up on the sign-in sheet on the night of the hearing will speak next. Finally, anyone else who wishes to speak will be given the opportunity to do so.
- If your name is called and you are not present, the next speaker will be called. If you still wish to speak, you will have your chance at the end.
- You get **THREE minutes** to speak if you are a private individual or a representative of a private business. You may not cede your time to someone else, nor may someone else cede their time to you.
- You get **FIVE minutes** to speak if you are a representative speaking on behalf of an organization, including but not limited to a: civic association, homeowners association, chamber of commerce, board, commission, PTSA, or governmental entity. During that time more than one representative of your organization may speak, but the total time will not be allowed to exceed FIVE minutes. Speaking as a representative of an organization does not preclude you from subsequently speaking as a private individual, though you must speak as a private individual at a separate time.
- Extensions of speaker time will not be given.

## Planning Commission Public Hearing Ground Rules

- Comments or other audible sounds (e.g. cheering, booing) from the audience during any other person's testimony, either in agreement or disagreement, will not be tolerated.
  - Written testimony is always welcomed and encouraged and is treated equivalently to that of oral testimony. You may submit written testimony to 1) extend your oral comments, 2) respond to comments made by others, or 3) cover any other topics you feel are applicable to the Draft Plan.
  - Written testimony may be submitted. It may be of any length, and you may submit written testimony as often as you feel necessary until the Planning Commission has decided to close the Public Record. Written testimony will be given the same consideration and weight as oral testimony.
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- You may deliver or mail your remarks in the following ways:
    - By mail to City of Rockville Planning Commission, c/o Cindy Kebba, 111 Maryland Avenue, Rockville, Maryland, 20850
    - By email to [planning.commission@rockvillemd.gov](mailto:planning.commission@rockvillemd.gov)
  - When you provide oral or written testimony, please clearly provide your name and address.
  - Staff will provide forms for written testimony at the back of the room during the public hearings so that you may provide additional written testimony before you leave the hearing, if you wish. Please include your name and contact information.
  - When you make your remarks, please speak to the point and directly to the Commission. Off-topic, personally attacking, profane, inflammatory, or slanderous testimony will be interrupted by the Chair and ruled out-of-order.

The Chair maintains discretion to make limited exceptions to these rules in order to maintain fairness and to address unexpected circumstances.

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For questions, contact or call Cindy Kebba at [ckebba@rockvillemd.gov](mailto:ckebba@rockvillemd.gov) or (240) 314-8233.