



City of  
**Rockville**  
Get Into It

## Planning Commission Staff Report: Zoning Text Amendment TXT2015-00241

**MEETING DATE:** March 11, 2015

**REPORT DATE:** March 4, 2015

**FROM:** Deane Mellander, Zoning  
Administrator  
Planning and Zoning Division  
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dmellander@rockvillemd.gov

**APPLICANT:** Mayor and Council

**APPLICATION DESCRIPTION:** The request is to amend the code to make a reference to landscaping requirements for industrial developments that abut residential property in the Landscaping, Screening and Lighting Manual

**FILING DATE:** February 3, 2015

**RECOMMENDATION:** Staff recommends that the proposed text amendment be approved.

**EXECUTIVE SUMMARY:** The proposed amendment would insert a reference in Article 17 for additional landscaping requirements to be found in the Landscaping, Screening and Lighting Manual for new industrial developments. Additional language requiring the screening will also be added to the Manual, which is adopted by resolution.

*Zoning Ordinance of  
The City of Rockville  
Adopted December 15, 2008  
by Ordinance 19-08*

Being Chapter 25 of the Rockville City Code

**Effective Date – March 16, 2009**

As Amended to  
October 13, 2014

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## **APPLICANT'S PROPOSAL**

The proposed text amendment (Attachment 1) proposes to add additional language to Section 25.17.02 of the Zoning Ordinance to make a specific reference to landscaping and screening requirements between residential and industrial uses when industrial sites redevelop. This section requires compliance with the Landscaping, Screening and Lighting Manual, a separate document that is adopted by resolution of the Mayor and Council. Revisions to the manual are also proposed, which will be addressed in this report. The Mayor and Council authorized the filing of this text amendment at its meeting on February 2, 2015.

## **RECOMMENDATION**

Staff recommends that the proposed text amendment be approved as submitted. Staff also recommends that the proposed revisions to the Landscaping, Screening and Lighting Manual be recommended for approval.

## **BACKGROUND**

Recently, concerns have been raised before the Mayor and Council that there are insufficient requirements for screening between residential and industrial uses. Currently, the code requires a minimum side or rear yard building setback of 30 feet in the Light Industrial (I-L) zone. However, there are no specific landscaping requirements for this setback area. In addition to the minimum setback, the code also establishes a layback slope of 30 degrees from the closest property line of a property where single-unit detached, semi-detached, attached or townhouse development exists. Buildings cannot penetrate this slope line, so taller buildings must be set back further than the minimum in order to comply.

## **ANALYSIS**

The recent discussions regarding self-storage warehouse facilities in the I-L zone have highlighted the fact that there are insufficient standards for providing screening between residential and industrial uses. Montgomery County has recently adopted a revised zoning ordinance that includes a specific set of landscaping and screening standards to screen industrial uses from adjacent residential uses (see Attachment 3). As part of the adoption of the comprehensive revision of the zoning ordinance, the City also enacted a Landscaping, Screening and Lighting Manual to set forth in detail specific requirements for such measures related to perimeter and internal landscaping of parking lots. The proposed text amendment provides a cross-reference to the Manual, with a specific notation that there are additional requirements in cases where residential uses abut industrial uses. The current code requirements for minimum setbacks and the layback slope remain in place.

The specific screening and buffer requirements are proposed to be added to the Manual. Attachment 2 shows the proposed revisions.

The specific landscaping and screening requirements are that for every 100 feet along the common property line there are required to be two canopy trees and three understory or evergreen trees, plus 11 large, 12 medium and 12 small shrubs. In addition, an opaque wall six feet tall or a six foot tall berm must be provided. The plantings may be installed on the berm if needed. Placement and species types will be determined as part of the site plan review process with input from the City Forester. The staff has recommended a few minor clarification edits. These edits are primarily to change the term "parking lot" to "parking facility" to be consistent with the terminology in the zoning ordinance.

The proposed new landscaping requirements are contained in a new subsection e of Section 4 of the Manual. Thirty feet is the current minimum rear and side setback where industrial zones adjoin residential zones. The new language requires that the additional landscaping and buffer requirements be provided where industrial buildings or uses abut residential uses in residential zones. The language specifically notes residential uses rather than just residential zones because there are a number of allowable nonresidential uses, such as places of worship and institutional uses that would not need this enhanced level of landscaping and buffering. In those cases, the normal site plan review process can address these issues on a case-by-case basis.

The proposed language in the Manual would apply where any industrial use abuts a residential use. In practice, this will apply principally to the I-L and I-H zones. Service industrial uses are also permitted in both the MXE and MXB mixed use zones. However, there is only one small area where the MXE zone abuts single family residential and that is a portion of the North Farm subdivision where it adjoins the property currently occupied by office buildings on Tower Oaks Boulevard. In the case of the MXB zone, the code establishes service industrial uses as a conditional use, the condition being that such uses cannot adjoin or confront single-family residential uses.

Adoption of this text amendment will make a number of existing industrial developments that do not comply with the new requirements become a development standards nonconformity. They can remain as they exist, but in cases of substantial development alterations or redevelopment, they will have to comply with these new requirements. Under the pre-2008 zoning ordinance, the minimum setback between industrial and residential developments was 25 feet or the height of the building. That means that it is likely that some existing industrial

buildings are already nonconforming since the setback was changed to 30 feet with the 2008 ordinance revisions.

From a process standpoint, the text amendment must be adopted by the Mayor and Council by ordinance. The revisions to the Manual are approved by resolution. These two items will run in parallel so they can be adopted together. The staff recommends approval of the text amendment and the proposed revisions to the Landscaping, Screening and Lighting Manual.

## **ATTACHMENTS**

- 1. Text Amendment Application**
- 2. Proposed Manual Revisions**
- 3. Montgomery County Screening Requirement**



Application for  
**Text Amendment**

**TXT**  
2/09

**City of Rockville**

*Department of Community Planning and Development Services*

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • Fax: 240-314-8210 • E-mail: Cpds@rockvillemd.gov • Web site: www.rockvillemd.gov

**Application Information:**

Is this an Amendment to Existing Text?  YES  NO

Add New Zone Classes:  YES  NO Add New Uses:  YES  NO

Number of new uses: \_\_\_\_\_ Ordinance # \_\_\_\_\_

*Please Print Clearly or Type*

Property Address information N/A

Project Description Amend Article 17 to make reference to landscaping requirements between residential and Industrial developments in the Landscaping, Screening and Lighting Manual

**Applicant Information:**

*Please supply Name, Address, Phone Number and E-mail Address*

Applicant Mayor and Council of Rockville 111 Maryland Avenue, Rockville, MD 20850

Property Owner N/A

Architect N/A

Engineer N/A

Attorney N/A

**STAFF USE ONLY**

**Application Acceptance:**

Application # EXT2015-00241

Date Accepted February 3, 2015

Staff Contact Deane Mellander

**Application Intake:**

OR Date Received February 3, 2015

Reviewed by \_\_\_\_\_

Date of Checklist Review \_\_\_\_\_

Deemed Complete: Yes  No

Application is hereby made with the Rockville Mayor and Council for Approval of a change in the text of the Zoning and Planning Ordinance of Rockville, Maryland.

Page \_\_\_\_\_ Article 17 \_\_\_\_\_ Section 25.17.02 \_\_\_\_\_

FROM: Which reads as follows See Attachment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TO: Reads as follows See Attachment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: Sam Lyle-Lerrell  
(Signature of Applicant)

Subscribed and sworn before this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission Expires \_\_\_\_\_  
Notary Public

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**The following documents are furnished as part of the application:**

- A Complete Application
- Filing Fee

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**Comments on Submittal: (For Staff Use Only)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

February 2, 2015

ATTACHMENT TO APPLICATION  
TO THE CITY OF ROCKVILLE FOR A  
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of the City of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~striketroughs~~ indicate text to be deleted; \* \* \* indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article 17, "Public Use Space, Landscaping and Screening, Utility Placement and Screening, Lighting, Sidewalks, and Shadows", as follows:

**25.17.02 – Landscaping and Screening**

- a. *Landscaping, Screening and Lighting Manual* - Landscaping and screening is required in all zones in accordance with the Landscaping, Screening and Lighting Manual and the Forest and Tree Preservation Ordinance (Chapter 10.5 of the Code). The Landscaping, Screening and Lighting ~~Manual~~ Manual provides information and guidance on matters such as:
  1. How to prepare landscape plans;
  2. Appropriate use of plants;
  3. Screening requirements (including items such as depth, maintenance, location, etc., and additional requirements where industrial uses abut residential uses);

\* \* \*



**Proposed Amendment to the Landscaping, Screening and Lighting Manual for buffers between residential and industrial uses (Revised Manual to be adopted by Resolution)**

Amend Section 1 – Purpose, as follows:

\* \* \*

c. Additionally, this manual is intended to require the landscaping of certain parking lots facilities in order to:

\* \* \*

7. Enhance the appearance of parking lots facilities.

Amend Section 4 – Landscaping and Screening Standards, as follows:

\* \* \*

d. *Parking Lot Facility Landscaping*

\* \* \*

2. *Minimum Acceptable Standards –*

\* \* \*

(b) *Perimeter Landscape Area for Parking Adjoining Property Other Than a Street Right-of-Way –*

\* \* \*

e. *Additional Setbacks Between Residential Developments and Industrial Developments*

Where industrial buildings or uses, including parking facilities, abut properties developed with residential uses in a residential zone, the following requirements apply:

Minimum landscaped setback depth – 30'

Trees per each 100 linear feet along property line:

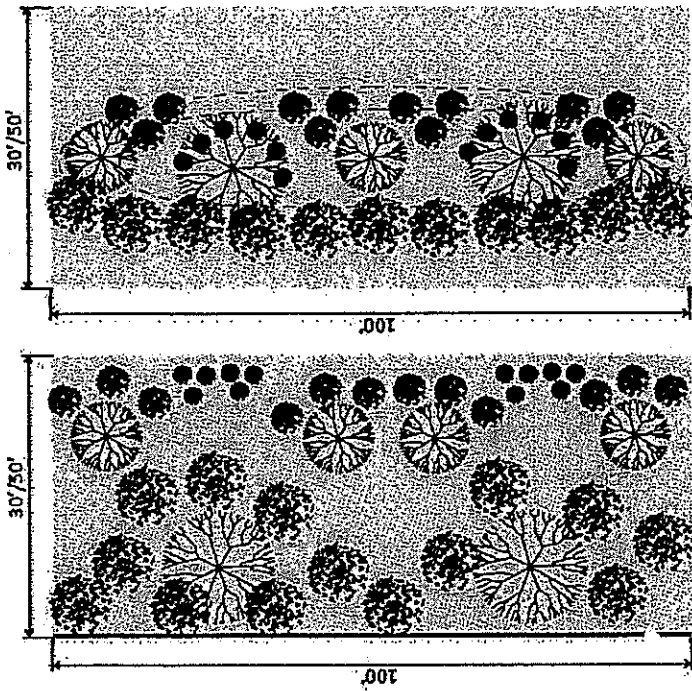
2 canopy; 3 understory or evergreen

Shrubs per each 100 linear feet along property line:

11 large, 12 medium, 12 small

An opaque wall or fence a minimum of six feet high, or a berm a minimum of six feet high

- f. *References* – In addition to the regulations cited here, reference must also be made to the approved Forest and Tree Preservation Manual for the following: Approved Planting Details for Trees; City Tree Protection and Planting Notes; Species Restriction List.



8. General Building with an Industrial Use

	Option A	Option B
<b>Dimensions (min)</b>		
Depth for all zones except IH zone	30'	30'
Depth for IH zone	50'	50'
<b>Planting and Screening Requirements</b>		
Trees (minimum per 100')		
Canopy	2	2
Understory or Evergreen	4	3
Shrubs (minimum per 100')		
Large	14	11
Medium	12	12
Small	12	12
Wall, Fence or Berm (min)	6' fence or wall	6' berm