City of Rockville

M E M O R A N D U M

August 5, 2020

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendation on Zoning Text Amendment Application TXT2020-00257, East Rockville Design Guidelines and Standards

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At our meeting on August 5, 2020, the Planning Commission approved the comments in this memorandum on the proposed Zoning Text Amendment (ZTA) Application TXT2020-00257 to add a Design Guidelines section to Article 10 – Single Dwelling Unit Residential Zones of the City's Zoning Ordinance. If adopted, the ZTA would implement the East Rockville Design Guidelines document, which would apply to new detached residential structures and additions to existing homes in East Rockville. The comments are based on a review and discussion that took place on both July 22 and August 5, and as well as on the presentation that the Commission received from the consultant team of Michael Watkins Urban Design and Architecture on May 27th.

After lengthy discussion and deliberation, the Planning Commission voted unanimously to recommend for approval to the Mayor and Council the draft ZTA along with several items for further consideration as outlined below.

PLANNING COMMISSION RECOMMENDATIONS

1) **Design Guidelines Section Name (proposed new Section 25.10.14)**
   The Planning Commission recommends that, to avoid confusion, the section title for the Zoning Text Amendment, which is called Design Guidelines in the proposed amendment, should match the name of the East Rockville document, or vice versa. Staff agrees and recommends retaining the existing section title (Design Guidelines) and changing the current title of the East Rockville document (East Rockville Design Guidelines and Standards) to the East Rockville Design Guidelines. This small change simplifies the terminology and utilizes a term of more universal understanding for not only planners

and designers, but also residents. Further, the introductory section of the East Rockville document includes an explanation about which provisions are required standards (the "wills" and the "musts") and which are discretionary *guidance* (the "shoulds"). Staff believes that both standards and guidance can come under the broader title of Guidelines.

2) Alternative Compliance: Additional Parameters and Reference in the new Design Guidelines section of the Zoning Ordinance

An "Alternative Compliance" option is included in the draft East Rockville Design Guidelines document and may be granted by the Chief of Zoning, or another applicable Approving Authority as defined in the Zoning Ordinance, if "the proposed alternative design maintains the intent and spirit of the guidance and standards and provides an equal or better design solution in terms of livability for residents and impacts on neighboring properties."

Additional Parameters

The Planning Commission raised a mix of questions about Alternative Compliance, including whether it allowed for too much flexibility or whether additional parameters for meeting the Alternative Compliance should be established. The Planning Commission agrees with retaining an option for Alternative Compliance but recommends the following modifications:

- Establish more specific findings or criteria for approving Alternative Compliance.
- Expressly require a property owner to prepare a statement demonstrating how the proposed alternative is meeting the intent and spirit of the design guidelines.

A third option, to limit Alternative Compliance to apply only to specific mandatory design standards, was considered but is not favored by the Planning Commission.

In addition to providing more criteria and/or a justification for compliance, the Planning Commission suggests that Alternative Compliance should have a stronger introductory and intent statement within the East Rockville Design Guidelines document, emphasizing that alternative proposals should demonstrate the benefits to the neighborhood that balance the requested relaxation of a standard.

Reference in the new Design Guidelines section of the Zoning Ordinance

The Planning Commission also recommends that a reference to Alternative Compliance should be included as a subsection of the proposed new Design Guidelines section of the Zoning Ordinance so that it is made clear up front that flexibility may be permitted in the application of the mandatory standards in the design guidelines (the "musts" as opposed to the "shoulds") if certain criteria are met. The Commission suggests adding a subsection to the proposed new section 25.10.14 that refers generally to the allowance for Alternative Compliance but that the details of the criteria or findings remain in the East Rockville Design Guidelines document.

3) Limits to Building Footprint, Large Lots

PDS staff provided an overview of the issues raised by the Mayor and Council about the proposed limit to building footprint (Issue 3, Lot Coverage, document page 5) given the varying lot sizes and, in particular, the number of large lots in East Rockville. The Planning Commission discussed and is in favor of the alternative that staff presented. To follow is a summary of the proposed alternative.

The current proposal to limit the primary building footprint to 1,500 square feet is based on the R-60 zoning category, which requires a 6,000-square-foot minimum lot size. The majority of the neighborhood is zoned R-60, except for a few blocks zoned R-75 in the Burgundy Knolls area to the northeast, between 1st Street and E Gude Drive. A 7,500-square-foot minimum lot size is required in the R-75 zone. Given these two zoning classifications, the Planning Commission supports staff's recommendation that, for lots up to 7,499 square feet, the current draft language would apply; and the footprint for the primary building would be limited to 1,500 square feet (25% of 6,000 square feet). For lots 7,500 square feet and larger, the footprint of the primary building would be limited to 1,875 (25% of 7,500 square feet). The same would apply for instances in which a property owner wanted to add on to, but retain, their single-story home. If an existing one-story house is retained on a lot that is 7,500 square feet or larger, an addition may bring total lot coverage up to 35% of the smallest lot size available (7,500 square feet in the R-75 zone or up to 2,625 square feet. The language would need to be updated accordingly for the properties under 7,500 square feet.

4) Porches

As people have been confined closer to home during the COVID-19 pandemic, we have seen first-hand how building design can influence the "feel" of a neighborhood. Specifically, with the case of porches, it has become more common to see neighbors sitting on their front porches or stoops, greeting others as they walk by. The Planning Commission notes that the East Rockville Design Guidelines document currently requires that new porches be a minimum of 5 feet deep, with 8 feet preferred, but that there is no requirement for width. The Planning Commission, after discussion, ultimately decided not to recommend a required minimum width; but the Mayor and Council may want to consider further discussion about adding a preferred width of 8 feet. The Planning Commission also recommends adding more robust intent language about the importance of porches in walkable neighborhoods to the introductory paragraph on document page 14.

5) Updates to Graphics

The Planning Commission recommends updating the graphics for Issue 5, Additions (document pages 7 and 8). The Planning Commission recommends making it more clear graphically that image 1 on page 7 corresponds to image 2 on page 8. We also recommend that image 4 on page 8 be changed to an image that is more representative of the type of additions that are occurring in the neighborhood.

6) **Consistent Terminology**
The Planning Commission notes that certain terms were abbreviated, for example, "max" instead of "maximum," and there were inconsistent uses of terminology across pages. For example, "pervious" material is used in some places while "permeable" material is used in others. We recommend that staff make edits as applicable to abbreviated terminology and to ensure that consistent terminology is used throughout the document.

7) **Mature Tree Preservation**
Members of the East Rockville Civic Association (ERCA) have made the preservation of the neighborhood's tree canopy a priority. Currently, tree preservation is addressed in the East Rockville Design Guidelines document only as a rationale for a request for Alternative Compliance. After discussing additional provisions offered for consideration by PDS staff, the Planning Commission recommends that the following be added to Issue 2, Building Placement (document page 4).

- The rear setback line will be maintained as the limit of disturbance to protect existing trees within the setback area on the lot or adjacent lots. If the rear of the lot adjoins an alley, the Chief of Zoning may consider Alternative Compliance in another location on the lot, including designating the front yard setback area, as the limit of disturbance.
- Three (3) shade trees (1 in the front yard and 2 in the rear yard) are required per lot for rebuilds or major additions. Existing trees may be counted toward meeting this requirement. Applicants are strongly encouraged to place a high priority on preserving existing mature trees.
- Applicants must provide a Tree Save Plan, or other similar document, along with all permit applications for new single-family homes and major additions, detailing how trees on the lot and adjacent lots will be preserved and the above requirements are met. PDS staff should outline the parameters for a document similar to a Tree Save Plan that, ideally, property owners can prepare themselves at minimal, if any, extra cost.

Therefore, on a motion by Commissioner Reverend Wood, seconded by Commissioner Pitman with Commissioners Littlefield (Chair), Goodman, Hadley, Tyner, and Miller voting in favor of the motion, the Commission recommends approval of Text Amendment TXT2020-00257 with the additional recommendations as outlined above.

c.c.: Robert DiSpirito, City Manager
Ricky Barker, Director, PDS
Jim Wasilak, Chief of Zoning, PDS