



Agenda Item #:	<u>1</u>
Meeting Date:	<u>June 23, 2021</u>
Responsible Staff:	<u>Andrea Gilles</u>

SUBJECT:

Recommendation to the Mayor and Council on Zoning Text Amendment TXT2021-00258, for Changes to Setback and Open Space Requirements for the Residential Medium Density (RMD) Zones and the Creation of a New RMD-Infill Zone to Implement the Comprehensive Master Plan Amendments for the North Stonestreet Avenue and Park Road and the North/South Stonestreet Avenue Areas; Mayor and Council of Rockville, Applicant

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

Staff recommends that the Planning Commission review the attached memo with its recommendations to Mayor and Council on Zoning Text Amendment TXT 2021-00258 and advise staff on any revisions, if any, prior to transmittal of the final memo to Mayor and Council.

Overview

Case: Zoning Text Amendment TXT2021-00258

Location: Citywide

Staff: Andrea Gilles
Comprehensive Planning
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agilles@rockvillemd.gov

Applicant: Mayor and Council of Rockville

Filing Date: January 29, 2021

Background

As a follow-up to its briefing on April 28, 2021, at its meeting on May 12, the Planning Commission discussed and provided comments to staff on Zoning Text Amendment (ZTA) TXT2021-00258 (Attachment B) and the associated Sectional Map Amendment (SMA) MAP2021-00120. This item is a follow-up to that discussion. Staff requests that the Planning Commission discuss the attached memo (Attachment A) with recommendations to the Mayor and Council and provide any desired edits to staff prior to finalizing and transmitting the memo to the Mayor and Council.

On December 14, 2020, the Mayor and Council authorized the initiation of this ZTA and its associated SMA. Both applications are the next steps in the process to implement the vision for two comprehensive master plan amendments in the Stonestreet Avenue corridor, as established in the North Stonestreet Avenue Comprehensive Master Plan Amendment, adopted by the Mayor and Council on March 25, 2019, and the Park Road and North/South Stonestreet Avenue Area Comprehensive Master Plan Amendment, adopted July 13, 2020.

The Stonestreet Plan Amendments provided guidance for redevelopment in the subject areas, including the following goals:

- A range of new, well-designed housing types, ensuring compatibility in scale with adjacent single-family residential homes in Lincoln Park and East Rockville with a balanced mix of unit sizes and price points, accessible to existing residents as well as to new buyers or renters.
- New housing and other non-residential development that strengthen the surrounding neighborhoods.
- An upgraded pedestrian environment including enhanced sidewalks on both sides of

North Stonestreet Ave including landscaping, street trees and pedestrian-scale lighting.

- New, well-connected and publicly accessible community gathering and civic spaces.
- Redevelopment that takes advantage of transit proximity, is well-connected, and that transitions appropriately to nearby residences.

Informed by the proposed land use designations under development as part of the Rockville 2040 Comprehensive Plan Update, the Plan Amendments established two new residential land use categories – Residential Attached and Residential Flexible, to allow a variety of housing types including rowhouses, duplexes, triplexes, fourplexes and multiple-unit buildings, in the different areas as designated by the Plan Amendments.

In order to implement the Plan Amendments and these new land use categories, changes to existing zones within the Zoning Ordinance are required. A zoning map amendment is also needed to apply the new and revised zones to certain properties within the Stonestreet Corridor Study Area (for example, the properties owned by the Board of Education/MCPS and the properties along Park Road). If these changes are approved, these properties can be redeveloped consistent with Plan Amendment recommendations and in accordance with the new zones.

While changes are also proposed for properties currently zoned for Mixed-Use Business (MXB) to different mixed-use zones to encourage redevelopment more aligned with the Plan Amendments' visions, a central recommendation of the Plan Amendments is the rezoning of certain R-60 (Single Unit Detached Dwelling) residential sites to zones more encouraging of infill development with a range of housing types. To implement this approach, the City's current Residential Medium Density (RMD) zones with revisions, and the new proposed residential infill zone, come closest to meeting Plan Amendment recommendations since they generally allow for the types of residential uses anticipated in the land use plans.

Project Description

The proposed zoning text amendment (Attachment B) includes several changes to the Article 11, Residential Medium Density (RMD) zones. The amendment revises the permitted land uses and development standards in the RMD-10, -15, and -25 zones. A new RMD zone, the Residential Medium Density - Infill (RMD-Infill) zone, is introduced to accommodate smaller-scale infill residential development. Accompanying changes are found in the Mixed-use (Article 13) and Industrial zones (Article 12), as well as Article 16 (Parking and Loading). The amendment also proposes new definitions and use permissions for Artisanal Craft Production and Two-Unit Detached Dwellings.

Revisions to Existing RMD Zones as Authorized by the Mayor and Council

While helpful, the existing RMD zones nonetheless have limitations that prevent them from fulfilling the Plan Amendment visions. Features of the existing RMD zones appear more aligned

with suburban development on large sites. For instance, the RMD-10 Zone, although it allows for other low-density residential uses, functions predominately as a townhouse zone with a maximum density of 10 units per acre and large perimeter setbacks. The RMD-15 and RMD-25 Zones require at least 1- and 2-acres, respectively, of land to initiate development.

The proposed text amendment is intended to refresh these zones by updating setbacks to align more closely with current residential patterns, establishing open space requirements, and allowing greater flexibility in the mix of housing types better suited to more urban infill settings. The permitted residential density in each zone would remain unchanged. Following is a summary of the proposed RMD revisions as originally authorized by the Mayor and Council (see attached amendment for full details):

- Attached dwellings and multiple dwelling units (subject to conditions) would be permitted in the RMD-10 zone, and two unit detached dwellings would be allowed in all RMD zones, to increase housing options.
- The setbacks from a public street are revised to be reduced to 20 feet in the RMD-10 Zone and 15 feet in the RMD-15 Zone to allow for more street presence. However, if there is an established setback from the street, development in these zones must adhere to it.
- Side yards are established at 8 feet side and 20 feet rear in the RMD-10 Zone, and 8 feet side and 15 feet rear in the RMD-15 Zone, with no internal setbacks. The setbacks in the RMD-25 Zone remain unchanged.
- The special provisions require that single-unit detached dwellings must comply with the R-60 Zone standards and any relevant design guidelines.
- Height transition standards would require a step-down in height for RMD-25 developments adjacent to residential zones with existing low-density residential uses.

New RMD-Infill Zone

The text amendment also proposes to create a new zone specifically targeting smaller infill residential sites to further implement the Plan Amendment recommendations. The RMD-Infill zone allows a gentle increase in density from the existing R-60 Zone by permitting a broader mix of housing types while also limiting both scale and intensity. Single-unit detached dwellings, semi-detached, two-unit detached dwellings, and multiple-unit development would be permitted in the zone. However, consistent with recommendations in the Plan Amendments, traditional attached dwellings and townhouses would be discouraged to promote a broader mix of infill housing types. As discussed below, an option could be provided for non-traditional townhomes or row houses.

The RMD-Infill zone encourages development that is compatible with its neighboring low-density residential uses in several ways. While a range of housing types would be permitted, the number of units permitted on site are only allowed proportionate to property size (2,000 square feet of tract area per dwelling unit). For example, a 4,000 square foot property could be improved with a two-unit detached dwelling, whereas a 6,000 square foot property would allow a multiple-unit dwelling of 3 units. But the zone would cap the number permitted on any

single lot to no more than 4 dwelling units to moderate the intensity of residential use. The dwelling unit cap is intended to fulfill the Plans’ intent to allow smaller scale infill development that is contextually appropriate. There would be less incentive to consolidate or maintain larger lots due to the dwelling unit limitation; rather, it would promote a neighborhood scale of development.

Examples of RMD-Infill Dwelling Unit Allowances

Tract Size	Dwelling Units Permitted Per Lot
4,000 square feet	2
5,000 square feet	2
6,000 square feet	3
8,000 square feet	4
10,000 square feet	4
	(*Max permitted # of units per lot)

As to building scale and design, building height would be limited to 35 feet, matching the current R-60 Zone maximum. Yard setbacks would also be reflective of existing R-60 standards, with minimum 8-foot side yards, 20-foot rear yards, and a slightly reduced front yard standard of 20 feet. Architectural standards are intended to ensure consistent dwelling orientation for interior lots and attractive façades on corner lots. Parking location requirements and front impervious surface maximums also aim to preserve public-facing front yards as green areas.

To follow is a summary of the proposed new zone:

- Single-unit detached dwellings, semi-detached, two-unit detached dwellings, and multiple-unit development would be permitted, while attached dwellings and townhouses would not be allowed as authorized.
- Dwelling units would be limited to 2,000 square feet of tract area per dwelling unit, but no more than 4 dwelling units per lot.
- Building heights are limited to 35 feet to the midpoint of the gable.
- Side yard minimums are established at 8 feet on the side, 20 feet in the rear, and 20 feet in the front.
- The minimum lot width and lot area in the zone are 40 feet and 4,000 square feet, respectively.
- For multiple-unit dwellings, parking would be required to be located or accessed in the rear yard and screening requirements would apply. Parking ratios for multiple-unit dwellings would be set at a minimum of 1 per dwelling unit, slightly reducing the 1.5 standard for buildings containing units with 2 or more bedrooms, to avoid mandating excessive parking on the small sites (additional parking could still be voluntarily provided).
- Architectural standards and maximum impervious standards would be applied to front facades and yards, respectively.
- The special provisions require that single-unit detached dwellings must comply with R60

Zone standards and any relevant design guidelines.

Other Proposed Revisions

Other changes are proposed to different sections of the Zoning Ordinance, including the following:

- The Table of Contents is revised to reflect the new terminology and sequence of section numbers.
- A new definition, Artisanal Craft Production, is proposed to be added, reflecting the Plan Amendments' recommendations to allow a wider range of local business opportunities. The use would be permitted in both the I-L (Light Industrial) and I-H (Heavy Industrial) zones as well as the MXCD, MXE, MXB and MXNC zones.
- A new definition of a two-unit detached dwelling is proposed to allow a development type such as stacked duplexes (which are two dwelling units arranged one above the other, each with an entry from the street), which is consistent with the Plan Amendments' recommendations for more flexibility in housing options, and currently absent in the Zoning Ordinance.
- A technical change is proposed to the height standard for the MXNC zone.

The companion Sectional Map Amendment that will accompany this text amendment will apply the revised zones to the properties recommended in the Plans. Since the revisions to the zones gives more flexibility and slightly increases the effective density, there should be no nonconformities created as a result.

Summary of Potential Revisions to the Authorized Amendment and Planning Commission Recommendations

The summaries in the previous section and the attached amendment (Attachment B) reflect what was presented to the Mayor and Council at the time of authorization. Since that time, staff further analyzed the proposals and conducted additional research and outreach to affected property owners and neighborhood groups. In addition, Planning Commissioners provided comments to staff at the briefing on April 28 and on May 12 when recommendations were further discussed.

At the meeting on May 12, staff presented multiple issues for further consideration by the Planning Commission. Below is a summary of those issues, as well as other topics raised by fellow Commissioners, followed by a summary of the Planning Commission's feedback and recommendation. Staff welcomes any revisions or clarifications to the Planning Commission's recommendations. If revisions are requested, the attached recommendations memo (Attachment A) will be updated accordingly, prior to transmittal to the Mayor and Council.

1) Approval Process for Units in the RMD-Infill Zone: Building Permit versus Site Plan

The Planning Commission discussed whether proposed development in the RMD-Infill Zone (two-, three- and four-unit dwellings) should be required to adhere to a site plan review process or, as with single-unit detached and semi-detached residential dwellings,

the building permit review process would be sufficient. Staff recommended allowing development in the RMD-infill zone to be reviewed under the building permit review process, suggesting that the specific requirements could be implemented through the building review process (architectural design, etc.). Staff's concern was that requiring site plan review could disincentivize these types of developments due to the added time and cost to the project.

Planning Commission Comments and Recommendation:

The Planning Commission discussed both review procedures and contemplated the potential added cost and time of the site plan process versus having an added review to ensure compliance with applicable regulations. Ultimately, the Planning Commission recommended that duplexes and triplexes be reviewed under building permit procedures, like single-unit detached residential dwellings, but that fourplexes should follow site plan review approval procedures. The Planning Commission felt that fourplexes could be developed at a larger scale than the other developments and that further review of proposals would help to ensure appropriate transitions to adjacent homes.

2) Townhouses and Rowhouses

The Planning Commission discussed whether the proposed RMD-Infill Zone should include the potential for townhouse or rowhouse development. In the current text amendment draft, neither is a permitted use. Staff recommended allowing townhouses in the RMD-Infill Zone but with added design criteria to facilitate rowhouse scaled construction. For example, additional regulations could require that townhouses include a front porch or stoop, that no internal vehicle parking be permitted within the main building (for example, no front-loaded garages would be allowed, as is common with many new townhouses) and if off-street surface parking is provided, it must be loaded in the rear yard. Potential regulations could be structured to include the following:

Townhouse Dwellings are permitted, subject to the following conditions:

1. The minimum lot width is 20 feet;
2. The minimum lot area is 1,500 square feet;
3. New main buildings must front on a public street and include a front porch, stoop, or uncovered stoop measuring a minimum depth of 5 feet facing the public street;
4. No internal vehicular parking is permitted within the main building;
5. If off-street surface parking is provided, it must be located in the rear yard and only be accessible from the rear of the property.

The other option was to create a new 'Rowhouse' definition in the Zoning Ordinance and update the use table to reflect rowhouses as a permitted use within the RMD-Infill Zone. Staff explained that pursuing this option would most likely require expanding the scope of this text amendment given that rowhouses would also be allowed in other residential zones not currently included as part of this text amendment. Staff further explained that adding design criteria (option 1) within the RMD-Infill Zone to the already

existing 'Townhouse Dwelling' use would provide an interim solution within the parameters of this specific amendment, and, once a more comprehensive update to the Zoning Ordinance is conducted, staff could include a rowhouse dwelling use definition for city-wide application within applicable zoning classifications.

Planning Commission Comments and Recommendation:

The Planning Commission agreed that rowhouses should be a permitted use within the RMD-Infill Zone, however, there was much discussion about how to permit them within the Zoning Ordinance. The Planning Commission preferred the first option of creating a new 'Rowhouse' use and definition in the Zoning Ordinance and updating the use table to reflect that use as a permitted use within the RMD-Infill Zone. Commissioners did, however, understand the constraints of the existing text amendment and the possibility of addressing the issue through adding design criteria to the Townhouse Dwelling use within the RMD-Infill Zone.

3) Setbacks

The Planning Commission discussed whether to reduce side yard setbacks from 8 feet (current proposal) to 5 feet to provide greater flexibility with building design for proposed infill developments. Staff recommended reducing the setbacks to provide this flexibility; spacing between buildings would still be required, but the reduced setback would allow for the potential for more compact development in areas designated for such.

Planning Commission Comments and Recommendation:

The Planning Commission generally agreed with reducing the minimum side setback to 5 feet but asked whether a condition could also be added to the side setback standard that provided flexibility in the distribution of the setbacks if a public benefit was provided. For example, allowing a zero-side setback on one side of the building and a minimum of 10 feet on the other side if a mature tree could be saved or community open space was to be provided.

4) Garages

The Planning Commission discussed whether garages or carports in the RMD-Infill Zone should be required to be set back (for example, a minimum of 5 feet) behind the front façade of the main building? Staff recommended including this requirement to de-emphasize vehicle storage, particularly in transit proximate areas, and as a potential design solution to break up the mass and bulk of a singular building.

Planning Commission Comments and Recommendation:

The Planning Commission supported the requirement to have garages set back from the front façade of the building.

5) Parking

The Planning Commission discussed whether to reduce parking requirements in the

RMD-Infill Zone, if certain criteria are met, such as if a project is within a certain proximity to the Rockville Metro Station. Staff recommended considering a minimum requirement of 1 space per 2 dwelling units as a base amount, with more provided if the builder finds that additional parking is needed. Less parking can translate into lower construction costs, helping to meet plan affordability goals. Further, many of the areas where the RMD-Infill Zone will be applied are transit proximate.

Planning Commission Comments and Recommendation:

The Planning Commission was generally supportive of reduced parking requirements, particularly for projects near transit, however, Commissioners wanted to make sure that any adjustments to Townhouse and/or Rowhouse type dwellings were appropriately considered.

6) Artisanal Craft Production Definition

The Planning Commission reviewed the proposed definition for the new Artisanal Craft Production use and provided suggestions to expand the language to include food production and emphasis on the entrepreneurial aspects of the use.

Planning Commission Comments and Recommendation:

The Planning Commission supported revising the draft language to include the above comments.

7) Porches and Balconies

The Planning Commission discussed encouraging or requiring porches and/or balconies for new residential units to facilitate more connected and walkable neighborhoods and promote outdoor gathering spaces.

Planning Commission Comments and Recommendation:

The Planning Commission supported incorporating porches and/or balconies into new development but did not conclude whether they should be requirements or encouraged.

Staff requests feedback from the Planning Commission on these items. The recommendations memo (Attachment A) will be updated to reflect the Planning Commission's revisions, if any, prior to forwarding to the Mayor and Council.

Community Outreach

Following the filing of the text and map amendments, staff sent written notice to all affected property owners with information about the proposals, the public review process and ways to get involved. In addition, a series of virtual meetings for affected property owners was held via WebEx to provide opportunities for property owners to gain information on the proposed changes and ask questions of staff. The virtual meetings took place on Wednesday, April 7 at

7:00 p.m., Friday, April 16 at 10:00 a.m., and Tuesday, April 20 at 7:00 p.m. Staff also attended the Lincoln Park Civic Association meeting on Saturday, April 10 and the East Rockville Civic Association meeting on Tuesday, April 13 to provide information about the project and the process. Commercial property owners' biggest concern has been whether the new zoning will require owners or tenants to make changes, which it would not. Reactions from affected residential owners have ranged from support to opposition to the zoning change.

Boards and Commissions

On December 14, 2020, the Mayor and Council authorized the filing of these amendments, which formally initiated the public review process. On April 28, 2021, staff provided a briefing to the Planning Commission on both the Sectional Map Amendment and the Zoning Text Amendment associated with this project, and on May 12, 2021, the Planning Commission discussed both items in detail and provided comments to staff.

Next Steps

If approved by the Planning Commission, staff will transmit the recommendations memo to the Mayor and Council to begin its review of the proposals. A Mayor and Council public hearing has been tentatively scheduled for September 13, 2021 to receive testimony on the amendments.

Attachments

- Attachment 2.1.A: Planning Commission Recommendation Memo to Mayor and Council (PDF)
- Attachment 2.1.B: Zoning Text Amendment (PDF)

Jim Wasilak

Jim Wasilak, Zoning and Development Manager

6/16/2021



City of Rockville

MEMORANDUM

June 23, 2021

TO: Mayor and Council

FROM: Planning Commission

SUBJECT: Planning Commission Recommendations on:

- Zoning Text Amendment TXT2021-00258, for changes to the Residential Medium Density (RMD) Zones and the Creation of a New RMD-Infill Zone.
- Sectional Map Amendment MAP2021-00120 to apply the zoning recommended by the Comprehensive Master Plan Amendments for the North Stonestreet Ave and Park Road and North/South Stonestreet Ave Areas.

At our meeting on June 23, 2021, the Planning Commission approved the comments in this memorandum for the proposed Zoning Text Amendment (ZTA) Application TXT2021-00258 for certain changes to the Residential Medium Density (RMD) Zones and the creation of a new RMD-Infill Zone to implement the Comprehensive Master Plan Amendments for the North Stonestreet Avenue and Park Road and the North/South Stonestreet Avenue Areas and for Sectional Map Amendment MAP2021-00120 to apply the recommended zoning for those areas.

The comments are based on an initial discussion after a staff briefing to the Planning Commission on April 28 and a more extensive discussion and deliberation on May 12. The Planning Commission voted [update to reflect 6/23 meeting outcome] to recommend for approval to the Mayor and Council the draft ZTA and SMA, along with several items for further consideration as outlined below.

PLANNING COMMISSION RECOMMENDATIONS

Zoning Text Amendment

1) **Approval Process for Units in the RMD-Infill Zone: Building Permit versus Site Plan**

The Planning Commission discussed whether proposed development in the RMD-Infill

Zone (two-, three- and four-unit dwellings) should be required to adhere to a site plan review process or, as with single-unit detached and semi-detached residential dwellings, the building permit review process would be sufficient. Staff recommended allowing development in the RMD-infill zone to be reviewed under the building permit review process, suggesting that the specific requirements could be implemented through the building review process (architectural design, etc.). Staff's concern was that requiring site plan review could disincentivize these types of developments due to the added time and cost to the project.

Planning Commission Comments and Recommendation:

The Planning Commission discussed both review procedures and contemplated the potential added cost and time of the site plan process versus having an added review to ensure compliance with applicable regulations. Ultimately, the Planning Commission recommended that duplexes and triplexes be reviewed under building permit procedures, like single-unit detached residential dwellings, but that fourplexes should follow site plan review approval procedures. The Planning Commission felt that fourplexes could be developed at a larger scale than the other developments and that further review of proposals would help to ensure appropriate transitions to adjacent homes.

2) Townhouses and Rowhouses

The Planning Commission discussed whether the proposed RMD-Infill Zone should include the potential for townhouse or rowhouse development. In the current text amendment draft, neither is a permitted use. Staff recommended allowing townhouses in the RMD-Infill Zone but with added design criteria to facilitate rowhouse scaled construction. For example, additional regulations could require that townhouses include a front porch or stoop, that no internal vehicle parking be permitted within the main building (for example, no front-loaded garages would be allowed, as is common with many new townhouses) and if off-street surface parking is provided, it must be located in the rear yard. Potential regulations could be structured to include the following:

Townhouse Dwellings are permitted, subject to the following conditions:

1. The minimum lot width is 20 feet;
2. The minimum lot area is 1,500 square feet;
3. New main buildings must front on a public street and include a front porch, stoop, or uncovered stoop measuring a minimum depth of 5 feet facing the public street;
4. No internal vehicular parking is permitted within the main building;
5. If off-street surface parking is provided, it must be located in the rear yard and only be accessible from the rear of the property.

The other option was to create a new 'Rowhouse' definition in the Zoning Ordinance and update the use table to reflect rowhouses as a permitted use within the RMD-Infill Zone. Staff explained that pursuing this option would most likely require expanding the scope of this text amendment given that rowhouses would also be allowed in other residential zones not currently included as part of this text amendment. Staff further

explained that adding design criteria (option 1) within the RMD-Infill Zone to the already existing 'Townhouse Dwelling' use would provide an interim solution within the parameters of this specific amendment, and, once a more comprehensive update to the Zoning Ordinance is conducted, staff could include a rowhouse dwelling use definition for city-wide application within applicable zoning classifications.

Planning Commission Comments and Recommendation:

The Planning Commission agreed that rowhouses should be a permitted use within the RMD-Infill Zone, however, there was much discussion about how to permit them within the Zoning Ordinance. The Planning Commission preferred the first option of creating a new 'Rowhouse' use and definition in the Zoning Ordinance and updating the use table to reflect that use as a permitted use within the RMD-Infill Zone. Commissioners did, however, understand the constraints of the existing text amendment and the possibility of addressing the issue through adding design criteria to the Townhouse Dwelling use within the RMD-Infill Zone.

3) Setbacks

The Planning Commission discussed whether to reduce side yard setbacks from 8 feet (current proposal) to 5 feet to provide greater flexibility with building design for proposed infill developments. Staff recommended reducing the setbacks to provide this flexibility; spacing between buildings would still be required, but the reduced setback would allow for the potential for more compact development in areas designated for such.

Planning Commission Comments and Recommendation:

The Planning Commission generally agreed with reducing the minimum side setback to 5 feet but asked whether a condition could also be added to the side setback standard that provided flexibility in the distribution of the setbacks if a public benefit was provided. For example, allowing a zero-side setback on one side of the building and a minimum of 10 feet on the other side if a mature tree could be saved or community open space was to be provided.

4) Garages

The Planning Commission discussed whether garages or carports in the RMD-Infill Zone should be required to be set back (for example, a minimum of 5 feet) behind the front façade of the main building. Staff recommended including this requirement to de-emphasize vehicle storage, particularly in transit proximate areas, and as a potential design solution to break up the mass and bulk of a singular building.

Planning Commission Comments and Recommendation:

The Planning Commission supported the requirement to have garages set back from the front façade of the building.

5) Parking

The Planning Commission discussed whether to reduce parking requirements in the RMD-Infill Zone, if certain criteria are met, such as if a project is within a certain

proximity to the Rockville Metro Station. Staff recommended considering a minimum requirement of 1 space per 2 dwelling units as a base amount, with more provided if the builder finds that additional parking is needed. Less parking can translate into lower construction costs, helping to meet plan affordability goals. Further, many of the areas where the RMD-Infill Zone will be applied are transit proximate.

Planning Commission Comments and Recommendation:

The Planning Commission was generally supportive of reduced parking requirements, particularly for projects near transit, however, Commissioners wanted to make sure that any adjustments to Townhouse and/or Rowhouse type dwellings were appropriately considered.

6) Artisanal Craft Production Definition

The Planning Commission reviewed the proposed definition for the new Artisanal Craft Production use and provided suggestions to expand the language to include food production and emphasis on the entrepreneurial aspects of the use.

Planning Commission Comments and Recommendation:

The Planning Commission supported revising the draft language to include the above comments.

7) Porches and Balconies

The Planning Commission discussed encouraging or requiring porches and/or balconies for new residential units to facilitate more connected and walkable neighborhoods and promote outdoor gathering spaces.

Planning Commission Comments and Recommendation:

The Planning Commission supported incorporating porches and/or balconies into new development but did not conclude whether they should be requirements or encouraged.

Sectional Map Amendment

1) Boundary Amendment to the Lincoln Park Neighborhood Conservation District

In 2007, a Neighborhood Conservation District (NCD) was adopted for the Lincoln Park Neighborhood, including the non-residential properties on both sides of North Stonestreet Avenue, north of Howard Avenue. The NCD includes regulations that are geared toward single-unit detached residential development on individual lots. With the updated visions that the Plan Amendments established for the subject areas, to accommodate a mix of housing types and potential mixed-use developments, the North Stonestreet Avenue Comprehensive Master Plan Amendment recommended that the subject properties north of Howard Avenue be removed from the boundaries of the Lincoln Park Neighborhood Conservation District. During the Plan Amendment process, the boundary adjustment was discussed with the Lincoln Park Civic Association, and they expressed support for the change.

Planning Commission Comments and Recommendation:

The Planning Commission was supportive of the boundary adjustment as recommended by the North Stonestreet Avenue Comprehensive Master Plan Amendment.

Therefore, on a motion by [insert Commissioner], seconded by [insert Commissioner] with all other Commissioners voting in favor [update once the actual vote is taken] of the motion, the Commission recommends approval of Text Amendment TXT2021-00258 and Sectional Map Amendment MAP2021-00120 with the additional recommendations as outlined above.

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

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

Applicant: Mayor and Council 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; ~~strike throughs~~ 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.

I. Amend the Table of Contents as follows:

Article 11 – Residential Medium Density Zones

- 25.11.01 – Purpose
- 25.11.02 – Zones Established
- 25.11.03 – Land Use Tables
- 25.11.04 – Development Standards
- 25.11.05 – Special ~~Regulations~~ Provisions for Development in the RMD-~~10~~-Infill Zone
- 25.11.06– Special Provisions for ~~Townhouse~~ Development in the RMD-~~10~~ Zones
- 25.11.07 – Special Provisions for Development in the RMD-15 Zone
- 25.11.08 – Special Provisions for Development in the RMD-25 Zone
- 25.11.~~079~~ – Process for Approval
- 25.11.~~0810~~ – Accessory Uses and Structures
- 25.11.~~0911~~ – Nonconformities
- 25.11.~~1012~~ – Parking and Loading Requirements
- 25.11.~~1113~~ – Landscaping and Buffer Requirements
- 25.11.~~1214~~ – Signs

II. Amend Article 3 - “Definitions, Terms of Measurement and Calculations”, as follows:

25.03.02 – Words and Terms Defined

* * *

Artisanal Craft Production: The manufacture and production of specialty products which involve a substantial degree of hand work. Examples of such products include, but are not limited to, pottery, art glass, custom furniture, jewelry, and similar products.

* * *

Dwelling Unit - A building or portion ...

6. *Dwelling, Two Unit Detached* - A building containing two (2) single dwelling units on one lot. The building is entirely separated from any other building or structure on all sides. The units must share a common wall or common floor/ceiling. The term does not include accessory apartments.

67. *Dwelling, Townhouse* - One (1) of a group ...

III. Amend Article 11, “Residential Medium Density Zones”, as follows:

25.11.02 – Zones Established

Type of Zone	Distinguishing Feature	Name of Zone
<u>Residential single unit (detached and semi-detached only), two unit detached, and multiple-unit dwellings</u>	<u>Allows single unit (detached and semi-detached only) detached dwellings, two unit detached dwellings, and multiple-unit residential dwellings of one unit per 2,000 square feet of tract area, up to a maximum of four dwelling units per lot.</u>	<u>Residential Medium Infill (“RMD-Infill”)</u>
Residential single unit (detached, semi-detached, and attached), <u>two unit, and multiple-unit dwellings</u>	20,000 square feet minimum tract area; Allows single-unit detached, semi-detached, and townhouses, <u>two unit, and multiple-unit residential dwellings</u> up to 10 d.u./ac.	Residential Medium Density (“RMD-10”)
Residential single unit, <u>two unit</u> , and multiple-unit dwellings	1-acre minimum tract area; Allows detached, attached, <u>two unit</u> , and multiple-unit residential dwellings up to 15 d.u./ac.	Residential Medium Density (“RMD-15 ”)
Residential single unit, <u>two unit</u> , and multiple-unit dwellings	2-acre minimum tract area; Allows detached, attached, <u>two unit</u> , and multiple-unit residential dwellings up to 25 d.u./ac.	Residential Medium Density (“RMD-25”)

25.11.03 – Land Use Tables

The uses permitted in the Residential Medium Density Zones are shown in the table below. Uses are subject to applicable conditions of site plan approval, and all special exceptions are subject to the requirements of Article 15.

	Uses	Zones				Conditional requirements or related regulations
		<u>Residential Medium Density RMD-Infill</u>	Residential Medium Density RMD-10	Residential Medium Density RMD-15	Residential Medium Density RMD-25	
a. Residential uses	Dwelling, attached	N	N P	P	P	
	Dwelling, semi-detached	<u>P</u>	P	P	P	

	Uses	Zones				Conditional requirements or related regulations
		<u>Residential Medium Density RMD-Infill</u>	Residential Medium Density RMD-10	Residential Medium Density RMD-15	Residential Medium Density RMD-25	
	Dwelling, single unit detached	<u>C</u>	C	C	C	<u>Conditional use subject to the development standards of the R-60 Zone; Conditional use subject to the development standards in Sections 25.11.05 through 25.11.08.</u>
	Dwelling, two unit detached	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
	Dwelling, multiple-unit	<u>C</u>	N <u>C</u>	P	P	<u>Conditional use subject to the development standards in Section 25.11.06</u>
	Dwelling, Townhouse	<u>N</u>	P	P	P	
b. Swimming pool, accessory		<u>P</u>	P	P	P	
c. Home-based business enterprise	No impact	<u>P</u>	P	P	P	
	Major	<u>S</u>	S	S	S	See Secs 25.09.07 and 25.15.02.h
d. Institutional uses	Adult day care	<u>S</u>	S	S	S	
	Charitable or philanthropic office	<u>S</u>	S	S	S	See Sec. 25.15.02.e
	Child care home up to 8 children	<u>P</u>	P	P	P	
	Child care center:					Special exception subject to Sec. 25.15.02.f
	9 – 12 children	<u>S</u>	P	P	P	
	More than 12 children	<u>S</u>	S	S	S	
	Educational institution, private	<u>S</u>	S	S	S	See Sec. 25.15.02.g
	Housing for senior adults and persons with disabilities	<u>S</u>	S	P	P	Special exception subject to Sec. 25.15.02.j
	Life care facility	<u>S</u>	S	S	S	See Sec. 25.15.02.k
	Nursing home	<u>S</u>	S	S	S	See Sec. 25.15.02.i
Places of worship	<u>P</u>	P	P	P		
Private club	<u>N</u>	S	N	N		
e. Miscellaneous uses	Public utility building and structure	<u>S</u>	S	S	S	See Sec. 25.15.02.n
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	<u>C</u>	C	C	C	Conditional use subject to a Level 32 Site Plan (Sec. 25.07.05)

Attachment 2.1.B: Zoning Text Amendment (3766 : Recommendation for Zoning Text Amendment TXT2021-00258, for Changes to the RMD

	Uses	Zones				Conditional requirements or related regulations
		<u>Residential Medium Density RMD-Infill</u>	Residential Medium Density RMD-10	Residential Medium Density RMD-15	Residential Medium Density RMD-25	
Miscellaneous uses (con't)	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	<u>C</u>	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility not located entirely within an existing building or on the roof or side of a building, or attached to an existing structure, including, but not limited to antennas on a freestanding ground mounted antenna support structure	<u>S</u>	S	S	S	See Secs. 25.09.08 and 25.15.02.s
f. Temporary uses	Christmas tree sales	<u>C</u>	C	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Garden produce	<u>C</u>	C	C	C	
	Portable Storage Units	<u>C</u>	C	C	C	
	Temporary building or yard for construction materials or equipment	<u>C</u>	C	C	C	
	Temporary carnival	<u>C</u>	C	C	C	
	Temporary office or model home	<u>C</u>	C	C	C	
g. Accessory uses		<u>P</u>	P	P	P	See Secs. 25.09.01, 02 & 03
h. Commercial uses	Consumable goods to be used in the home	<u>N</u>	N	C	C	Conditional use permitted only in multi-unit buildings with at least 150 dwelling units. Uses must be primarily for the residents, and no direct entrance from the outside is permitted.
	Wearing apparel service	<u>N</u>	N	C	C	
		Medical practitioner's office in a multiple unit dwelling	<u>N</u>	N	C	C

Key: P = Permitted Use; S = Special Exception; C = Conditional Use; N = Not Permitted

25.11.04 –Development Standards

a. *Table of Development Standards* – The following table provides the development standards for the Residential Medium Density Zones:

Zone	<u>Tract Area –Min. Minimum Area</u>	Minimum <u>Tract Lot</u> Frontage	<u>Maximum Building Coverage</u> <u>Minimum Open Area</u> (percent of <u>tract lot site area</u>)	<u>Minimum Front</u> <u>Setbacks</u>	<u>Minimum Side and Rear</u> <u>Setbacks</u>	Maximum Height	Additional Regulations

<p>Residential Medium Infill (RMI)</p>	<p><u>Min. Lot Area of 4,000 square feet.</u></p>	<p><u>40 ft.</u></p>	<p><u>40% for lots less than 6,000 square feet; otherwise 50%</u></p>	<p><u>20 feet or the established setback, whichever is less. Setback from a public street may be reduced where recommended in the Master Plan.</u></p>	<p><u>Side: 8 ft. Rear: 20 ft.</u></p>	<p><u>35 ft.</u></p>	<p><u>Development must comply with any Neighborhood Conservation District regulations; See Sec. 25.11.05 for additional regulations</u></p>
<p>Residential Medium Density (RMD-10)</p>	<p><u>Min. Tract Area of 20,000 sq. ft.; 10 acres max. unless otherwise recommended in the Plan</u></p>	<p><u>50 60 ft.</u></p>	<p><u>25 40%</u></p>	<p><u>20 feet or the established setback, whichever is less. 25 feet from a public street or tract boundary, except 50 feet from a roadway of arterial or greater designation. Setback from a public street may be reduced where recommended in the Master Plan.</u></p>	<p><u>Side: 8 ft. Rear: 20 ft.</u></p>	<p>35 ft.</p>	<p><u>Accessory buildings limited to 15 feet building height. Development must comply with any Neighborhood Conservation District regulations.</u></p>
<p>Residential Medium Density (RMD-15)</p>	<p><u>Min. Tract Area of 1 acre</u></p>	<p>50 ft.</p>	<p>30%</p>	<p><u>15 feet or the established setback, whichever is less. 25 feet from a public street or tract boundary, except 50 feet from a roadway of arterial or greater designation. Setback from a public street may be reduced where recommended in the Master Plan.</u></p>	<p><u>Side: 8 ft. Rear: 15 ft.</u></p>	<p>40 ft.</p>	<p><u>Accessory buildings limited to 15 feet building height. Development must comply with any Neighborhood Conservation District regulations; See Sec. 25.11.07 for additional regulations.</u></p>
<p>Residential Medium Density (RMD-25)</p>	<p><u>Min. Tract Area of 2 acres</u></p>	<p>100 ft.</p>	<p>30%</p>	<p>25 feet from a public street or tract boundary, plus 3 feet for each 1 foot of building height above 45 feet. Main buildings must be set back from each other 1/2 the height of the building, plus 3 feet for each 1 foot of building height above 45 feet.</p>	<p>Side: 10' or one-half the height of the building, whichever is greater. Rear: 15' or one-half the height of the building, whichever is greater</p>	<p>75 ft.</p>	<p><u>Accessory buildings limited to 15 feet building height.</u> Where the tract adjoins property within any Park Zone or within any residential zone where single unit detached or semi-detached development exists, building height must not exceed a 30 degree proximity slope that begins at the common property boundary See Sec. 25.17.06 regarding building shadow regulations.</p>

- b. *Moderately Priced Dwellings* – The Mayor and Council in approving a Project Plan application, may authorize an increase in the maximum number of dwelling units herein permitted where moderately priced dwelling units are included in the development in excess of the mandatory requirements as specified in Article 13.5 of this Code.
- c. *Yard Requirement* - Each single unit detached or single unit semidetached dwelling unit must have a private yard.
- d. *Medical Practitioner’s Office in a Multiple-Unit Dwelling* – The conditional use must meet the following standards:
 1. The exterior of the building must not be altered except for display of a sign;
 2. No office can be located on a floor above the highest ground floor entry, and the interior office entrance must be located so as to minimize the distance to the exterior entry; and
 3. Off-street parking must be provided in accordance with Article 16 in addition to those spaces required for the residential portion of the building.
- e. Each record lot for a townhouse or attached dwelling unit, if provided, must front on a public street, private street, or a common open space

~~25.11.05 – Special Regulations for Development in the RMD-10 Zone~~

~~Development in the RMD-10 Zone must comply with the density recommendations of the Plan or relevant Neighborhood Plan~~

~~25.11.06 – Special Provisions for Townhouse Development in the RMD Zones~~

~~The following applies to residential townhouse developments:~~

- ~~1. No more than eight (8) townhouse units can be in any one (1) attached row;~~
- ~~2. Townhouse groups must be set back 25 feet from each other;~~
- ~~3. Building front setbacks must be 18 feet from a public street right-of-way internal to the site;~~
- ~~4. Not more than two (2) contiguous townhouse units can have the same front building lines. All townhouse units required to be offset must be offset horizontally at least two (2) feet;~~
- ~~5. Record lots for each dwelling unit, if provided, must front on a public street, private street, or a common open space; and~~

~~6. At least 50 percent of the development area must be open area.~~

25.11.05 - Special Provisions for Development in the RMD-Infill Zone

- a. Density - A minimum of 2,000 square feet of tract area per dwelling unit, but no more than 4 dwelling units permitted per lot.
- b. Height - Building height must be measured as provided in Section 25.10.09.
- a. Impervious Surface - A maximum of 40% percent impervious surface is permitted in the front yard. For a corner lot, the maximum front yard impervious surface limits are a maximum of 20%.
- b. Front Yard Setbacks for Corner Lots - On corner lots, the minimum front yard requirement along a side street is reduced to fifteen (15) feet.
- c. Minimum Open Area -- The minimum open area may be calculated across contiguous lots subject to the same site plan if such open space is provided as common open space.
- d. Single Unit Detached Dwellings - Single unit detached residential development must comply with the R-60 Zone qualifying undersized lot standards as set forth in Section 25.10.05 and applicable design guidelines as set forth in Section 25.10.14.
- e. Architectural Standards - The following standards apply:
 - 1. On interior lots, the main building common entrance, or each individual entrance to ground floor units, must be accessed directly from and face the street;
 - 2. On corner lots, dwellings must be designed so that street facing façades have substantially consistent architectural elements including, but not limited to, windows, materials, and details; and
 - 3. A single plane of a façade must not be greater than 40 feet in width.

25.11.06- Special Provisions for Development in RMD-10 Zone

- a. Single Unit Detached Dwellings - Single unit detached residential development must comply with the R-60 Zone qualifying undersized lot standards as set forth in Section 25.10.05 and applicable design guidelines as set forth in Section 25.10.14.

25.11.07 - Special Provisions for Development in RMD-15 Zone

- a. Single Unit Detached Dwellings - Single unit detached residential development must comply with the R-60 Zone lot standards as set forth in Section 25.10.05 and applicable design guidelines as set forth in Section 25.10.14.

25.11.08 - Special Provisions for Development in RMD-25 Zone

- a. Transition Height - Building height is limited to 45 feet within 10 feet of the subject property's minimum side setback from any adjoining property in any residential zone where single unit detached, semi-detached, attached, or townhouse development exists.
- b. Single Unit Detached Dwellings - Single unit detached residential development must comply with the R-60 Zone lot standards as set forth in Section 25.10.05 and applicable design guidelines as set forth in Section 25.10.14.

25.11.079 – Process for Approval

Applications for approval of development in the RMD Zones must be in accordance with the provisions of Section 25.07.02 of this Chapter.

25.11.0810 – Accessory Uses and Structures

All accessory uses and structures within Residential Medium Density Zones must comply with the provisions of Article 9 of this Chapter.

25.11.0911 – Nonconformities

All nonconforming uses and structures within Residential Medium Density Zones are subject to the provisions of Article 8.

25.11.1012 – Parking and Loading Requirements

~~Parking, access, and loading requirements within Residential Medium Density Zones must not be waived, but may be modified in the following respects subject to the procedures set forth below:~~

- ~~1a. Access to Dwelling Units – Access to each dwelling ...~~
- ~~2b. Quantity of Parking Spaces Required – Parking must be provided ...~~
- ~~3c. Separation of Parking Area or Interior Driveway – No parking space ...~~
- ~~4d. Distance from Parking Area to Dwelling Unit – Surface parking ...~~
- ~~5e. Separation of Parking Spaces – Not more than ...~~
- f. RMD-Infill Zone Special Requirements - In the RMD-Infill Zone, the following additional requirements apply:
 - (1) For multiple-unit dwellings, surface parking or garage entrances for off-street parking must be in the rear yard of the dwelling.

- (2) On a corner lot, parking must be accessed from a functional alley, if one exists or is proposed to be constructed. If no functional alley exists or is proposed, parking must be accessed from a side street.
- (3) Where external surface parking of between three (3) and six (6) contiguous parking spaces is provided for either a two unit detached dwelling or multiple-unit dwelling, screening must be provided around the entire perimeter of the surface parking area. The screening must be evergreen hedges or evergreen trees that are thickly planted and maintained, and at least forty-two (42) inches in height when planted. For parking facilities, the landscaping standards of Section 4.d of the Landscaping, Screening, and Lighting Manual apply.

25.11.~~11~~13 – Landscaping and Buffer Requirements

All landscaping and buffering within Residential Medium Density Zones must comply with the provisions of Article 17 of this Chapter and, where applicable, the Forest and Tree Preservation Ordinance.

25.11.~~12~~14 – Signs

All signs within Residential Medium Density Zones must comply with the provisions of Article 18 of this Chapter.

IV. Amend Article 12, “Industrial Zones”, as follows:

25.12.03 – Land Use Tables

The uses permitted in the Industrial zones are shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of Article 15.

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
* * *				
g. Industrial and service uses	<u>Artisanal Craft Production</u>	<u>P</u>	<u>P</u>	<u>Items produced may be sold at retail on the premises</u>
	Alcoholic beverage production	C	P	Conditional use must not adjoin or confront a residential use in a residential zone.
	Alcoholic beverage production, limited	C	P	Conditional use must not adjoin or confront a residential use in a residential zone.
	Heavy industrial use	N	P	
	Light industrial use	P	P	
	Lumberyard	C	P	Conditional use shall not adjoin a Single Unit Development Residential Zone
	Service industrial use	P	P	
	Warehouse, self-storage	C	C	Not permitted on a lot within 250 feet of any lot on which a public school is located

Attachment 2.1.B: Zoning Text Amendment (3766 : Recommendation for Zoning Text Amendment TXT2021-00258, for Changes to the RMD

V. Amend Article 13, “Mixed-Use Zones”, as follows:

25.13.03 – Land Use Tables

	Zones									Conditional requirements or related regulations
	Uses	Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
	* * *									
j. Industrial and service uses	<u>Artisanal Craft Production</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>Items produced may be sold at retail on the premises</u>
	Light industrial use	N	N	P	N	N	N	N	N	
	* * *									

Attachment 2.1.B: Zoning Text Amendment (3766 : Recommendation for Zoning Text Amendment

VI. Amend Article 13, “Mixed-Use Zones”, as follows:

Section 25.13.05.b - Development Standards Table:

...

2. Building Height

...

(b) *MXNC Zone* - Building height may be increased up to a maximum of 65 feet ~~when found suitable~~ in accordance with the Plan. If the Plan makes no other recommendation, development between 45 feet and 65 feet must provide 15 percent open area, of which 10 percent must be public use space.

VII. Amend Article 16 - Parking and Loading, as follows:

Section 25.16.03 - Number of Spaces Required

Use Category	Use	Auto Parking Spaces		Bicycle Parking Spaces			Additional Regulations
		Unit Measure	Base Number Required	Unit Measure	Short Term Space	<u>Long Term Space</u>	
Residential	Dwelling, single unit detached	Per dwelling unit	2	Dwelling unit	0	0	
	Dwelling, single unit semi-detached	Per dwelling unit	2	Dwelling unit	0	0	
	Dwelling, townhouse	Per dwelling unit	2	Dwelling unit	0	0	