

# Development Review Procedures Manual

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# Chapter 1

Introduction and Purpose

# Chapter 1: Introduction and Purpose

The purpose of this Development Review Procedures Manual is to describe and implement the development applications and review procedures prescribed in the **Zoning Ordinance**. The application and review procedures, and a Project Impact Points System (PIPS) for determining the level of review, replace the former system of Use Permits and Special Development Procedures in the previous Zoning Ordinance. To that end, pre-application phase and Area Meetings with the community are mandatory as part of certain development applications.

This manual is intended to give citizens, developers, applicants, staff and other stakeholders a comprehensive overview of what is involved in processing development applications and to ensure accurate, complete and timely application review.

Nothing in this document is intended to supersede the Rockville City Code and it should not be relied on as a substitute for such regulations. It is intended, however, to summarize and implement the regulations governing development contained in the City Code and primarily in the City's **Zoning Ordinance** (Chapter 25 of the City Code). Except for those requirements imposed by State law, no failure to comply with any provision of this manual shall be deemed to be a jurisdictional defect.

In addition to a generalized overview of steps involved in taking a proposal or project through development review, permitting, construction and inspection, this manual focuses on the development review portions of the process. As shown in Figure 1, some development proposals may require more than one type of development application. For example, a drive-through restaurant requires a Special Exception in certain zones in addition to a Site Plan application. A change in use without any site disturbance may require a Minor Site Plan Amendment.

The manual is organized to follow the chronological phases of a typical development review process from pre-application to decision. It summarizes community involvement requirements that include "Area" meetings; mail notices of the meetings and affidavits of compliance that area meetings were properly

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***The Zoning Ordinance was adopted on December 15, 2008 and became effective on March 16, 2009.***

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***You can track the progress of specific projects on the city's website at: [rockvillemd.gov/projects/development-watch](http://rockvillemd.gov/projects/development-watch)***

## Chapter 1: Introduction and Purpose

conducted. The number of meetings and the size of the notification area are based on the type of application. The manual also summarizes how the City's professional staff reviews applications, what documents are used, and the time frame for staff reports and agenda packets. Finally, the manual outlines what to expect at a public hearing or meeting of the Mayor and Council, Planning Commission and other boards and commissions that are involved in the development review process.

All applications and this manual are available from the Community Planning and Development Services (CPDS) Department on the City's Web site: [www.rockvillemd.gov](http://www.rockvillemd.gov).

### New Online Application Process

On July 1, 2025, the City of Rockville began requiring all development review applications to be submitted online through MGO Connect (MGOC). Emailed or paper applications for items referenced in this manual are no longer being accepted. For more information, visit the City's [Development and Zoning Applications](#) webpage.

MGOC features a customer dashboard that allows online payment as well as convenient tracking of projects through the process.

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*Please note that construction of new single-unit detached residences and additions to existing single-unit detached residences are not covered by the processes contained in this manual unless they are subject to a review for Administrative Adjustment, Nonconforming Alteration or Variance*

# Chapter 2

**Overview of the Development  
Review Process**

# Chapter 2 : Overview of the Development Review Process

The development review procedures outlined in the Zoning Ordinance are intended to achieve high quality development that complies with the design regulations of the City Code and endeavors to address the concerns of the surrounding community. These procedures govern all development projects except single-unit dwellings (unless a single-unit dwelling requires an Administrative Adjustment, Nonconforming Alteration, or Variance application).

The Zoning Ordinance mandates meetings with both the community and City staff at certain milestones in the process. Figure 1 summarizes the major steps in the development review process, the details of which can be found in the flowcharts in Chapter 5 and the referenced Zoning Ordinance sections.

## Development Review in the City of Rockville: What You Need to Know

Whether you're submitting a development application or just curious about how projects get reviewed, this guide helps demystify the process and outlines what each participant is expected to do. From City staff to applicants to utility companies, collaboration is key.

### What City Staff Do

Community Planning and Development Services (CPDS) Department staff in Rockville oversee the review of applications and make sure each project aligns with city goals and policies. Here's what they commit to doing:

- Assign a *lead reviewer* who serves as your main point of contact throughout the process
- Carefully and fairly review your application as quickly as possible
- Apply all relevant rules and regulations consistently

## Chapter 2 : Overview of the Development Review Process

- Work with you and other stakeholders to prepare a recommendation for the Planning Commission or other appropriate, approving body.
- Flag any issues early and help address them before they become roadblocks
- Follow the Customer Bill of Rights
- Coordinate with other city departments, external agencies, and the public to find practical solutions
- Partner with other review agencies to ensure your proposal supports Rockville's growth and community goals
- Carry out adopted city policies, including:
  - Master Plans
  - Land use, transportation, and environmental laws
  - Growth and Infrastructure Policy updates
  - Professional and ethical standards
  - Principles of high-quality design

### **What's Expected from Applicants**

Applicants help ensure a smooth and successful review process by:

- Putting together a qualified team to design and manage their project
- Following all City of Rockville rules and procedures
- Submitting complete and accurate application materials
- Directing all questions, changes, and updates to the assigned Case Planner
- Letting the lead reviewer know if major changes come up during review
- Working respectfully and constructively with city staff, review agencies, and the public to resolve concerns

Figure 1: Development Review Process



# Chapter 3

**Highlights of the Development  
Review Process**

## Chapter 3 : Highlights of the Development Review Process

The following pages highlight the major steps of the development review process. Nothing in this document is intended to supersede the Zoning Ordinance, City Code or other documents that contain City requirements related to the design standards and the review process for development projects. The information provided below is meant to be a brief overview of processing requirements, policies and protocols for development review applications. This manual does not impose substantive requirements.

### Pre-application Phase

**Predevelopment Meetings.** Predevelopment meetings are an opportunity for customers to meet virtually with some or all of the Development Review Committee (DRC) to receive feedback on requirements and processes for plans for development prior to submitting a formal application. There is no cost, and while they are not required, they are highly recommended.

**Before the Predevelopment Meeting.** The requestor of the meeting should gather information about the site, such as plans, surveys, plats, and concept sketches, as well as questions or topics for staff.

**What to Expect at the Predevelopment Meeting.** Predevelopment meetings are conducted virtually via Webex and are scheduled in 1-hour increments, typically in the morning or early afternoon on Thursdays. During the meeting, the requestor will meet with representatives of the DRC, consisting of staff from Community Planning and Development Services, Public Works, and others as needed based on the project scope. You'll have an opportunity to provide an overview of your proposed project. Staff will explain the process for development and standards that may apply. You are encouraged to take notes or minutes. For the best meeting experience, it is recommended that you attend the virtual meeting on a

### Chapter 3 : Highlights of the Development Review Process

computer or laptop to allow for screen-sharing of maps and resources.

**After the Predevelopment Meeting.** Following the meeting, the requestor is welcome to provide any notes or minutes to staff for review and confirmation. If follow-up information is requested from staff, please allow ten (10) business days to complete the research and gather documentation.

**Schedule a Predevelopment Meeting.** To request a predevelopment meeting, please visit the [Predevelopment Page](#) on the City's Website. Please attach any additional information such as plans, surveys, plats, concept sketches, or any other site information. A thorough Pre-Development Meeting Request (PDMR) and additional information will help ensure a productive meeting. This is not a formal application, and there is no fee. PDMRs should be submitted no later than Friday prior to the proposed meeting date. Staff make every effort to accommodate the requested dates, but availability is limited. Your meeting is confirmed when you receive an invitation with a Webex link.

**Initiation and Coordination with Neighborhoods.** The pre-application phase starts the formal coordination and approval of a proposed project. The steps to accomplish this phase are described below. Prior to initiating the pre-application phase an applicant is strongly encouraged to meet with the representatives of the neighborhoods that surround the project. It is our experience that working with the neighborhood early in the process is of benefit to both citizens and the applicant.

**Project Impact Points System.** The level of review for each site plan or project plan application is determined by the Project Impact Points System (PIPS), a table of five criteria established in the Zoning Ordinance. The table is available in Section 25.07.02.b.1 of the Zoning Ordinance and includes criteria for tract size, number of dwelling units proposed, amount of non-residential building area, residential area impact and traffic impact of the proposed project.

To determine the level of site plan review that will be required, the applicant should do a preliminary calculation of the proposed project's point value. Staff will later review this during the pre-

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**Level of Review Points**

- *Level 1 Site Plan: 0-6*
- *Level 2 Site Plan: 7-15*
- *Project Plan: 16 or More*

### Chapter 3 : Highlights of the Development Review Process

application process. The methodology for calculating the Residential Area Impact is included in Section 25.07.02.b.1 of the Zoning Ordinance.

To calculate the number of points earned for Traffic Impact, refer to the results of a Comprehensive Traffic Review (CTR) study, if already prepared; Appendix D: Traffic Estimates for PIPS Determination; or Transportation Division traffic estimates.

Special Exception applications will be processed through the Board of Appeals pursuant to Section 25.15.01.a.2 of the Zoning Ordinance, regardless of their point total. However, the required area of notification is based on the PIPS point total.

If the project requiring Special Exception approval involves site development or redevelopment, a subsequent site plan must be approved. The site must be processed as a Level 2 Site Plan Review subject to review and approval from the Planning Commission.

**Pre-application Materials and Fees.** The pre-application process is the initial step in development review in most cases and is (1) designed to give the applicant a preliminary determination of the required level of site plan review and (2) provide an introduction of the proposed project to the surrounding neighborhood.

The applicant must complete an application online ([My Government Online](#)) and supply the required supporting information. Prior to conducting the Pre-application Meeting with the Development Review Committee, the applicant must provide notice of, and conduct, a Pre-Application Area Meeting with the surrounding neighborhood. The Pre-application Meeting checklist is available on the [Development and Zoning Applications](#) website. The submission materials vary depending on the anticipated type of application or level of review.

The Pre-application Meeting Checklist and submission materials should be submitted to CPDS with the online

## Chapter 3 : Highlights of the Development Review Process

application ([My Government Online](#)) along with the appropriate application fee. The submission package should also include:

- Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) with review fee
- Comprehensive Transportation Review (CTR) Intake Scoping Form with review fee
- Pre-Application and/or Development Stormwater Management Concept with review fee

All required fees should be paid by separate checks made payable to the City of Rockville.

### **Pre-application Area Meeting (PAM), Notices and Follow Up.<sup>1</sup>**

Certain applications (Level 1 and 2 Site Plans, Project Plans, and Special Exceptions) require the applicant to meet with the surrounding community. This meeting is called the Pre-application Area Meeting and should be scheduled prior to the DRC meeting. Chapter 5 illustrates the types of applications that require an area meeting. In addition, the applicant must provide written public notice, mailed via first class mail, at least two weeks prior to the meeting. The size of the area of notification is outlined in the Zoning Ordinance and is based on the type of application and level of review.

The applicant is required to provide written notice for most types of applications. The posting of signs on the property is required for the pre-application area meeting. A sample notification is supplied in Appendix H. Requirements for notifying property owners, tenants, homeowners and civic associations are specified in Sections 25.05.03 and 25.07.03 of the Zoning Ordinance, as well as Chapter 4 of this manual. Special attention should be paid to these requirements so applications will not be unduly delayed.

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#### **Notification Distances by Application**

- Level 1 Site Plans: 750 feet
- Level 2 Site Plans: 1,250 feet
- Project Plans: 1,500 feet
- Special Exceptions: the notification areas are the same as the corresponding site plan level based on the total points earned on the PIPS table.

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<sup>1</sup> References: Zoning Ordinance, Section 25.07.02; Project Impact Points System (PIPS) – Appendix C; Traffic Estimates for PIPS Determination – Appendix D; Zoning Ordinance, Article 7; Forest and Tree Preservation Ordinance (Chapter 10.5 of Rockville City Code); Zoning Ordinances and Guidelines Applicable to the Development Review Process; Flowcharts for the appropriate type of application – Chapter 5 of this Manual; Fee Schedule – Appendix E

### **Chapter 3 : Highlights of the Development Review Process**

At the Pre-application Area Meeting the applicant notifies the community of the location and scope of the proposed project and solicits comments on the proposal prior to the applicant formalizing its plans and application. Specifically, the applicant shall;

- Share as much information (e.g. project concept, types of buildings and their size and height, site plans, project access, etc.) as is available at the time;
- Present the expected process and events (e.g. applications, reviews, hearings) and provide a tentative schedule.
- Discuss the Adequate Public Facilities Ordinance
- Discuss the Natural Resources Inventory/Forest Delineation Approval
- Discuss the Pre-Application Stormwater Management Concept
- The Pre-Application Meeting Application form and the CTR Scoping Intake Form (Appendix F of this manual) will be provided to community attendees if available. (In some cases, the applicant will have held the area meeting prior to preparation of these documents.)
- Establish a means of communicating with members of the community who wish to receive on-going information and materials about the project. This shall be done by creating a list of the names and addresses of community members who wish to receive this information and shall include their contact information, preferably their email addresses. The list shall be provided to the City's Case Planner and be incorporated into the minutes of the meeting.

The goal of this meeting is to accomplish a worthwhile exchange between the applicant and the community wherein the applicant shares information on the project and the community provides comments on how the proposed project will impact their community. This is the time, before detailed design is undertaken, to consider changes and improvements to

### **Chapter 3 : Highlights of the Development Review Process**

the project that will be responsive to community concerns and hopefully serve to better integrate the project within the community and the City.

The applicant is required to provide minutes of the pre-application area meeting. The minutes must be taken by an objective outside source provided at the applicant's expense. The minutes shall include a list of concerns raised by members of the community and the list of citizens who wish to receive further information about the project. Citizens are strongly urged to submit specific concerns in writing to the City's Case Planner. If community members find discrepancies in the minutes, then these should be reported in writing to the City's Case Planner prior to the DRC meeting, who will advise the applicant and include these in the DRC discussion of community concerns.

An on-going dialogue with the community subsequent to the Pre-Application Area Meeting may be helpful to both the applicant and the community. Such a dialogue may serve to reach a common understanding among stakeholders early and potentially achieve joint support for the project. When preparing detailed site plans for the formal application, the applicant should consider incorporating comments or addressing concerns voiced at the Area Meeting. Appendix G outlines Area Meeting guidelines.

It is extremely important that the project applicant share information with the community and provide that information in a timely fashion. Therefore, applicants are expected to respond to information requests from residents as expeditiously as possible and agree to share information as the project progresses and modifications are made. As updated information is presented to the City, it is expected that such updated information (including site plans and oversized drawings) will also be provided by the applicant to interested residents in a manner consistent with agreed-upon protocols established during the pre-application area meeting.

Prior to conducting the pre-application meeting with the Development Review Committee (see below), the applicant

### **Chapter 3 : Highlights of the Development Review Process**

must file with CPDS affidavits confirming the notice<sup>2</sup> (and the conduct) of the Pre-application Area Meeting and affirming that the minutes of the meeting were taken by an objective, outside source, a map of the area notified, the mailing list, digital copies of any handouts or materials presented at the meeting, a list of attendees and the minutes of the meeting. See code references and flowcharts in this document for timing of these materials and Appendix L for the affidavit form.

**Pre-application Meeting with the Development Review Committee (DRC).** A Pre-application Meeting with the DRC is required for certain applications (Level 1 and 2 Site Plans, Project Plans, and Special Exceptions) and encouraged for others. Upon completion of the pre-application area meeting, and submittal of the required area meeting materials, staff assigns the meeting date when the application is accepted. The Case Planner assigned to the case will contact the applicant to introduce him/herself and to confirm a specific time for the meeting. This lead-time is provided so staff can review the materials submitted and come to the meeting prepared with questions or comments for the applicant.

The Pre-application DRC Meeting is normally scheduled for one hour and may be conducted online virtually or at City Hall. The Development Services Manager or designee chairs the meeting, and the assigned Case Planner outlines the case. DRC members from various departments and specialties including planners, engineers, foresters and others that may be involved in the application review process attend. At the DRC meeting, concerns raised by the community will be identified, as recorded in the minutes of the Pre-application Area Meeting. Specific concerns that have been submitted in writing to the City's Case Planner, and that are under the purview of the DRC review, will be discussed. The staff and the applicant will work together to identify the process and proposed schedule which includes all components of the development review process (i.e. applications, reviews, hearings) and the projected timing. This

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<sup>2</sup> References: Zoning Ordinance Sections 25.05.03 and 25.07.03; Sample Letter of Notification, Appendix I

### Chapter 3 : Highlights of the Development Review Process

meeting also serves as the Comprehensive Transportation Review (CTR) scoping meeting<sup>3</sup>.

**Coordination with Other Applications.** Some development proposals may require more than one type of application. For example, certain uses in the Zoning Ordinance Land Use Tables require a Special Exception application to ensure that the use is compatible with the surrounding area. Following approval, Special Exceptions involving site development or redevelopment proceed to a Site Plan Level 2 application to review the site design and building mass and placement. If a development lies within a historic district, a Certificate of Approval will be required for review by the Historic District Commission (HDC). If a development proposes demolition of an existing structure not in a historic district, it will first be reviewed for possible historic significance. Other types of applications may also be required for one development, depending on the proposed land use, the scope, or other characteristics of the proposed project. Refer to the Zoning Ordinance and seek assistance from CPDS to assess the need for multiple applications for a given project.

With the exception of HDC decisions on demolitions, simultaneous processing of applications is generally allowed but is at the applicant's own risk. This caveat exists because reviews may overlap to save time but may create extra expense and time for the applicant later, if plan revisions are necessary. For example, an applicant may want to defer the expense of a detailed site plan until the Board of Appeals decides that the Special Exception use can be approved. At the Pre-Application Area Meeting the applicant shall inform the community of the process that will be followed and the sequence of events. If more than one application is required (e.g. Special Exception, Map Amendment or Historic District Commission) then the applicant must identify these events and provide an estimated schedule for each event (e.g. applications, reviews and hearings).

Although not mandatory, it is suggested that a simultaneous review be requested at the Pre-application Meeting. For projects with multiple applications, the applicant should also consult with

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<sup>3</sup> References: Zoning Ordinance, Section 25.07.02; CTR Scoping Intake Form – Appendix F

### Chapter 3 : Highlights of the Development Review Process

DPW (Department of Public Works) regarding the required number and type of Stormwater Management Concept reviews and approvals.

**Adequate Public Facilities Ordinance (APFO).** Any development or redevelopment must comply with the City's Adequate Public Facilities Standards as set forth in Article 20 of the Zoning Ordinance<sup>4</sup>. These standards were adopted to ensure that necessary public facilities would be available to serve new development or redevelopment. The public facilities and services to be examined for adequacy are:

- Roads and transportation
- Water and sewer service
- Schools

Adequate Public Facilities Submission Statements and supporting supplemental material must be included as part of the application materials for a development proposal.

**Waiver Provisions.** Certain classes of uses are deemed to have little or no impact on public facilities. Section I.C of the Adequate Public Facilities Standards should be consulted for those uses where the approving authority may waive full compliance. For example, accessory apartments, places of worship and senior housing may be granted a waiver.

**Pre-Application Stormwater Management (SWM) Concept Approval.**<sup>5</sup>The Pre-application SWM Concept is the first approval in the City's three-stage SWM process. A Pre-Application SWM Concept for the project will be reviewed during the Pre-Application Phase. In approving the Concept DPW's Engineering Division will make the determination of the project's compliance with the requirement to provide Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP). Requirements for drainage and safe conveyance studies will also be determined with this approval, although the studies will be

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<sup>4</sup> References: Zoning Ordinance, Article 20; Adequate Public Facilities Standards

<sup>5</sup> References: Chapter 19 of the Rockville City Code, Sediment Control and Stormwater Management, Article IV; Zoning Ordinance, Article 7

## Chapter 3 : Highlights of the Development Review Process

required at a later stage. The Pre-application SWM Concept must be approved prior to submission of Site Plan Applications.

**Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) and Preliminary Forest Conservation Plan (PFCP) Approval.**<sup>6</sup> A Natural Resources Inventory/Forest Stand Delineation encompassing the entire tract proposed for development is required to be prepared and approved by the Forest Conservation Planner in advance of submitting an application. The NRI/FSD serves as the basis for the Preliminary and Final Forest Conservation Plans. The Forest Conservation Planner must approve, disapprove or request additional information within 30 days of submission of the NRI/FSD. A Preliminary FCP for the project will be reviewed, if required, during the Pre-Application Phase. The Preliminary FCP will be used to determine how the project will comply with the forest conservation, significant tree replacement and minimum tree cover requirements. The Preliminary FCP must be approved prior to submission of the Application. The Forest Conservation Planner must approve, disapprove or request additional information within 45 days of submission of the Preliminary FCP.

### Application Phase

**Application Materials and Fees.** All development applications (except the ones noted below) are submitted to CPDS. Annexation, Street Closing and Abandonment applications must be filed in duplicate, with attachments, to CPDS and the City Clerk's Office. Application requirements are summarized on the application forms, on the online application portal and detailed in the Zoning Ordinance. All are available online on the City's Web site: [www.rockvillemd.gov](http://www.rockvillemd.gov). The application process for each application type is summarized on the flowcharts in Chapter 5.

To be accepted by CPDS intake staff, the submittal must include a complete application and checklist, required fees, required companion studies (NRI/FSD, Pre or Final FCP, CTR, SC/SWM studies), required supporting documents (minutes

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<sup>6</sup> References: Chapter 10.5 of the Rockville City Code

### Chapter 3 : Highlights of the Development Review Process

from the pre-application area meeting) and the required site plans. All submission materials and documents must be submitted in pdf electronic format via the online application portal.

Within three working days of submission, staff reviews the applications for completeness and determines if the content is sufficient for acceptance. If accepted, staff will send a letter verifying acceptance, identifying the Case Planner assigned, and the review process begins. If the application materials are found to be incomplete or insufficient for review, staff will return all materials to the applicant, explaining the deficiencies.

On acceptance, the Case Planner routes the application materials to the DRC and any outside agencies that need to review the application. Depending on the type of application, the DRC will review the materials and prepare written comments. The [Application Target Review Timeframes](#) document shows the estimated timeframes for the review of various Development Applications. The Case Planner is the primary point of contact between the applicant and City staff and acts as a resource for the applicant regarding processing and most substantive issues. The Case Planner also schedules all meetings (except Area Meetings) including those before the applicable Approving Authority. Additional information on the DRC process is included beginning on page 11 of this manual.

In addition, the Case Planner evaluates the development proposal for compliance with the Zoning Ordinance, Comprehensive Master Plan and other adopted plans that are relevant to the subject property. The Case Planner prepares a staff report with recommendations that consolidate final comments and conditions from the DRC participants. This report is forwarded to the Approving Authority for its consideration at public meetings. This process is discussed in more detail in the Decision Phase section of this manual.

**Notification Sign.** Most applications require the posting of a sign on the subject property. Requirements, including where to place the sign, are found in Subsection 25.05.03.d of the Zoning Ordinance. Signs are provided by the City and must be posted by the applicant within five days of receipt. It is the applicant's responsibility to keep the sign up to date if public meeting dates

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*The City (CPDS) provides written notice for Administrative Adjustments, Sectional Map Amendments, Text Amendments, Historic District cases and Variances.*

*Written notice for all other applications is provided by the applicant.*

### Chapter 3 : Highlights of the Development Review Process

change. On the day of every public meeting or hearing by an Approving Authority, the applicant must submit an affidavit to the Case Planner certifying that the sign has been posted and maintained in accordance with Zoning Ordinance requirements. A copy of the affidavit is provided in Appendix M.

**Post-application Area Meeting, Notice and Follow Up.** Most applications require the applicant to meet with the surrounding community after submittal. This meeting is called the Post-application Area Meeting. Chapter 5 of this manual illustrate the types of applications that require an Area Meeting. In addition, the applicant must provide (except for those application types noted below) written public notice, mailed via first class mail, at least two weeks prior to the meeting. The notification area is outlined in the Zoning Ordinance and is the same as for Pre-application Meetings. For Special Exceptions, the notification areas are the same as the corresponding site plan level based on the total points earned on the PIPS table.

A sample notification letter is supplied in Appendix I. Requirements for notifying property owners, tenants, homeowners and civic associations are specified in Sections 25.05.03 and 25.07.03 of the Zoning Ordinance, as well as Chapter 4 of this manual. Special attention should be paid to these requirements so applications will not be unduly delayed.

The purpose of the Post-application Area Meeting is to notify the community that the application has been filed, give details of the proposed project, provide the date of the DRC meeting, outline the application process and anticipated timing, and solicit comments. In specific, the applicant shall;

- Share all pertinent information (e.g. site location, site plans, elevation drawings of buildings, forest conservation plans, landscape plans, traffic analyses, etc.) that were submitted as part of the application.
- Make all application materials available to members of the community as requested
- Present the expected process and events (e.g. applications, reviews, hearings) and provide a tentative schedule for them. The goal is to achieve a schedule that is fair to the applicant and to the community.
- Address the Adequate Public Facilities Ordinance

### **Chapter 3 : Highlights of the Development Review Process**

- Address the Natural Resources Inventory/Forest Delineation Approval
- Address the Pre-application Stormwater Management Concept Approval
- Update the list of community members who wish to receive on-going information about the project (See paragraph on Pre-application Area Meeting above for more information on this list.)

The goal of this meeting is to fully educate the community about the scope and breadth of the application. The applicant is required to provide minutes of the post-application area meeting. The minutes must be taken by an objective outside source provided at the applicant's expense. The minutes shall include a list of concerns raised by members of the community and the list of citizens who wish to receive further information about the project. Citizens are strongly urged to submit specific concerns in writing to the City's Case Planner. If community members find discrepancies in the minutes, then these should be reported in writing to the City's Case Planner prior to the DRC meeting, who will advise the applicant and include these in the DRC discussion of community concerns.

It is extremely important that the project applicant share information with the community and provide that information in a timely fashion. Therefore, applicants are expected to respond to information requests from residents as expeditiously as possible and agree to share information as the project progresses and modifications are made.

The Case Planner assigned to the case will attend the Post-application Area Meeting to address any process questions that may arise and to make any clarifications of information provided that may serve to better inform the public about the project. Appendix G outlines Area Meeting guidelines. Additional advice may be obtained from the Case Planner.

During this stage of the process, the applicant must file with CPDS affidavits confirming the notice (and holding) of the Post-application Area Meeting and affirming that the minutes from the meeting were prepared by an objective, outside source, a map of the area noticed, the mailing list and digital copies of any handouts or materials presented at the meeting. See code

### **Chapter 3 : Highlights of the Development Review Process**

references<sup>7</sup> and flowcharts for exact timing of these materials and Appendix J for the affidavit forms.

#### **Briefings to Mayor and Council and Planning Commission.**

Project Plan applications require briefings on the application at both a Mayor and Council meeting and a Planning Commission meeting early in the application process. The purpose of the briefings is to inform officials about those larger scale applications that are being processed. The applicant is expected to make a presentation at each of these meetings of no more than 10 minutes to give an overview of the proposed project and the schedule that they have laid out for completing review and approval of the project. The applicant must also notify the community via written mail, at least two weeks in advance, and provide an affidavit per the sample in Appendix J.

**Development Review Committee (DRC).** Meeting with the DRC is a key component of the application review process. The DRC is composed of professionals and specialists from several City departments who review development applications for compliance with City codes and policies.

The City Manager establishes the Development Review Committee, comprised of members of City staff with expertise in planning, zoning, forestry, transportation, stormwater management, and recreation and park facilities, as well as representatives from other public agencies and utilities involved in the review of development applications within the City of Rockville.

The Development Review Committee meets regularly to review development applications for compliance with applicable codes and regulations and provide comments to applicants. Development Review Committee meetings are led by a member of City staff. The City posts the date, time, location, and agenda of all meetings of the Development Review Committee on the City of Rockville website.

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<sup>7</sup> References: Zoning Ordinance Section 25.07.02

### Chapter 3 : Highlights of the Development Review Process

The meetings of the DRC with the applicant are open to the public, although no public testimony or participation is allowed during the meeting.

More information about the DRC is available on the [website](#). In certain instances, outside agencies will be invited to participate in utility or county or state road issues.

The DRC will review each development proposal during the pre-application phase and again during the application phase. During the pre-application phase, one applicant DRC meeting is conducted. A DRC staff-only meeting will only be held in the most complex cases. During the application phase, DRC review is a two-part process: one meeting of DRC staff only and a second meeting with the DRC and the applicant. The applicant DRC meeting usually occurs one week after the staff DRC meeting on Thursdays:

- The purpose of the staff DRC meeting is to coordinate questions and comments and reduce overlap of regulations.
- The purpose of the applicant DRC meeting is to allow an opportunity to identify concerns, ask for clarification, and discuss possible alternative designs or conditions.

Additional DRC meetings may be held if necessary or for revisions to applications. The applicant will utilize the list of community members identified in the list contained in the minutes of the Area Meetings to notify community members of and any changes to the process and schedule.

**Scheduling.** The DRC generally meets every Thursday virtually or Hybrid at City Hall. One hour is typically allotted per application. Staff will assign the applicant a DRC meeting date and time on acceptance of an application or pre-application. The DRC meeting should take place after the Area Meeting has been conducted, and minutes of the meeting have been submitted to City staff and members of the community. The minutes should be submitted seven days prior to the DRC meeting to allow sufficient time for City staff to review comments provided by the community. If the schedule for the appropriate Thursday is full, staff will assign the next available Thursday.

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*Members of the public are welcome to attend and **observe** meetings of the DRC with project Applicants.*

## Chapter 3 : Highlights of the Development Review Process

**Communication.** The Case Planner is the liaison between the applicant and the DRC for processing and many other substantive issues. The applicant should feel free to contact other appropriate DRC members to discuss technical issues or questions. Community members may check the City's website for the DRC meeting date or contact the Case Planner. They may also contact the Case Planner for a copy of the preliminary written comments from the staff DRC meeting.

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*The Case Planner is the **primary** point of contact for project information.*

**Agenda.** The applicant DRC Meeting is chaired by the Development Services Manager or designee. The applicant will have an opportunity to ask questions or give a brief overview of changes made since pre-application. Then each department provides an overview of the comments provided to the applicant prior to the DRC meeting. A digital copy of these written comments will be provided to the applicant in advance of the DRC meeting.

**Application Review.** Applications are reviewed by staff in the following areas:

- Planning and Zoning (CPDS)
- Traffic and Transportation (DPW)
- Forestry (CPDS)
- Recreation and Parks
- City Manager's Office (AIPD, CMO)
- Fire Marshall (CPDS)
- Historic Preservation (CPDS)
- Comprehensive Planning (CPDS)
- Environmental Management (DPW)
- Sign Review (CPDS)
- Outside Agencies

### **Planning and Zoning (CPDS)**

The Case Planner is the primary contact for the applicant, coordinates all DRC review comments, and generally reviews an application submittal for:

- Whether the application materials are sufficient for review;
- Compliance with the Zoning Ordinance (i.e. use, setbacks, bulk requirements and site development requirements such as parking, landscaping and signage) and all

### **Chapter 3 : Highlights of the Development Review Process**

applicable regulations, including required findings of the Zoning Ordinance that will be used by the Boards and/or Commissions in assessing the application (e.g. impact on character of the neighborhood);

- Compliance with the City Master Plan including relevant Neighborhood Plan;
- Location in or adjacent a Historic District or National Register Property;
- On-site circulation, as well as site vehicular and pedestrian access;
- Compliance with the Adequate Public Facilities Ordinance (APFO); and
- Compliance of building architecture with urban design standards, such as compatibility with surrounding properties and neighborhood character, as outlined in the Zoning Ordinance or Master Plan.

#### **Response to Community Concerns**

If area residents would like to express specific concerns to staff about a particular project, it's recommended they submit those concerns in writing to the City's Case Planner. Specific concerns that have been submitted to the Case Planner, and that are under the purview of the DRC's review, will be discussed by the DRC.

#### **Department of Public Works (DPW)**

DPW is the primary contact for several development issues:

- Stormwater Management (SWM), safe conveyance and drainage for conformance with Chapter 19 of the City Code including review of Pre- application and Development SWM Concepts.
- Water and wastewater infrastructure for conformance with the Adequate Public Facilities Ordinance (APFO) Note: Certain areas of the City receive water and wastewater service from the Washington Suburban Sanitary Commission (WSSC.) In these instances, the applicant must obtain the necessary WSSC approvals.
- Conformance with Chapter 21 of the City Code, Streets and Public Improvements.

## **Chapter 3 : Highlights of the Development Review Process**

The Engineering Division of DPW also reviews some elements of the NRI's to ensure sustainability and compliance with the City's environmental guidelines, including floodplains, dam breach/danger reach, topography and other relevant regulations and policies as needed.

### **Traffic and Transportation (DPW)**

The Traffic and Transportation Division of the Department of Public Works reviews development applications using the Comprehensive Transportation Review (CTR) methodology. The division also reviews and approves road modifications, traffic controls and street lighting plans.

The CTR process delineates detailed steps that must be performed with each new development application to measure the transportation impacts and mitigate such impacts as warranted. All new developments must adhere to CTR standards, except for subdivision plans containing fewer than 10 single-family residential lots and minor changes to existing properties. The CTR requires applicants to submit a Transportation Report as follows:

- Applicants whose developments generate fewer than 30 trips must prepare an "Initial" Transportation Report that analyzes existing traffic conditions, on-site access and circulation, and opportunities for mitigation.
- Applicants whose developments generate 30 or more trips must prepare a "Detailed" Transportation Report that includes additional off-site auto and non- auto analyses.

For the full CTR process please contact the Traffic and Transportation Division at 240-314-8500 or visit the City's website.

Traffic and Transportation Division staff also provide support to the City's Transportation and Mobility Commission, which has an advisory role in related matters. This Commission may make its own recommendation to the Approving Authority, as provided in the CTR process.

### **Forestry (CPDS)**

## **Chapter 3 : Highlights of the Development Review Process**

The Forestry Division in CPDS approves Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) plans and Forest Conservation Plans (FCP) submitted in support of development applications in accordance with Chapter 10.5 of the City Code, the Forest and Tree Preservation Ordinance (FTPO) and Forest Conservation Manual.

- The FTPO provides for the protection, preservation and replacement of trees and forested areas during the development process.
- NRI/FSD and Preliminary FCP submissions are required, in accordance with the FTPO, for the following applications:
  - Project Plan, Site Plan and Special Exception applications, and any amendments or modifications thereto;
  - Non-residential Variances; and
  - Subdivisions - Preliminary or Final (not required for recordation of an existing single-family property).
- NRI/FSD applications are routed to Historic Preservation staff for review and analysis of historic resources (if any) on the subject property, and to the Environmental Management Division for review per the Environmental Guidelines.

### **Recreation and Parks**

Recreation and Parks staff reviews applications that propose development adjacent City parkland or creating additional City parkland to determine compliance with Recreation and Parks standards.

### **City Manager's Office (AIPD, CMO)**

The City Manager's Office administers the City's Publicly Accessible Art in Private Development Ordinance.

### **Fire Marshal (CPDS)**

The Fire Marshal's Office of CPDS reviews applications for compliance with the relevant building, fire and life safety codes as they relate to Site Plans. Comprehensive reviews of

## **Chapter 3 : Highlights of the Development Review Process**

the building's compliance with such codes occur during the Building Permit phase after approval by the Approving Authority.

### **Historic Preservation (CPDS)**

Historic Preservation Planners serve as staff liaisons to the HDC and are involved in reviewing development applications, demolition permits, Certificates of Approval and the NRI/FSD process to identify and preserve the City's historic resources.

The Historic Preservation Section of CPDS reviews development applications for potentially eligible historic designation due to historic, archaeological or architectural significance. This typically occurs early in the planning approval process as part of the NRI/FSD review. If demolition is proposed as part of a development application and the site is not already designated as historic, the HDC must find it is not historically significant. Applications within a historic district require approval of a Certificate of Approval by the HDC. Development applications are also reviewed for potential impacts on adjacent designated historic districts. Preservation staff will coordinate this courtesy HDC review during the development review process.

### **Comprehensive Planning (CPDS)**

The Comprehensive Planning Division of CPDS may participate in application reviews as needed when specialized knowledge of the Comprehensive Master Plan and/or neighborhood plans is required.

### **Environmental Management (DPW)**

The Environmental Management Division of the Department of Public Works reviews applications, NRIs and FCPs to ensure sustainability and compliance with the City's environmental guidelines and other relevant regulations and policies as needed.

### **Sign Review (CPDS)**

## Chapter 3 : Highlights of the Development Review Process

Sign review staff review applications to ensure that signs are constructed and installed in accordance with Article 18 of the Zoning Ordinance.

### Outside Agencies

Several outside agencies review planning applications submitted to the City. These include agencies of the Montgomery County government, particularly the Department of Transportation and the Montgomery County Public Schools. Applications may be sent to the Maryland-National Capital Park and Planning Commission and the City of Gaithersburg when proposed development is close to those jurisdictions. State agencies, such as the State Highway Administration (SHA), review applications related to their areas of responsibility. Public utilities are also potential reviewers, particularly PEPCO, WSSC and Verizon.

**Plan Revisions During Application Phase.** Revisions to submitted applications may be required by the DRC or desired by the applicant to show compliance with regulations and conditions or to address community concerns. In the event of revisions, the applicant must provide a narrative describing changes. These will be logged in by CPDS intake staff and given to the Case Planner for distribution to departments and external agencies participating in the review.

As noted in previous sections, when updated or revised information is submitted to the City for review, it is expected that these updates are also provided by the applicant to interested residents and in a manner consistent with agreed-upon protocols established during area meetings. This information includes site plans and oversized drawings, and other material prepared showing compliance with regulations and conditions as noted above.

**Evaluation and Staff Reports.** The application is reviewed by members of the DRC based on the codes and policies of the City. The DRC process is intended to keep applicants and the community informed of problems, suggestions, requirements and conditions that relate to the application or proposed site plan. This is done through written comments at or following DRC

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*A list of the codes, guidelines and manuals most relevant to the review of development applications is attached in Appendix A.*

*This is by no means an exhaustive list and the City Code and Comprehensive Master Plan, and applicable Neighborhood Plans, should be consulted for complete information. Such laws take precedence over this manual, should there be a conflict.*

### **Chapter 3 : Highlights of the Development Review Process**

meetings and verbal communication from or through the Case Planner.

At the close of the DRC process on the final version of the application materials, the staff will set forth their findings, recommendations and conditions (if any) into a written staff report. The coordinator and primary author of this report is the Case Planner; however, the report incorporates findings, recommendations and conditions from all DRC reviewers. The staff report will also provide a discussion of community concerns. Based upon written comments received prior to the completion of the staff report, the Case Planner will identify resident or neighbor concerns in the staff report. This section of the report will also attempt to provide a status of the comment and how it has been addressed.

For most applications, the meeting with the Approving Authority will be at the close of the DRC process. This time is needed to prepare the staff report and comply with deadlines for advertising, posting and distributing agendas and packets according to the rules of procedure of the Approving Authority or in certain cases, state or City laws. The applicant will receive a copy of the staff report and agenda immediately after the brief book containing the staff report is sent to the Approving Authority.

### **Public Meeting Phase**

**Approving Authorities.** Article 4 of the Zoning Ordinance defines “Approving Authority” as the elected or appointed body or other City representative authorized to render a final decision on specific application requests. The Zoning Ordinance prescribes which of the Approving Authorities discussed below makes the decision on each type of application. If an amendment of an approved application is desired, the amendment will be processed through the original Approving Authority unless otherwise stated in the Zoning Ordinance.

All Approving Authorities, except for the Chief of Zoning, have agendas and packets of information (including staff reports for applications) posted on the City’s website at least five days prior to their scheduled meeting. Applicants are sent a copy of the staff

### **Chapter 3 : Highlights of the Development Review Process**

report for their case and the agenda after the packet is sent to the Approving Authority.

Any interested parties may also obtain a copy of the staff report from the website or from CPDS after the packet is distributed to the Approving Authority. The applicant is required to attend meetings, make a presentation at the first meeting and be available for questions at any subsequent meetings. The applicant generally is limited to 10-15 minutes for presentations; public speakers are allowed three to five minutes or as stated in the Rules of Procedure for each Approving Authority.

#### **Mayor and Council**

The Mayor and Council reviews and makes decisions on Map and Text Amendments, Project Plan applications, Annexations, and the establishment of Historic Districts. For certain Planned Developments, the Mayor and Council review site plans for schematic design as required by prior approvals. The primary staff contact for Mayor and Council agendas is the City Clerk, however, the Case Planner assigned to the case will have information related to scheduling, agendas and presentations for such meetings.

Mayor and Council meetings are normally held every Monday of the month at 7 p.m. in the Mayor and Council Chambers of City Hall. Applications are ordered on the agenda according to the type of deliberation necessary. The date, time, location and order of the agenda should be confirmed on the City's website, with the City Clerk's Office or with CPDS staff. The applicant is required to attend the meeting(s) and expected to make a presentation at the first meeting and answer questions that may be asked by the Mayor and Council. There are several stages in the Mayor and Council's application deliberation. The typical order of these stages is hearing, close of record, discussion and instruction and action. These may occur at one meeting or a series of meetings.

#### **Planning Commission**

The Planning Commission reviews several types of applications; on some it makes recommendations to other Approving Authorities and on others it renders the final decision. The Planning Commission reviews and makes decisions on:

### **Chapter 3 : Highlights of the Development Review Process**

- Level 2 Site Plan applications
- Certain amendments to approved Site Plans
- Preliminary Subdivision Plans
- Final Record Plats
- Ownership Plats
- Certain Nonconforming Alterations
- Time Extensions

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*The primary staff contact for the Planning Commission is the Chief of Zoning.*

The Commission makes recommendations to the Mayor and Council on applications for Project Plans, and Map and Text Amendments. It also reviews and makes recommendations to the Board of Appeals on all Special Exception and non-residential Variance applications with respect to the application's compliance with the Comprehensive Master Plan.

The applicant is required to attend the Planning Commission meeting(s) and is expected to make a presentation at the first meeting and be available for questions from commissioners. As determined by the commission's Rules of Procedure, the applicant generally has a maximum time limit of 10 minutes for their presentation, occurring after the Case Planner presents the staff report and recommendation. The chair will open the public meeting and ask if a member of the audience wishes to speak. Each speaker is typically allotted for three minutes and after the conclusion of all speakers, the commission will discuss the case and take action or will announce the date of the next step. The commission may do one or a combination of the following depending on the complexity and the level of public comment on the application. It may close the hearing, leave the record open for subsequent written comment, give directions to the applicant and staff or make a decision.

#### **Board of Appeals**

The Board of Appeals is charged with the responsibility of hearing applications for Variances and Special Exceptions and deciding appeals from administrative decisions. The Chief of Zoning is the primary contact for the Board of Appeals, which meets on the third Wednesday of each month at 7 pm in City Hall.

## **Chapter 3 : Highlights of the Development Review Process**

### **Historic District Commission (HDC)**

The HDC is charged, under the provisions of Land Use Article, Title 8. Historic Preservation of the Annotated Code of Maryland, and the Zoning Ordinance, with recommending to the Mayor and Council the boundaries of districts that are deemed to be of historic value in the City, and in deciding on applications for exterior changes and changes in environmental settings of locally-designated historic districts, known as Certificates of Approval. The HDC, composed of five appointed commissioners, meets on the third Thursday of each month in City Hall at 7 p.m. The primary staff contact for HDC Agendas is the staff liaison in CPDS.

### **Chief of Zoning**

The Chief of Zoning has all the powers and duties conferred and imposed on the Chief of Zoning in the Zoning Ordinance including, but not limited to:

- Acting as clerk of various boards and commissions, where provided in the Zoning Ordinance;
- Determining whether unclassified uses not specifically listed in the land use table are similar to other uses listed in the land use tables and consistent with the intent of the Zoning Ordinance;
- Interpreting the provisions of the Zoning Ordinance in accordance with Section 25.06.04;
- Reviewing and acting on administrative adjustments in accordance with Section 25.06.05;
- Reviewing applications for occupancy permits and temporary occupancy permits for purposes of determining, and advising the Chief of Inspection Services, whether all zoning requirements have been met; and
- Reviewing and acting on Level 1 Site Plan applications in accordance with the provisions of Article 7 in the Zoning Ordinance.
- Administering temporary use permits, sign permits, and sign variances in accordance with Section 25.09.04 and Article 18, respectively, of the Zoning Ordinance.

### **Chief of Inspection Services**

### **Chapter 3 : Highlights of the Development Review Process**

The Chief of Inspection Services has all the powers and duties conferred and imposed in the Zoning Ordinance, including, but not limited to:

- Coordinating the authorization of City departments for the issuance of permits authorized by the Building Code, as contained in Chapter 5 of the Code
- Administering temporary use permits in accordance with Section 25.09.04.

**Other Commission or Board Reviews for Certain Project.** In rare circumstances, the DRC or the Planning Commission may refer applications that are unique or challenging to another commission or board such as, but not limited to, the Transportation and Mobility Commission (City Code Chapter 2, Article III, Division 3) or the Recreation and Parks Advisory Board (City Code Chapter 14, Article II). Such meetings are public, and the applicant is instructed to attend those meetings as well.

Under the city's Comprehensive Transportation Review (CTR), developments that generate 125 or more total peak hour trips, are required to hold a public meeting with the Traffic and Transportation Commission. The purpose of the meeting will be to present development impacts and solicit comments from the community and from the Traffic and Transportation Commission. The applicant will be required to send written notice to announce the meeting to homeowner and civic association leaders, with assistance from City staff. This meeting will take place as part of the regularly scheduled Traffic and Transportation Commission meetings. The Traffic and Transportation Commission shall provide written comments to staff regarding the development application. Staff will forward the comments to the approving body. If the timing of the development application is such that a meeting would need to be convened prior to the Traffic and Transportation Commission meeting, staff will send out special notifications.

**Agenda Packets and Postings.** Any application that is processed through an Approving Authority (other than the Chief of Zoning or Inspection Services) will result in a staff report and recommendation that will be drafted and coordinated by the Case Planner. There may be several applications on the agenda. All staff reports and other information relevant to the agenda will

## Chapter 3 : Highlights of the Development Review Process

be distributed as an “agenda packet” to the respective Approving Authority approximately one week prior to their meeting. Immediately after the packet is distributed to the members, the applicant will also receive a copy of the agenda, and the staff report for their application. The agenda and packet are posted on the City’s website on the same day.

### Meeting Packet Posted

- Mayor and Council five days (Thursday) before meeting
- Planning Commission seven days (Wednesday) before meeting
- Board of Appeals eight days (Friday) before meeting
- Historic District Commission seven days (Thursday) before meeting

## Decision Phase

**Decision Letter.** Following the decision of an Approving Authority, the Case Planner will draft either a letter of approval, including conditions where applicable, or a letter of denial to be sent to the applicant. The decision letter must then be signed by the applicant to acknowledge acceptance of conditions and returned for inclusion in the file.

Applications requiring a decision by Mayor and Council will be rendered and documented by a resolution. Once signed by the City Clerk, the Case Planner will provide a copy of the resolution to the applicant.

**Signature Sets of Approved Site Plans.** Where applicable, the applicant must submit a signature set of plans that incorporates required changes in accordance with the conditions of approval. Signature sets are encouraged to be submitted for staff review within 30 days of the decision letter. Neither DPW permits nor building permits will be issued until the signature sets are received and approved by CPDS. The Case Planner will verify signature sets for compliance with approval conditions and distribute them to relevant DRC departments for reference.

# Chapter 4

**Community Information and  
Notice**

# Chapter 4 : Community Information and Notice

## Written Notice

Applicants who submit Pre-application, Site Plan, Project Plan, Special Exception, and Plat applications are required to provide written notice of all required Area Meetings, public meetings and meetings that will be held by an Approving Authority, e.g., the Planning Commission, Board of Appeals or Mayor and Council. See the Zoning Ordinance flowcharts for more information on Area Meetings, briefings and public hearings/meetings.

Depending on the application, public notification is accomplished by a combination of actions by the applicant and the City. General requirements are found in Section 25.05.03 of the Zoning Ordinance, which refers to newspaper, signage and written notice. Another important component of public notification is the required Area Meetings, discussed in this manual.

It is the applicant's responsibility to ensure that written notice is sent to all property owners, residents, civic, community, condominium and homeowner associations within the specified distance for each type of application.

Notices must be sent at least two weeks prior to any public meeting or hearing for each type of development application. When the applicant sends notification of a pending meeting and/or public hearing, the applicant must provide an affidavit including a complete mailing list (in alphabetical order) of properties/addresses where notices were sent/mailed. A map of the site area of the mailings must accompany said affidavit and the mailing list and be submitted to the Case Planner.

**Initial Notice Letter and Postcard Notices.** The first notice that is sent for applications is sent in the form of a letter (Appendix I), and all subsequent notices may be sent in a postcard format (Appendix K).

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*The Maryland State Department of Assessments and Taxation maintains the Real Property Data Base that can be used to obtain the names and addresses of all property owners. The address is: <https://dat.maryland.gov/Pages/default.aspx>*

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*Notification Distances by Application*  
*Level 1 Site Plans: 750 feet*  
*Level 2 Site Plans: 1,250 feet*  
*Project Plans: 1,500 feet*  
*Special Exceptions:*  
*0-6 Points = 750 ft.*  
*7-15 Points = 1,250 ft.*  
*16 or More = 1,500 ft.*  
*Preliminary Plan of Subdivision, Final Record Plat and Local Map Amendment are 750 feet.*

*(NOTE: These distances are a straight-line distance measured from all property lines of the subject parcel.)*

## Chapter 4 : Community Information and Notice

**Required Content of Mailing Notices.** The applicant is required to include the following information in written notices:

- The name of the applicant and application number;
- The date, time, and place of any scheduled Area Meeting, Development Review Committee meeting; public hearing or meeting of an Approving Authority;
  - Members of the public are welcome to attend and observe the meetings of the Development Review Committee. However, no testimony or public comment will be allowed at the DRC meeting.
- A description of the property that is the subject of the application by street address or, if no street name or number is available, by another general location description;
- The nature, scope, and purpose of the application;
- Brief description of the project;
- How interested parties may be heard or otherwise submit their written comments on the application; and
- Where additional information on the application/proposed development may be obtained, to include the phone number for CPDS; and,
- The following information must be included only in the first notification packet:
  - A copy of the “Citizens Guide to Development Review in Rockville” available from the City’s [Development Review Process](#) webpage
  - Anticipated Timeline of the Project;
  - Location Map;
  - Site Plan (if applicable)

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*The City (CPDS) provides written notice for Administrative Adjustments, Sectional Map Amendments, Text Amendments, Street Closing and Abandonments and Variances. The applicant provides written notice for all other applications.*

**Please Note:** failure to provide all the required information with the public notification will result in a delay in the application process. If any notice is found to be deficient an additional notice will be required which may result in a failure to meet the targeted meeting date.

In addition to the above referenced requirements, applicants for Level 2 site plans and Project Plans must send electronic notice to all homeowners associations and civic associations within the City, the Planning Commission and the Mayor and Council. This list will be provided by City Staff. While every effort will be made to ensure that this list is up-to-date, there may be

## Chapter 4 : Community Information and Notice

some instances where the contact information has changed without the City's knowledge.

**Civic, Community, Condominium and Homeowner Associations.** In addition to the list of property owners obtained from the state database and tenants, the applicant must mail or deliver notice to civic groups and building tenants. The applicant must obtain a list of civic, community, condominium and homeowner associations from staff. At staff's discretion, this list may be expanded for large or unusually shaped properties.

**City of Rockville, Community Planning and Development Services.** The notification list must include the Case Planner from the Community Planning and Development Services Department.

**Signs.** Most applications require the posting of a sign on the subject property. Requirements, including where to place the sign, are found in Subsection 25.05.03.d of the Zoning Ordinance. Signs are provided by the City and must be posted by the applicant within five days of receipt. It is the applicant's responsibility to keep the meeting dates current on the sign. On the day of every public meeting or hearing by an Approving Authority, the applicant must submit an affidavit to the Case Planner certifying that the sign has been posted and maintained in accordance with Zoning Ordinance requirements. A copy of the affidavit form is provided in Appendix M.

**Access to Information.** Pursuant to Section 25.05.05 of the Zoning Ordinance and subject to the Maryland Public Information Act, all application files are open to the public for inspection. Materials such as plans can be found on the city's [Development Watch](#) website on the appropriate project page. Copies of materials will be provided on payment of copying charges in accordance with City policy or may be provided electronically, if available, upon request. Files may be viewed at the CPDS Department, City Hall, second floor, during regular business hours.

**Note:** Please follow the letter templates in Appendix H and I as closely as possible. It is important that the meeting information be provided as succinctly and clearly as possible

**Chapter 4 : Community Information and Notice**

<b>Table 1: Noticing requirements for different application types</b>				
<b>Application Type</b>	<b>Area Meetings</b>	<b>Written Notice from Applicant</b>	<b>Site Sign Posting</b>	<b>Written Notice from CPDS/City</b>
Preapplication	X	X	X	
Project Plan	X	X	X	
Site Plan	X	X	X	
Site Plan Amendment				
Preliminary Subdivision Plan		X	X	
Final Record Plat		X		
Variance			X	X
Administrative Adjustments			X	X
Nonconforming Alterations			X	X
Special Exception	X	X	X	
Historic District Certificate		X	X	X
Text Amendment		X	X	X
Local Map Amendment Annexation		X	X	X
Annexation			X	X
Single-Unit Dwellings				
Mandatory Referral		X	X	

# Chapter 5

**Types of Development  
Applications and Summary  
Procedures**

# Chapter 5 : Types of Development Applications and Summary Procedures

## Application Types

- Single-Unit Dwellings
- Alternative Compliance (ATC)
- Administrative Adjustment (ADJ)
- Nonconforming Alterations (NCA)
- Variance (VAR)
- Site Plan (STP)
- Site Plan Amendments (STPA)
- Project Plan (PJT)
- Special Exception (SPX)
- Preliminary Subdivision Plan (PLT)
- Final Record Plat (PLT)
- Historic District Certificate of Approval (COA) and Courtesy Review (CRT)
- Text Amendment (TXT)
- Local Map Amendment (MAP)
- Annexation (ANX)

## **Single Unit Dwellings**

Single-unit dwellings in a Single-Unit Dwelling Residential Zone on a record lot do not require approval of a Site Plan but do require approval of a building permit and any related permits, such as plumbing and electrical permits. Single-unit dwellings may proceed directly to building permit application unless they need a Variance, Administrative Adjustment, Alternative Compliance, a Nonconforming Alteration approval, or are located within a historic district. Any demolition also requires a separate permit and a review for possible historic significance before a building permit can be issued.

The Zoning Requirements for height, setbacks, building coverage, and impervious coverage are reviewed as part of the permit process.

The development standards table in Section 25.10.05 provide these allowed percentages in the different zones.

## **Alternative Compliance (ATC)**

**Purpose.** Alternative Compliance to the East Rockville Design Guidelines or the Lincoln Park Conservation District standards may be approved by the Chief of Zoning if a proposed design meets established criteria.

**Application Requirements.** The following materials are required for Administrative Adjustment applications:

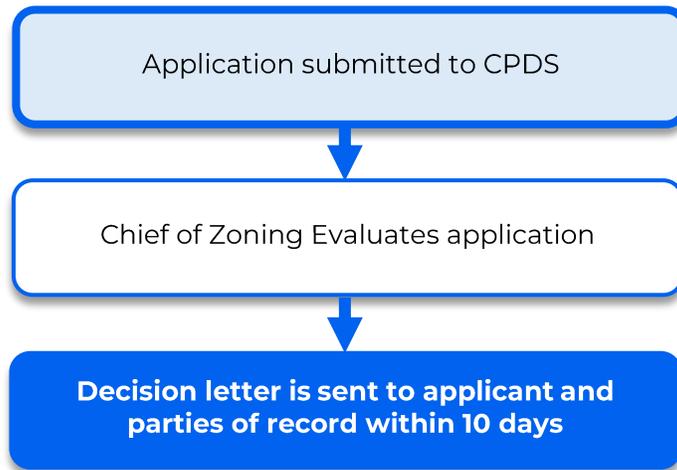
- The application and filing fee;
- A statement addressing how the proposed alternative advances the stated goals and objectives of the applicable Design Guidelines, and accomplishes the following:
  - Meets or exceeds the purpose and intent of the guideline(s) for which alternative compliance is being requested.
  - Provides an equal or better design solution in terms of livability for residents and impacts on neighboring properties.
  - Accomplishes neighborhood goals, as outlined in the Purpose section of the applicable Design Guidelines document
- Elevations or photos of the proposed structure;
- A house location survey that includes existing and proposed improvements; and
- Any additional information and plans necessary to provide for review of the application.

**Notice Requirements.** This is an administrative review without public notice that is appealable to the Board of Appeals.

**Processing Time.** See Application Target Review Timeframes document (Appendix B).

**Applicable Sections of the City Code.** Zoning Ordinance Section 25.10.14 and Section 25.14.03.

**Chart 1: Alternative Compliance**



**Notes**

**CPDS:** Community Planning and Development Services

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Administrative Adjustment (ADJ)**

**Purpose.** Administrative Adjustment is a process in which the Chief of Zoning is authorized to grant modifications of certain regulations. Administrative adjustments may be granted for residential uses in single dwelling unit residential zones, and only to reduce setbacks, increase lot coverage, or decrease landscaping requirements. Administrative adjustments may be granted for non-residential uses in residential zones and all uses in residential medium density, industrial, mixed use, and special zones, to reduce setbacks.

**Application Requirements.** The following materials are required for Administrative Adjustment applications:

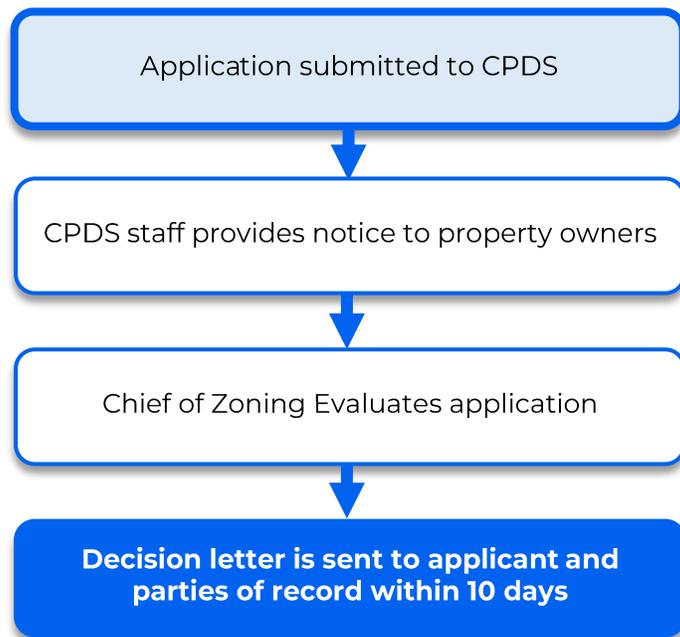
- The application and filing fee;
- A statement addressing the findings contained in Subsection 25.06.05.f;
- Elevations or photos of the proposed structure;
- A house location survey that includes existing and proposed improvements; and
- Any additional information and plans necessary to provide for review of the application.

**Notice Requirements.** The CPDS staff sends notice in accordance with Section 25.05.06. Notice is required only to the adjoining and confronting property owners.

**Processing Time.** See Application Target Review Timeframes document (Appendix B).

**Applicable Sections of the City Code.** Zoning Ordinance Section 25.06.05

**Chart 2: Administrative Adjustment**



**Notes**

**CPDS:** Community Planning and Development Services

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Nonconforming Alterations (NCA)**

**Purpose.** Nonconforming Alteration applications are required in the case of an alteration to a structure that either contains a nonconforming use, or if the structure itself is nonconforming. A nonconformity is a use or development that was lawful when established but no longer meets the use and development standards (height limits, setbacks, etc.), under the current Zoning Ordinance. Depending on the level of Nonconforming Alteration requested, either the Chief of Zoning or the Planning Commission shall conduct the review and approval.

Provisions pertaining to nonconformities and nonconforming alteration approvals are contained in Sections 25.08.04 and 25.08.08 of the Zoning Ordinance. In brief, the Chief of Zoning review is intended to address expansions of nonconforming uses to those parts of a building that were specifically designed or arranged for such use, prior to the date when such use of a building became nonconforming. The Chief of Zoning shall also review modifications of nonconformities for detached or semi-detached single-unit dwellings.

The Planning Commission review is designed to address expansions, modifications or structural alterations to a structure or premises occupied by a nonconforming use, other than a detached or semi-detached single-unit dwelling. The Planning Commission shall also review any change to a nonconforming building or structure in compliance with the requirements of the Zoning Ordinance that involve a physical change to the exterior part of the building or structure that is nonconforming.

**Application Requirements.** Nonconforming Alteration applications must be submitted to CPDS and contain the following materials:

- A site plan drawn to scale showing locations of existing and proposed buildings, yards, driveways, and parking areas and the proposed alteration;
- Floor plans showing the location of uses in the structures and on the site; and
- Such other information as may be required by the Approving Authority.

## **Chapter 5 : Types of Development Applications and Summary Procedures**

**Chief of Zoning Review Procedure.** Nonconforming Alterations requiring Chief of Zoning review must be submitted and processed as a Level 1 Site Plan (refer to Chart 6 for Level 1 Site Plan process). A decision letter will be provided within 30 days.

Notice Requirement: The Chief of Zoning must send written notification of the application filing in accordance with the provisions of Subsection 25.05.03.c. A sign must be posted on the property in accordance with the requirements in Subsection 25.05.03.d.

**Planning Commission Review Procedure.** Nonconforming Alteration applications requiring Planning Commission review according to Subsection 25.08.08.a.2. must be submitted and processed as a Level 2 Site Plan review.

Notice Requirement: The applicant must provide notice of the public hearing in accordance with the provisions of Subsections 25.05.03.c. and d.

**Applicable Sections of the Rockville City Code.** Zoning Ordinance Section 25.08.08

**Chart 3: Nonconforming Alterations – Planning Commission Review**



**Notes**

**CPDS:** Community Planning and Development Services

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Variance (VAR)**

**Purpose.** To allow modifications of the lot, area or bulk development standards contained in the Zoning Ordinance. Variances are granted by the Board of Appeals. Staff authors a staff report and recommendation for Variance applications.

**Application requirements.** The following are required for Variance applications:

- The application and filing fee;
- Elevations of the proposed structure;
- A house or building location survey or site plan that includes existing and proposed improvements;
- Copies of the house or building location surveys for the surrounding properties or a site plan that depicts the abutting improvements; and
- Any additional information and plans necessary to provide for comprehensive review of the application.

**Notification Requirements.** Notice is sent by CPDS as provided for in Subsections 25.05.03.c. and d.

**Processing Time.** Processing and review time is approximately two months for residential Variances and approximately three months for non-residential Variances.

**Implementation Period.** If site plan approval is required to exercise the rights granted by the Board's decision, application for such approval must be filed within six months of the date of the Board's decision, or the variance approval shall expire. The filing of an application for site plan approval shall extend the rights granted by the Board's decision to a date one year from the date of the Board's decision. The approval of a site plan shall extend the rights granted by the Board's decision for the same period of time that the rights granted by the site plan approval exist, including any extensions thereof;

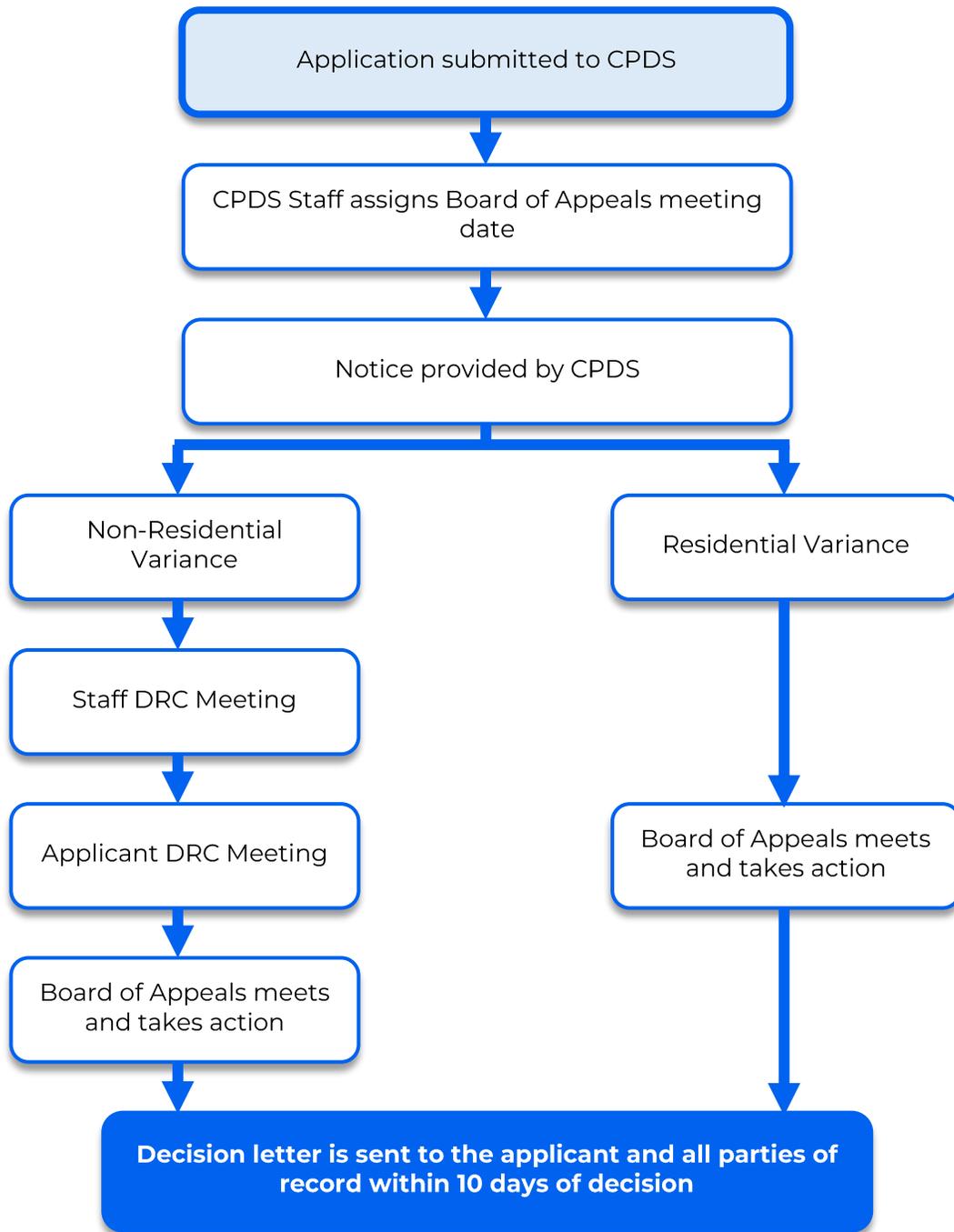
If a building permit is required to exercise the rights granted by the Board's decision, such building permit must be issued and construction started within twelve months of the date of the Board's decision, or within the time limit as extended by the approval of a site plan, or the variance approval shall expire;

## **Chapter 5 : Types of Development Applications and Summary Procedures**

If a building permit is not required to exercise the rights granted by the Board's decision, such rights must be established within twelve months of the Board's decision, or the approval shall expire.

**Applicable Sections of the Rockville City Code.** Section 25.06.03 of the Zoning Ordinance.

Chart 4: Variance



**Notes**

**CPDS:** Community Planning and Development Services

**DRC:** Development Review Committee

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Site Plan (STP)**

**Purpose.** The Site Plan process evaluates proposed development or use for compliance with requirements of the Zoning Ordinance and other applicable development standards, regulations and policies. No Building Permit, Occupancy Permit, or Right-of-Way Construction Permit shall be issued prior to Site Plan approval where such approval is required. There are two types of Site Plan applications: Level 1 and Level 2.

The level of review for each Site Plan and Project Plan application is based on a point system; (PIPS) provided in the Zoning Ordinance under Subsection 25.07.02.b.1. Each application must be evaluated on site acreage, the number of dwelling units proposed, the proposed square footage of non-residential space, the residential impact area and the traffic impact of the proposed development. Each of these items is assigned a point value, which is combined to determine the total point value for the project. See Appendix C for more information about how to calculate point totals.

**When Site Plan Approval is Required.** The level of review for each Site Plan application is based on a point system or PIPS, provided in the Zoning Ordinance under Subsection 25.07.02.b.1. Each application must be evaluated on site acreage, the number of dwelling units proposed, the proposed square footage of non-residential space, the residential impact area and the traffic impact of the proposed development. Each of these items is assigned a point value, which is combined to determine the total point value for the project. See Appendix C for more information about how to calculate point totals.

Conditions may be attached to the approval of a Site Plan to ensure that the proposed use will be consistent with the purpose and intent of the Zoning Ordinance. Site Plans may be amended through a separate process to allow for major and minor deviations from approved plans, in accordance with the Zoning Ordinance.

**When Site Plan Approval is NOT Required.** A Site Plan is not required for single-unit detached or semi-detached residential structures and related accessory buildings on a record lot in Single-Unit Dwelling Residential Zones and uses allowed by

## Chapter 5 : Types of Development Applications and Summary Procedures

temporary permit. Residential subdivisions for single-unit detached and semi-detached structures are created via the Preliminary Plan and Final Record Plat processes as required.

**Notification.** Section 25.05.03 outlines the notification requirements including written notice, signs, affidavits and conduct of area meetings. In addition to the ordinance requirements, Appendices H-K provides helpful materials related to notice requirements.

**Processing Time.** The estimated processing time for Site Plan review varies, and estimates are shown on the Application Target Review Timeframes schedule (Appendix B).

**Implementation Period.** A site plan approval by the Planning Commission or the Chief of Zoning expires if construction does not commence pursuant to a validly issued building permit within two years of the effective date of the Planning Commission approval, unless another time frame is provided by through the Zoning Ordinance or by the terms of the approval.

Except as set forth in Section 25.07.15, the Planning Commission or the Chief of Zoning may, for good cause shown, grant no more than two extensions of not more than one (1) year for the first extension and six months for the second extension for any prior approval subject to the provisions of Section 25.05.08, "Extension of implementation period". The Planning Commission may require as a condition of approval of an extension that the applicant submit periodic progress reports to the Chief of Zoning detailing efforts undertaken to implement the site plan approval.

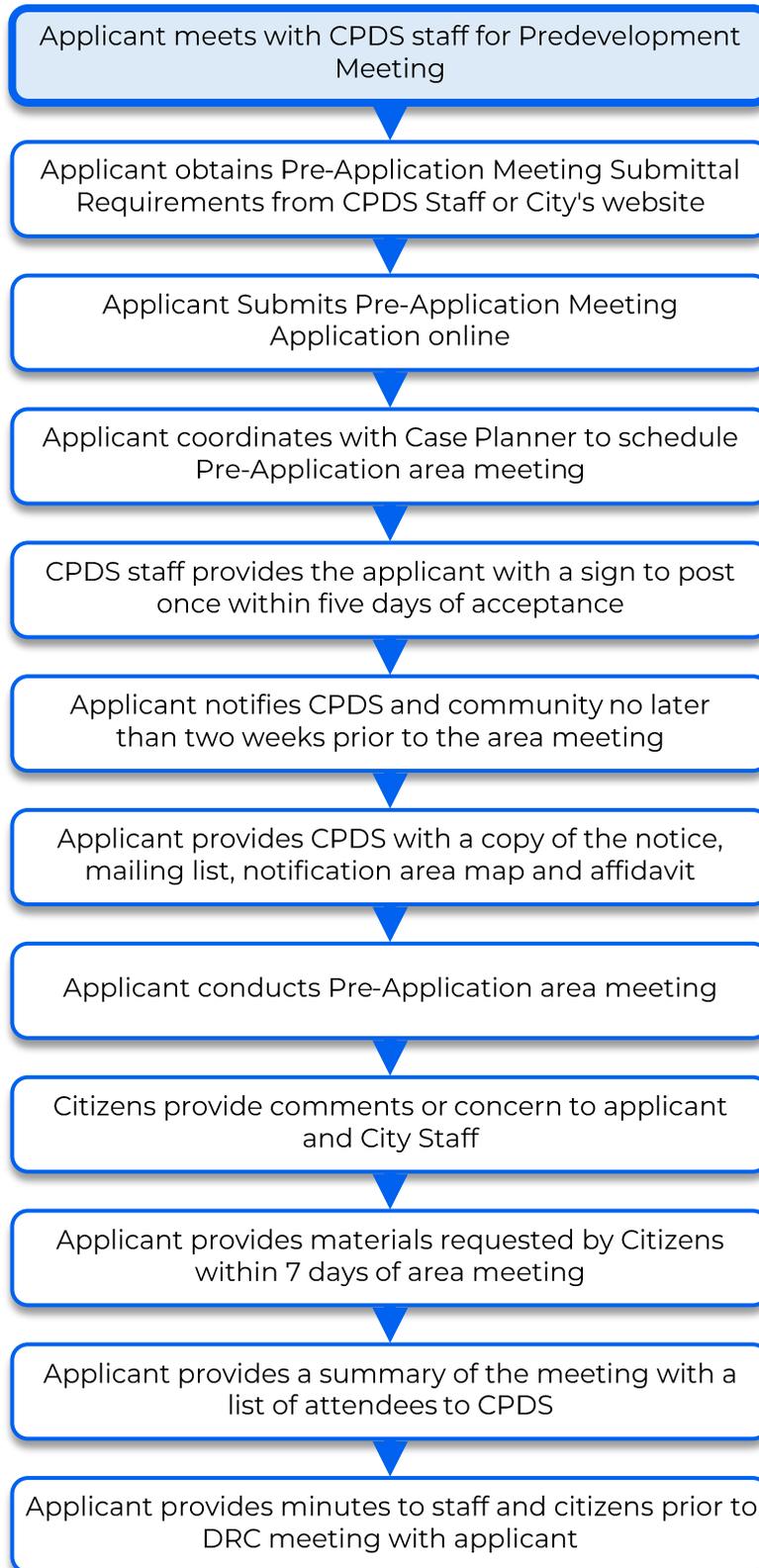
All phases of a multi-building or multi-phase project which has received site plan approval must be commenced within eight years from the effective date of site plan approval unless another time frame is provided by the Zoning Ordinance or by the terms of approval. A site plan approval will become void for those buildings or phases within a multiple building or phased development for which construction has not commenced within eight years from the date of the site plan approval or within such other time frame provided in the Zoning Ordinance or by the terms of approval. Unless otherwise specifically provided by the

## **Chapter 5 : Types of Development Applications and Summary Procedures**

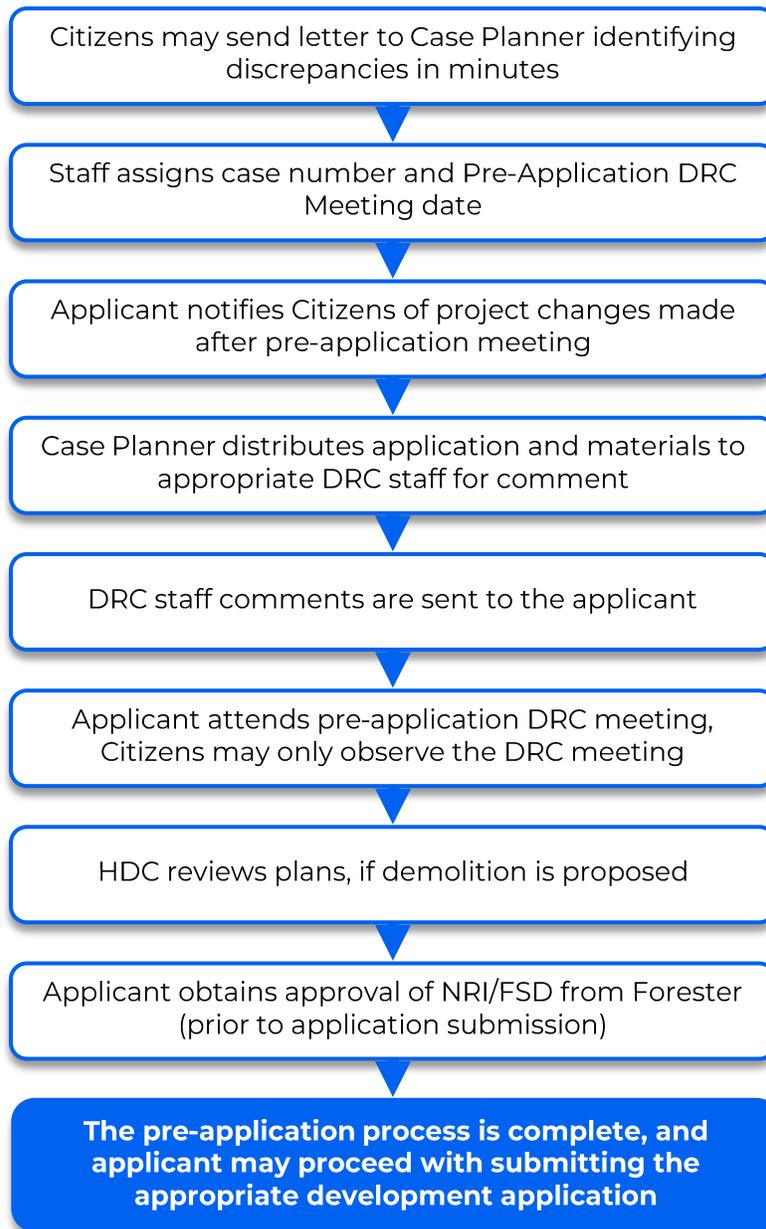
terms of approval, no extension may be granted from the implementation period.

**Applicable Sections of the City Code.** Article 7 of the Zoning Ordinance *Procedures for Site Plans and Project Plans, Special Exception and other Permits*. Section 25.07.04 for Level 1 Site Plans, and Section 25.07.05. for Level 2 Site Plans.

**Chart 5: Pre-application Process**



**Chart 5: Pre-application Process (continued)**



**Notes**

**CPDS:** Community Planning and Development Services

**NRI/FSD:** National Resources Inventory/Forest Stand Delineation

**DRC:** Development Review Committee

**HDC:** Historic District Commission

**CTR:** Comprehensive Transportation Review

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

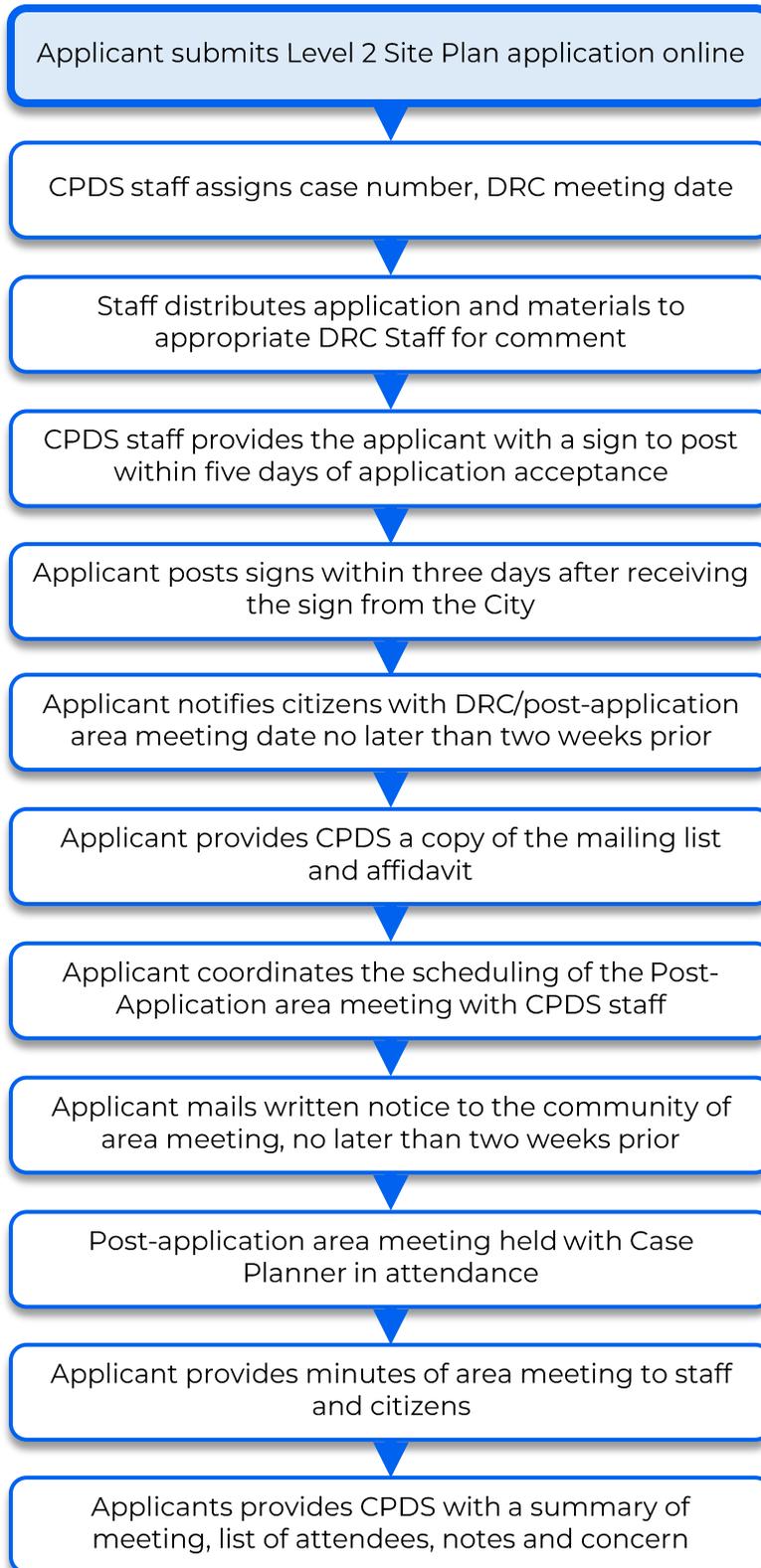
**Chart 6: Level 1 Site Plan Process**



**Notes**

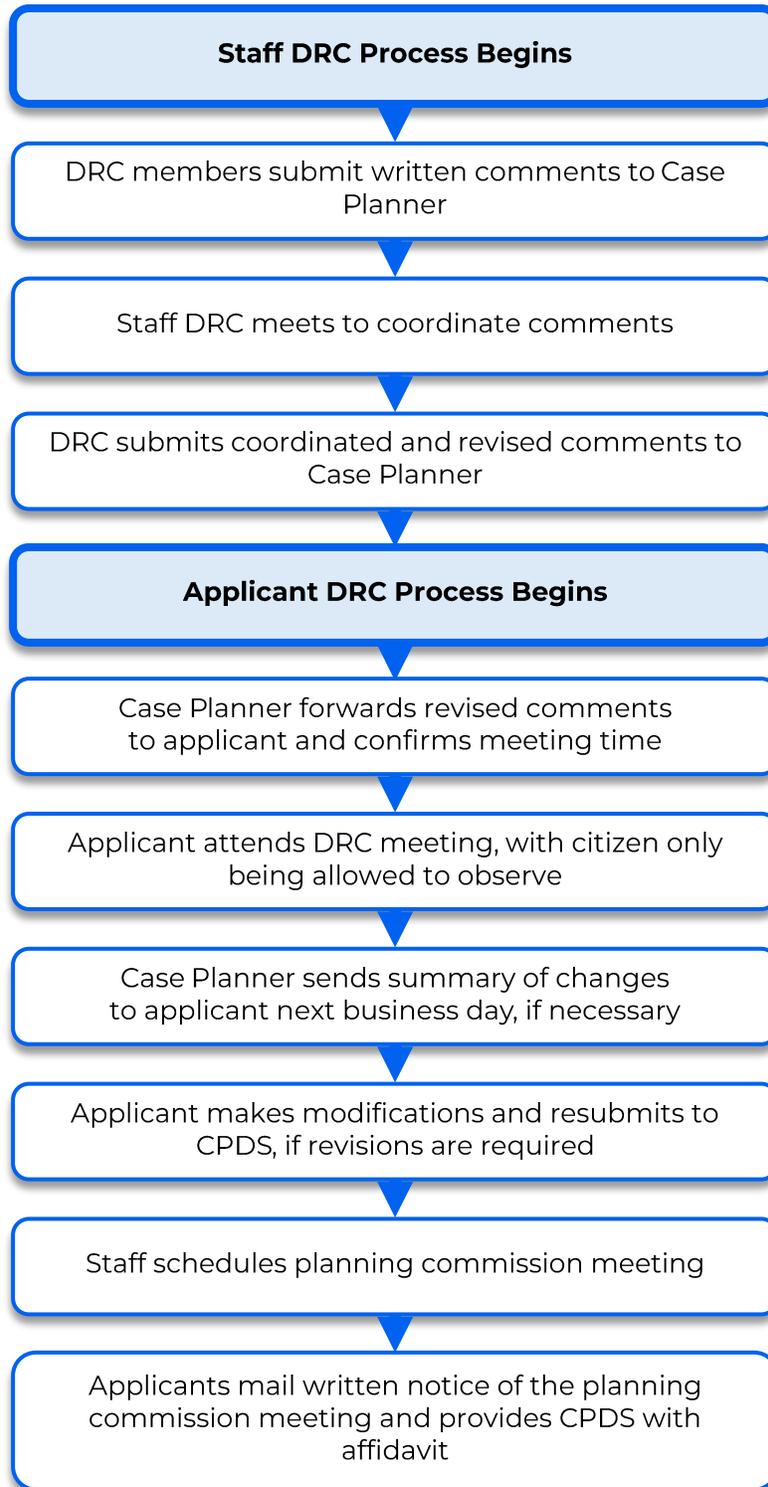
Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

**Chart 7: Level 2 Site Plan Process**



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**Chart 7: Level 2 Site Plan Process (continued)**



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**Chart 7: Level 2 Site Plan Process (continued)**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Site Plan Amendments (STPA)**

**Purpose.** Amendments to development approved as a Site Plan (or approved as a Use Permit under the previous Zoning Ordinance) must be reviewed and approved by the Chief of Zoning, subject to Section 25.05.07. There are two types of Site Plan amendments: Minor and Major.

**Exceptions.** Landscaping maintenance does not require an amendment application per Subsection 25.05.07.b.1(a). The addition or relocation of minor appurtenances such as, but not limited to, bicycle racks, seating benches, pergolas, emergency generators, transformers, refrigeration equipment, trash enclosures, sidewalks and small storage sheds, does not require an amendment application, but must not alter the basic elements of the site plan nor cause a safety hazard.

**Minor Site Plan Amendment.** A Minor Site Plan amendment may be approved if it results in a minimal effect on the overall design, layout, quality, or intent of the plan and is limited to minor adjustments to site engineering, parking or loading areas, landscaping, sidewalks, recreational facilities, recreational areas, public use space, or open area in a manner that does not alter basic elements of the site plan nor cause a safety hazard. An amendment that results in a reduction of floor area or other development intensity may be approved as a minor amendment. A change in the types of uses on the site that is in conformance with the findings of the initial approval and does not increase the parking requirement may also be approved as a minor amendment.

Minor Site Plan Amendments are circulated to the DRC for review. Any application for an amendment which does not significantly deviate from the terms and conditions of the original approval and would effectively carry out the intent of the Approving Authority's original approval may be considered and acted upon by the Chief of Zoning under the provisions for a level 1 site plan as set forth in Section 25.07.04. Minor amendments are not subject to the provisions for pre-application staff meetings, area meetings, and the notice provisions of Section 25.05.03 or Article 7.

## Chapter 5 : Types of Development Applications and Summary Procedures

Where the Chief of Zoning determines that the proposed amendment is not minor, it is classified as a major amendment, and the application is reviewed and acted on by the Approving Authority as an amendment to the original development approval.

**Notification.** Minor amendments are not subject to the notice provisions of Section 25.05.03 or Article 7.

**Implementation Period.** The approval of a minor amendment is subject to the implementation provisions of Section 25.07.06.

**Processing Time.** Processing times for Minor Amendments vary, and review times can be found in the Application Target Review Timeframes in Appendix B.

**Minor Amendments to Commercial Developments.** To encourage and expedite the re-use and redevelopment of existing commercial structures subject to approved project plans or site plans, or within a Planned Development, the Chief of Zoning may accept an application for a minor amendment for commercial redevelopment under the provisions for a minor amendment to approved development in Subsection 25.05.07.b, subject to the following requirements:

- The property must be in the I-L, MXTD, MXCD, or MXE zone and must be subject to a valid and approved project plan, site plan or use permit or the equivalent development approval.
- The limits of disturbance of the amendment must be at least three hundred (300) feet from the nearest single-family detached or attached residential use, as measured from the nearest property line. This requirement does not apply if one of the following transportation rights-of-way: Interstate 270, MD 355, MD 586 and the Metro/CSX rail right-of-way, or any adjacent parcel of land intended to provide a buffer or open space, is located between the residential use and the proposed improvement.
- The property must not be in a historic district.
- The application may only include commercial, office, or industrial uses.
- The application may include new buildings or building additions, subject to the limitations below.

## Chapter 5 : Types of Development Applications and Summary Procedures

- Notwithstanding Subsection 25.05.07.b.4, written notice will be provided by the City to all property owners, civic associations and homeowners associations within five hundred (500) feet of the subject property in accordance with Subsection 25.05.03.c. Electronic notice of the filing of an application under this section will also be provided to the Planning Commission and Mayor and Council.

The Chief of Zoning may approve a minor amendment for commercial redevelopment if the application meets the project plan or site plan approval findings in Section 25.07.01 as appropriate; the requirements of Subsection 25.05.07.c.1. and the following additional findings:

- For amendments to a site plan, the application does not result in a comprehensive change to more than twenty (20) percent of the site plan area or otherwise change the essential character and impact of the development.
- The application does not generate more than twenty-nine (29) additional peak hour trips.
- The application does not expand any existing zoning nonconformity.
- The application will not result in more than five thousand (5,000) square feet of floor area being added to the site.
- For amendments to a project plan or planned development, the amendment will not cause the following:
  - An increase in overall project density
  - A change in permitted uses or mix of uses;
  - A deviation from any of the required conditions.

**Major Site Plan Amendment.** Where the Chief of Zoning determines that a requested change is too significant to be a minor change but is not so substantial as to require an entirely new application for approval, the requested change must be reviewed and approved by the original Approving Authority as an amendment to the original development approval. Major amendments may include:

- An increase in the height of any building;
- An increase in the floor area of any non-residential portion of a building;
- An increase in the number of dwelling units; or

## Chapter 5 : Types of Development Applications and Summary Procedures

- Any other significant change to the site that results in an increase in the parking requirement and requires the construction of additional parking spaces.

**Notification.** An application for a major amendment is subject to the notice and procedural requirements per Section 25.07.03. The application will be processed under the procedures for either a Level 1 or a Level 2 site plan, depending on the initial Approving Authority.

**Implementation Period.** The approval of a minor amendment is subject to the implementation provisions of Section 25.07.06.

**Processing Time.** Processing times for Major Amendments vary, and review times can be found in the Application Target Review Timeframes in Appendix B.

**Substantial Changes Requiring a New Application.** Where, in the opinion of the Chief of Zoning, the requested change to an approved development is so extensive as to amount to a comprehensive change to more than fifty (50) percent of the project area or to otherwise change the essential character and impact of the development, such change may not be made by way of an amendment to the original approval, but rather requires the filing of an entirely new application for approval.

**Applicable Sections of Rockville City Code.** Section 25.05.07 of the Zoning Ordinance.

**Chart 8: Minor Site Plan Amendment Process**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Project Plan (PJT)**

**Purpose.** The following applications are processed as a Project Plan review:

- An application for a development with sixteen (16) or more points, as determined in Subsection 25.07.02.b.1;
- An application qualifying as a Project Plan under Subsection 25.07.02.b.4;
- An application filed with a floating zone map amendment, or an application for a champion project as defined in Article 3

See Appendix C for more information about how to calculate points.

The Project Plan application seeks conceptual approval of a large development project based on impact. Its approval determines the parameters by which the project may be built. A Level 2 Site Plan application must be submitted to implement the approved Project Plan. The applicant must hold an area meeting prior to submitting an application, and then again after submitting the application, to outline and receive comments on the scope of the project and receive comments.

**Process.** The Mayor and Council and the Planning Commission must each hold a public meeting to receive a briefing on the project plan. If the project is identified by the applicant as a champion project, the Mayor and Council will determine at the briefing whether the project may be processed as a champion project application. The applicant is encouraged to revise the application pursuant to comments received at the briefing sessions and area meetings.

The Planning Commission must review the project plan application at a public meeting and provide an opportunity for public comment on. Following its review, the Planning Commission shall prepare and transmit its comments and recommendations on the project plan application to the Mayor and Council.

All development approved under a project plan is subject to subsequent site plan approval in accordance with the level 2 site plan review procedures under Section 25.07.05. However, an

## Chapter 5 : Types of Development Applications and Summary Procedures

application for a site plan implementing a previously approved project plan is not subject to the requirements of Subsections 25.07.05.1., 2., and 5.

**Concurrent project and site plan review.** An applicant may request concurrent review of a Project Plan application and a Level 2 site plan implementing the proposed Project Plan. An applicant requesting concurrent review must submit separate applications for each under Sections 25.07.07.3 and 25.07.05.3, respectively. Each application must include a request for concurrent review and notices must specify the concurrent review of both the Project Plan and Level 2 Site Plan applications. The Project Plan application must then proceed under Section 25.07.07, Subsections 6 through 20. Upon Mayor and Council approval of the project plan, the Level 2 Site Plan application may proceed under Section 25.07.05, Subsections 6 through 10.

**Preliminary plan of subdivision approval.** Approval of a project plan also constitutes approval of a preliminary plan of subdivision. Application materials must clearly outline the preliminary plan of subdivision proposal for the DRC's review process.

**Public Notification.** Section 25.05.03 outlines the notification requirements including written notice, signs, affidavits and conduct of area meetings. Section 25.07.03 outlines the notification procedure for Site Plans, Project Plans, and Special Exceptions. In addition to the ordinance requirements, Appendices H-K provide helpful materials related to notice requirements.

**Processing Time.** The Project Plan process time is dependent on meeting times, number of revisions/resubmittals and applicant response to staff and community comments. Generally, Project Plan applications may take between nine months and one year to process. See Appendix B for more information on review timelines.

**Implementation Period.** Unless an alternative phasing schedule is established by the Mayor and Council in the Project Plan approval, all phases of a multi-phase project must begin within eight years from the date of the Mayor and Council resolution, or Project Plan approval will expire. A Project Plan

## **Chapter 5 : Types of Development Applications and Summary Procedures**

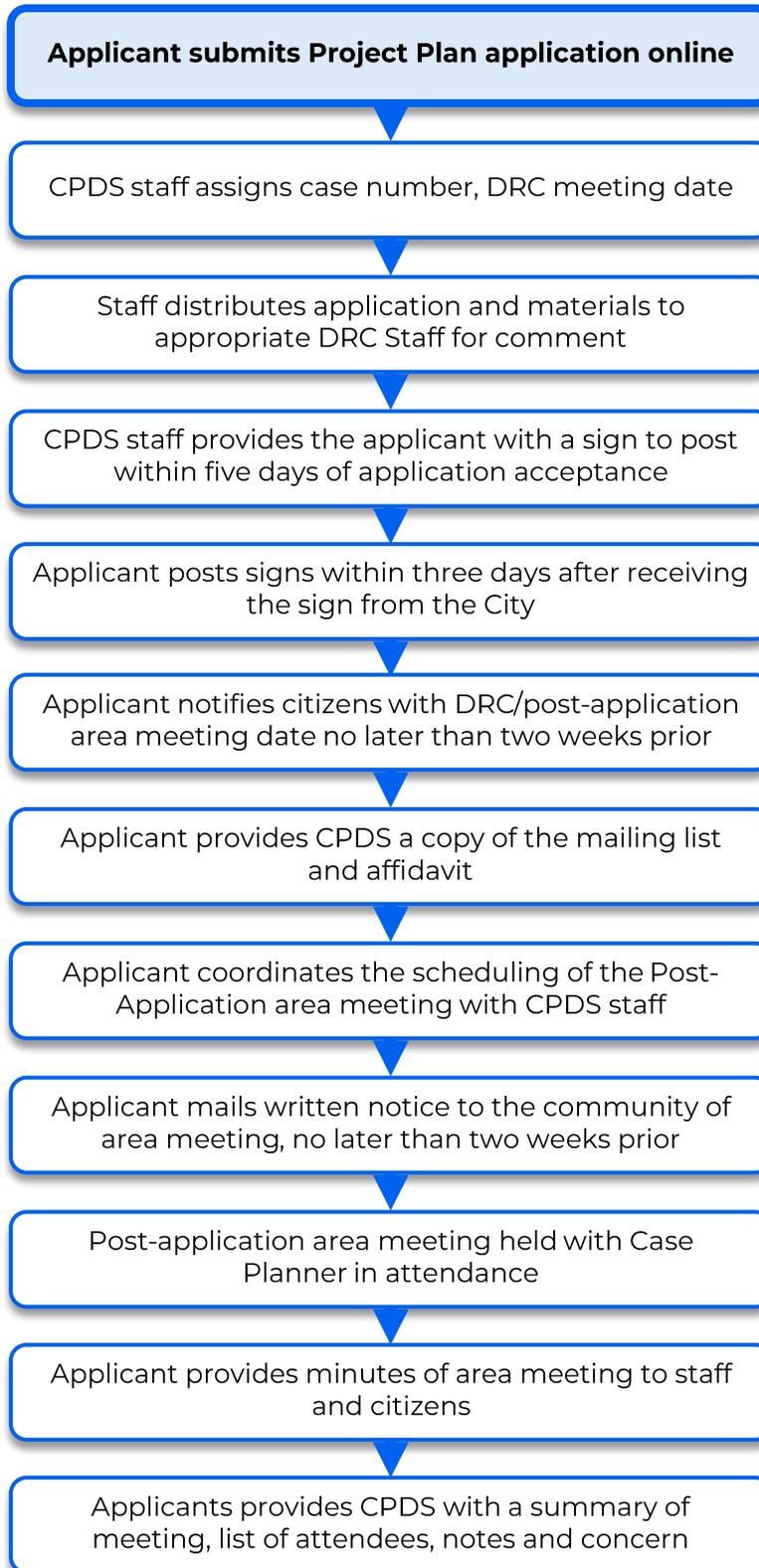
approval will become void for those buildings in a multi-building development for which a building permit has not been obtained and construction has not begun within eight years.

- A site plan application implementing all or a portion of a project plan is not filed within six (6) months of the date of the Mayor and Council's approval or within such other period of time as may be provided in the approval; or
- Except as set forth in Section 25.07.15, construction on all phases of the approved project plan has not commenced within the time period set forth in the project plan approval, except that the approval does not terminate with respect to those phases of the project plan for which construction has commenced.
- For any project plan approval that is the subject of a timely filed administrative appeal, the time for filing the site plan application and the implementation period shall be tolled in accordance with Subsection 25.05.08.e.

Section 25.05.08 outlines the provisions of the Extension of implementation period.

**Applicable Sections of the Rockville City Code.** Section 25.07.07 of the Zoning Ordinance.

**Chart 9: Project Plan Process**



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**Chart 9: Project Plan Process (continued)**



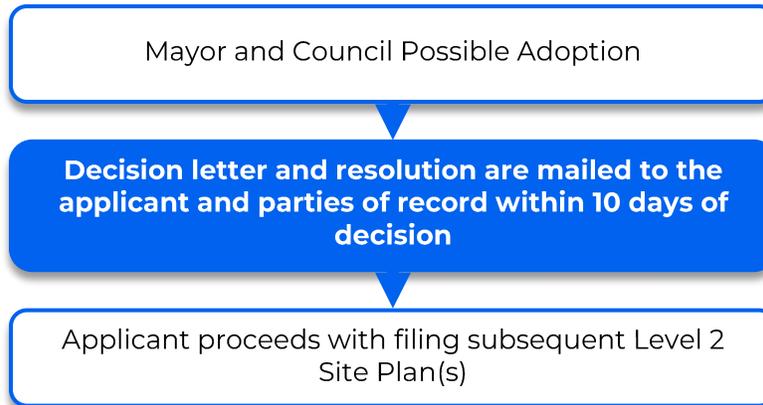
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**Chart 9: Project Plan Process (continued)**



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**Chart 9: Project Plan Process (continued)**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Special Exception (SPX)**

**Purpose.** The Land Use Tables in Articles 10-14 of the Zoning Ordinance identify those uses requiring a Special Exception. Special Exception applications are heard and considered by the Board of Appeals and require specific findings along with special conditions to be approved by the Board of Appeals. Article 15 of the Zoning Ordinance outlines procedures in more detail.

Pre-application area meetings are required for Special Exception applications. Area meetings and DRC meetings for Special Exceptions can be combined with concurrent Project Plan and/or Site Plan applications.

**Public Notification.** The applicant must provide notice, in accordance with Section 25.07.03., of the Board of Appeals public hearing and any revisions to the application. Like the areas of notice for Site and Project Plan applications, notices for Special Exceptions are based on the impact of the project according to the chart found in Section 25.07.02.b of the Zoning Ordinance.

For applications with zero (0) to six (6) points mailed notice shall be sent to all property owners and residents within 750 feet of the project area. For applications with seven (7) to fifteen (15) points mailed notice shall be sent to all property owners and residents within 1,250 feet of the project area. For applications with sixteen (16) or more points mailed notice shall be sent to all property owners and residents within 1,500 feet of the project area.

Within three business days of receiving the notification sign from CPDS, the applicant must post the sign on the property. The sign announces the public hearing date and describes the requested Special Exception.

**Implementation Period.** A special exception approval expires under the following circumstances:

- If site plan approval is required to exercise the rights granted by the Board's decision, application for such approval must be filed within six months of the date of the Board's decision, or the approval shall expire. The filing of an application for site plan approval shall extend the rights granted by the Board's decision to a date one year from the date of the Board's

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decision. The approval of a site plan shall extend the rights granted by the Board's decision for the same period of time that the rights granted by the site plan approval exist, including any extensions.

- If a building permit is required to exercise the rights granted by the Board's decision, such building permit must be issued and construction started within 12 months of the date of the Board's decision, or within the time limit as extended by the approval of a site plan, or the approval shall expire.
- If a building permit is not required to exercise the rights granted by the Board's decision, such rights must be established within twelve 12 months of the Board's decision, or the approval shall expire.

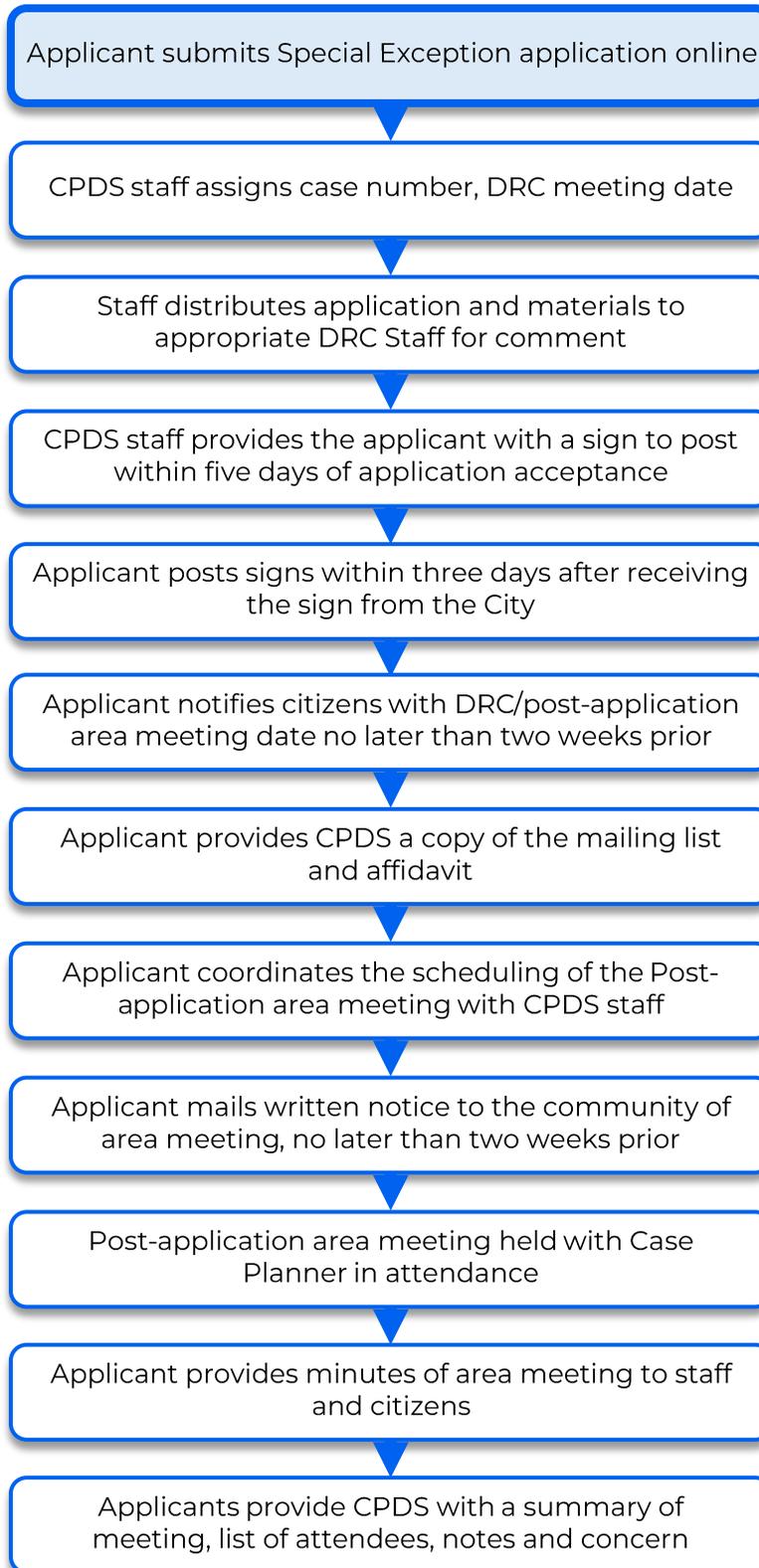
The Board may, for good cause shown, grant no more than two extensions of the implementation period of not more than six months each, subject to the provisions of Section 25.05.08, except for those projects subject to the provisions of Section 25.07.15.

**Processing Time.** Per the Board's Rules of Procedure, application requests for non-residential Variances and Special Exception requests will be generally heard at the Board's first regularly scheduled public hearing that occurs a minimum of 60 working days following application submission.

**Special Exception Modifications.** An application may be filed to modify the terms or conditions of an approved Special Exception. The Zoning Ordinance provides for two processes: one for minor modifications and one for major modifications. See Section 25.15.01 of the Zoning Ordinance.

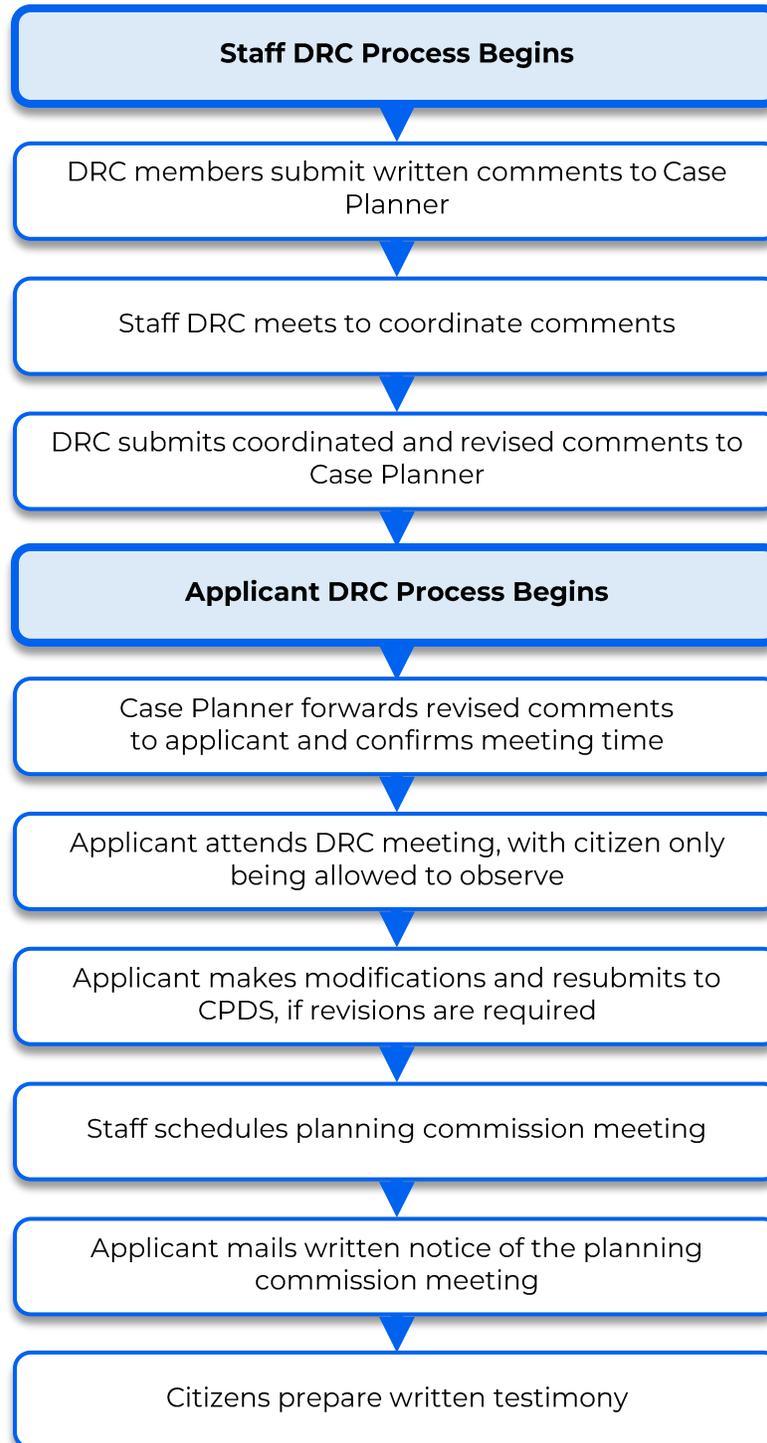
**Applicable Sections of the Rockville City Code.** Article 15 of the Zoning Ordinance.

**Chart 10: Special Exception Process**



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**Chart 10: Special Exception Process (continued)**



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**Chart 10: Special Exception Process (continued)**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Preliminary Subdivision Plan (PLT)**

**Purpose.** Preliminary Subdivision Plans are required for subdivisions that contain more than three lots or require an extension of public facilities. During the process, staff analyzes the proposed lots to identify potential issues related to development. Some of the issues examined include, but would not be limited to, compatibility, historical significance, vegetation impact, sewer, water, grading and stormwater management.

**Application Requirements.** For the application package to be considered complete, the submission requirements itemized in Section 25.21.08 and noted on the application must be included in the submission. Applications for cluster development are processed in accordance with the Preliminary Plan procedures and must include a narrative of the proposed development and a justification for allowing flexibility in lot size.

**Notification Requirement.** The applicant must send notice of the application for a preliminary plan in accordance with the provisions of Subsection 25.05.03.c. to all property owners and residents within 750 feet of the boundaries of the area described in the application. Notification must state that all interested parties have 30 days from the date of the letter to provide comments.

**The Consideration Process.** Pursuant to Subsection 25.21.09.e (Planning Commission Action), the Planning Commission must act on the application within 60 days of the Preliminary Plan being deemed complete. The commission may approve, approve with conditions or disapprove of the application. Failure to act within 60 days constitutes approval of the Preliminary Plan, unless the applicant waives this requirement and consents to an extension or waiver.

Pursuant to Subsection 25.21.09.f, a Preliminary Subdivision Plan will be approved if the Planning Commission finds that the proposed subdivision will not constitute a violation of any provision of the Zoning Ordinance or other applicable law; violate or adversely affect the plan; overburden existing public facilities, including but not limited to water, sanitary sewer, public roads, storm drainage, and other public improvements; adversely affect the health or safety of persons residing or working in the

## **Chapter 5 : Types of Development Applications and Summary Procedures**

subdivision or neighborhood; and be unsuitable for the type of development, the use contemplated, and available public utilities and services, among other criteria. The commission may attach such conditions to the approval as may be reasonable and necessary to assure that the subdivision will be consistent with the purpose and intent of the Zoning Ordinance.

A preliminary plan must not be approved by the Commission unless there is on file with the Commission the recommendation of County or State government departments which have jurisdiction in the area affected by the subdivision. Each agency to which a plan is referred will return one copy of the plan to the Commission within 30 days of referral, with its recommendation noted thereon. If such recommendation is not made within the 30-day period by any agency to which referred, the preliminary plan is deemed to be approved by it, unless the period has been extended by the Commission.

**Processing Time.** Unless granted a waiver by the applicant, failure to act upon a Preliminary Subdivision Plan within 60 days of submittal will result in the application being approved.

**Effective Period.** Pursuant to Subsection 25.21.11.b, a Final Record Plat must be filed within two years after approval of the Preliminary Subdivision Plan or the Preliminary Subdivision Plan expires for good cause shown, two time extensions, not exceeding one year each, may be granted by the Planning Commission.

**Applicable Sections of the Rockville City Code.** Article 21 of the Zoning Ordinance.

**Chart 11: Preliminary Subdivision Plan Process**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Final Record Plat (PLT)**

**Purpose.** Final Record Plats or Subdivision Plats can be classified as an illustrated system of mapping and identifying lots that are recorded in the land records of the county. Properties shown on a plat of subdivision are given a lot and block designation that provides for a simplified legal description of the property, eliminating the need to describe the property with metes and bounds.

**Application Requirements.** For the application package to be considered complete, the submission requirements itemized in Section 25.21.10 and on the application form must be included in the submission package.

**Notification Requirement.** The applicant must send notice in accordance with the provisions contained in Section 25.21.11.d. Written notice must be sent by the applicant to all property owners and residents within 750 feet of the boundaries of the application. The notification must state that the interested parties have 15 days from the date of the letter to provide comments.

**The Consideration Process.** Except where a Preliminary Plan is not required, the application must be submitted within two years of approval of the Preliminary Plan and may represent only a portion of the Preliminary Plan area. Pursuant to Section 25.21.11.g, the Planning Commission must act on the application within 30 days after accepting the complete application. The commission may approve or disapprove the application. Failure to act within 30 days constitutes approval of the Final Record Plat, unless the applicant waives this requirement and consents to an extension. If the Final Record Plat is approved and the applicant meets all conditions of approval, the plat is recorded in the Land Records of Montgomery County by the Planning and Zoning Division. The recorded plat formally subdivides the property.

**Processing Time.** Unless granted a waiver by the applicant, failure to act upon a Final Record Plat within 30 days of submittal will result in the application being approved.

## **Chapter 5 : Types of Development Applications and Summary Procedures**

**Effective Period.** Pursuant to Section 25.21.11.i, if the applicant fails to comply with any condition of approval so that the Final Record Plat is not recorded within two years after approval, the application will be considered withdrawn and any previous approval will be revoked. For good cause, the Planning Commission may grant a total of two time extensions, each not exceeding one year each. The Commission may extend the time for recording the Final Record Plat to the expiration date of the existing Site Plan or Project Plan approval.

**Applicable Sections of the Rockville City Code.** Article 21 of the Zoning Ordinance.

**Chart 12: Final Record Plat Process**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Historic District Certificate of Approval (COA) and Courtesy Review (CRT)**

**Purpose.** The Historic District Certificate of Approval process protects the significant visual character of the City's historic resources, ensures the compatibility of proposed alterations and new construction in designated historic districts and promotes the preservation of Rockville's heritage. Historic District regulations apply only in local historic districts as designated on the official Zoning Map and only when changes would affect the exterior appearance of a structure or property, including but not limited to: outbuildings, mature trees, walkways, landscaping and fences.

**Public Notification.** The public notification requirements for a Certificate of Approval Application are found in Section 25.05.03.

**Courtesy Review.** An applicant may request a Courtesy Review prior to the HDC hearing for a Certificate of Approval. The Courtesy Review provides an opportunity for the applicant to discuss the application informally with the HDC, and allows the applicant to incorporate guidance from the HDC into the formal application. If requested by the Planning Commission or Mayor and Council, Courtesy Reviews may be provided for projects within or adjacent to designated historic districts.

Courtesy Reviews follow the same schedule as a Certificate of Approval application, and are noticed in the same manner. The HDC generally adheres to the same review considerations and criteria as for a Certificate, although no vote is taken.

**Implementation Period.** If Site Plan approval is required, a Site Plan application must be filed within six months of the Certificate of Approval's issuance. The filing of the Site Plan extends the implementation period for the Certificate of Approval by one year. If a building permit is required, construction must begin within one year of the Certificate of Approval's issuance or it becomes void. For good cause shown, a maximum of two six-month extensions of the implementation period may be granted by the HDC. An applicant may not resubmit an application for a Certificate of Approval that is identical to a denied application for one year after the denial.

## **Chapter 5 : Types of Development Applications and Summary Procedures**

**Changes to Approved Plans.** No substantial deviation shall be permitted without the approval of the HDC. Applicants must apply for both hazardous tree and non-hazardous mature tree removals. Staff may approve removal of hazardous, dead or dying trees with a report from the Forest Conservation Planner or a certified arborist. For all other tree removal, the HDC must review and approve.

**Applicable Sections of Rockville and State Law.** Sections 25.07.13 of the Rockville Zoning Ordinance and Land Use Article, Title 8. Historic Preservation of the Annotated Code of Maryland.

**Chart 13: Historic District Certificate of Approval Process**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## **Zoning Text Amendment (TXT)**

**Purpose.** Text Amendments may be requested to modify the text of the Zoning Ordinance to create new zones, change standards and uses within particular zones, or to repeal existing zoning categories, among other purposes. The procedures for Text Amendments are found in Section 25.06.02. Text Amendments do not apply to Article 4 pertaining to Approving Authorities, Sections 25.06.01 and Section 25.06.02 related to Zoning Map and Text Amendments, and Article 19 pertaining to zoning enforcement. Proposed amendments to Article 21 pertaining to subdivision regulations require a public hearing by the Planning Commission per state code.

Within five days after acceptance of any text amendment application, the Clerk must transmit a copy of the application to the Planning Commission. The Commission may submit a written recommendation to the Mayor and Council, which will be placed in the application file by the Clerk and become a part of the record on the application. Prior to submitting its recommendation of any proposed amendment to Article 21, "Plats and Subdivision Regulations", the Planning Commission must hold a public hearing on the application in accordance with the requirements of State law relating to proposed subdivision regulations. No application made under Section 25.06.02 may be granted unless a public hearing has been held on the application by the Mayor and Council in accordance with the requirements of State law.

**Public Notification.** Because Text Amendments generally apply citywide and are not related to specific properties, mailed notice is not typical. However, there may be instances when mailed notice is appropriate.

Per State Code, publication of an advertisement in a newspaper of general circulation is required, to include two insertions on two successive weeks, with first notice appearing at least 14 days prior to the hearing.

**Action on application.** A text amendment application may be granted by ordinance or denied, dismissed, or allowed to be withdrawn by resolution of the Mayor and Council. A text amendment application may be dismissed if the Mayor and

## **Chapter 5 : Types of Development Applications and Summary Procedures**

Council finds that it does not comply with any procedural requirements of Section 25.06.02 or other applicable law.

**Withdrawal of application.** An application for a text amendment for which a public hearing has been conducted may be withdrawn only with the approval of the Mayor and Council.

**Processing Time.** The typical time involved is approximately six months.

**Applicable Sections of the Rockville City Code.** Zoning Ordinance, Section 25.06.02

**Chart 14: Zoning Text Amendment**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

\* Newspaper ad will be posted by City Clerk's office and notifications will be sent out by CPDS

## **Local Map Amendment (MAP)**

**Purpose.** To change the zoning map covering a single tract, all portions of which are proposed to be classified in one zone or more zones.

**Applicant.** A Local Map Amendment application may be made by the Mayor and Council, Planning Commission, or by a person with a financial, contractual or proprietary interest in the property to be affected by the proposed amendment.

**Limitation on successive applications.** The City Clerk must not accept for filing any application for a local amendment to the zoning map if the application is for the reclassification of the whole or any part of land, the reclassification of which has been approved or denied by the Mayor and Council on its merits within 12 months prior to the date of the application for filing.

**Limitation on Amendments to Application.** After acceptance for filing, a Local Map Amendment application may not be amended to increase the area proposed to be reclassified or to change the requested zone or alternative zones to any other zone.

**Finding Required.** Article 66B of the Annotated Code of Maryland requires that, to grant a zoning change, a finding must be made that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the application of the existing zoning classification.

**Public Notification.** Publication in a newspaper of general circulation is required prior to a hearing in accordance with the requirements of State law. Written notice is mailed to adjacent property owners by the applicant at least 15 days before the public hearing date established by the City Clerk. Written notice mailed to all property owners, residents and associations within 750 feet of the subject property is also required. The owners of the subject property must post a sign or signs in accordance with the provisions of Subsection 25.05.03.d.

**Withdrawal of Application.** An application for a local map amendment for which a public hearing has been conducted may

## **Chapter 5 : Types of Development Applications and Summary Procedures**

be withdrawn only with the approval of the Mayor and Council. The Mayor and Council may decline to permit the withdrawal and decide the application on its merits or may permit withdrawal subject to any reasonable condition including but not limited to, the imposition of a time limitation within which no subsequent application may be filed, the limitation not to exceed three years.

### **Applicable Sections of Rockville City Code and State Law.**

Section 25.06.01 of the Zoning Ordinance and Article 66B, Section 4.05(a) of the Annotated Code of Maryland.

**Chart 15: Local Map Amendment**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

\* Newspaper ad will be posted by City Clerk's office and notifications will be sent out by CPDS

## **Annexation (ANX)**

**Purpose.** To add land area into the incorporated municipal boundary and place City zoning on the property.

**Petition Requirements.** Municipalities may annex unincorporated territory contiguous and adjoining the municipal boundaries but may not annex land within another municipality. An Annexation cannot create an unincorporated enclave that is surrounded by property within the City.

The procedures for annexation of property are found in Article 23A, Section 19 Local Government Article, Subtitle 4-400 of the Annotated Code of Maryland. Annexation petitions are typically submitted by property owners. Annexation may also be initiated by a municipality, if it obtains the consent of 25 percent of the registered voters and owners of 25 percent of the real property in the area to be annexed. Maryland state law also enables the property owners and residents of the area to be annexed to petition the municipal governing body to initiate Annexations. A valid petition requesting Annexation does not compel its enactment. The Mayor and Council alone are authorized to introduce and approve an Annexation resolution.

**Public Notification.** Public hearings before the Planning Commission and Mayor and Council are required. Public notice of the Mayor and Council's hearing on the final adopted annexation plan must be given in accordance with the requirements of State law. Newspaper ads must be published (four insertions at weekly intervals for property over 25 acres and two insertions for property 25 acres or less, with the last at least 15 days prior to the hearings). The Planning Commission Public Hearing ad must appear at least 15 days prior to the Planning Commission Public Hearing. Written notice is sent by City staff to all property owners and residents within 500 feet of the subject property after the filing of a petition and prior to any public hearings. The City Clerk's office sends notice of Mayor and Council decision to the applicant; Planning Commission and all persons whose name and address appears in the annexation record.

**Processing Time.** The time involved is approximately six months.

## **Chapter 5 : Types of Development Applications and Summary Procedures**

**Additional Information.** Twenty percent of the residents and owners of an area to be annexed or 20 percent of the qualified voters of the City may require a referendum on an Annexation if they submit a petition to the Mayor and Council for such a referendum within 45 days after the adoption of the Annexation resolution.

**Applicable Sections of Law.** Local Government Article, Subtitle 4-400 of the Annotated Code of Maryland and Section 25.02.04 of the Zoning Ordinance.

**Chart 16: Annexation**



**Notes**

Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

\* Newspaper ad will be posted by City Clerk's office and notifications will be sent out by CPDS

# Chapter 6

Next Steps After Decision

## Chapter 6 : Next Steps After Decision

**Implementation Period.** As defined in the Zoning Ordinance, the Implementation Period is the date by which approved activity must begin to avoid expiration of the approval. All types of development approvals have a prescribed time frame for the Implementation Period. For Project Plans, a validity period may be prescribed by the Mayor and Council in its approval.

**Amendments to Approved Development.** No substantial deviation from approved development plans shall be permitted without the approval of the applicable Approving Authority or as specified by Section 25.05.07 of the Zoning Ordinance. Substantial deviations generally include, but are not limited to:

- Increased building square footage;
- Increased height; or
- An increase in the number of dwelling units.

The Chief of Zoning may act on minor amendments that do not substantially deviate from the terms and conditions of the original approval and would carry out the original intent. Where the Chief of Zoning determines that a requested change is too significant to be considered a minor change but not substantial enough to require a new application, the applicant may apply for a Major Amendment to an Approved Development.

For site plans, if the Chief of Zoning determines that the requested change amounts to a comprehensive change to more than 50 percent of the project area, or would otherwise change the essential character and impact of the development, a new application is required.

**Additional Approvals Required.** Some development proposals may require more than one type of application prior to applying for building permits. For example, certain uses in the Zoning Ordinance Land Use Tables require a Special Exception application to ensure that the use is compatible with the surrounding area. Following approval, Special Exceptions proceed to Site Plan Level 2 application to review the site design and building mass and placement. If a development lies within a historic district or proposes demolition, a Certificate of Approval may be required for review by the HDC. Other types of applications may also be required by one development,

## Chapter 6 : Next Steps After Decision

depending on the proposed land use, the scope, and characteristics of the proposed development project. Please refer to the Zoning Ordinance and seek assistance from CPDS to assess the need for additional approvals and next steps for a given project.

**Permitting Next Steps.** On completion of the development review application and approval process for site plans and public facilities, the applicant may proceed to the building permit application phase.

The Division of Inspection Services, CPDS, and the Department of Public Works are charged with processing permit applications for building construction and site construction. No construction is allowed until appropriate permits are approved and issued. During construction and prior to obtaining an Occupancy Permit, these two departments conduct inspections to ensure that construction complies with the approved plans.

The City will issue an Occupancy Permit at the conclusion of all final inspection approvals and receipt of any as-built plans, bonds, fees and compliance with other outstanding conditions.

# Appendix

# Appendix A

## Guidelines Applicable to the Development Review Process

Unless otherwise noted, the following references can be found online at the following website: [www.rockvillemd.gov](http://www.rockvillemd.gov)

1. Zoning Ordinance
2. Comprehensive Master Plan
3. Neighborhood Plans
4. Landscaping, Screening and Lighting Manual
5. Adequate Public Facilities Zoning Ordinance (APFO)
6. Comprehensive Transportation Review (CTR)
7. Forest and Tree Preservation Zoning Ordinance (FTPO)
8. Publicly Accessible Art in Private Development Zoning Ordinance
9. Environmental Guidelines
10. Sediment Control and Stormwater Management Ordinance

# Appendix B

## Application Target Review Timeframes\*

Application Type	1 <sup>st</sup> Staff Review	2 <sup>nd</sup> Staff Review	3 <sup>rd</sup> and subsequent Staff Reviews	Applicant Resubmittal Deadline for Hearing
<b>Special Exception</b>	4 weeks	3 weeks	2 weeks	6 weeks
<b>Preliminary/Final/Ownership Plat</b>	3 weeks	2 weeks	2 weeks	6 weeks
<b>Mylar (Plat)**</b>	2 weeks	1 week	1 week	N/A
<b>PAM</b>	4 weeks	N/A	N/A	N/A
<b>Minor Site Plan Amendment</b>	3 weeks	2 weeks	2 weeks	N/A
<b>Major Site Plan Amendment</b>	4 weeks	3 weeks	2 weeks	6 weeks
<b>Level I Site Plan</b>	4 weeks	3 weeks	2 weeks	N/A
<b>Level II Site Plan</b>	6 weeks	4 weeks	3 weeks	7 weeks
<b>Signature Set***</b>	1 week	1 week	1 week	N/A
<b>Project Plan</b>	6 weeks	4 weeks	3 weeks	8 weeks
<b>Waiver</b>	2 weeks	1 week	1 week	5 weeks
<b>Alternative Compliance</b>	2 weeks	1 week	1 week	N/A
<b>Administrative Adjustment</b>	2 weeks	1 week	1 week	N/A
<b>Conditional Use (For Attached Accessory Dwelling)</b>	2 weeks	1 week	1 week	N/A

## Appendix B

\*These are typical timeframes that may be adjusted based on several factors, such as development review committee meetings, area meeting fulfillment, and complexity of application

\*\*Mylar submissions are the final component of a plat application, which includes staff review for compliance with conditions of approval and other minor elements.

\*\*\* Signature Set submissions are the final component of site plan approval, which includes staff review for compliance with conditions of approval and other minor elements. For level II site plans they have a 2-week staff review for 1<sup>st</sup> submittals.

### **The calendar is based on the following assumptions:**

- Application processing (intake) must occur within three (3) days of application submittal.
- New Applications are assigned to Case Planners within two (2) days of application processing.
- Applications (new and resubmittals) will be reviewed for completeness by Case Planner and routed to the Development Review Committee (DRC) within five (5) days of processing if deemed complete, at which time, the stipulated review timeframe begins.
- Application must be complete. Incomplete or inaccurate information will result in delays.
- Applicant is making good faith efforts to address comments on each resubmission including providing complete responses to comments.
- NRI/FSD has been approved when applicable.
- Pre-Application SWM Concept approval letter has been issued when applicable.
- CTR Scoping Intake Form has been received and reviewed when applicable.
- Water and Sewer Authorization Form is included in the submission and project does not require consultant modeling.
- Plan submissions and comments may include concurrent reviews and approvals including (but not limited to) Stormwater management, Traffic Study, Water/Sewer, & Forest and Tree Preservation. Required approvals (e.g., SWM Concept, CTR, PFCP, etc.) may have alternate timeframes, but must be met prior to hearing date.
- DRC review timeframes do not include outside agency reviews such as WSSC, SHA, WMATA, Montgomery County DOT.
- If additional time is needed for a complex review, staff will inform Case Planner who will coordinate with the applicant.
- Staff comments are distributed to the applicant within one business day (1) of target due date. Staff comments that are subject to an applicant DRC meeting are distributed no later than the Tuesday (end of day), prior to the DRC meeting.

## **Appendix B**

- Resubmittal Deadlines for Hearings are inclusive of an additional week (1) for application intake, completeness review, and DRC routing.
- If a deadline is missed by applicant, application will be delayed to a subsequent hearing date.
- Plat review timeframe assumes 60-day waiver is provided by applicant.

# Appendix C

## Project Impact Points System (PIPS)

The level of review for each application is based on a Project Impact Points System (PIPS), provided in the chart below. Each application must be evaluated on the acreage of the site, the number of dwelling units proposed, the square footage of non-residential space, the residential impact area, and the traffic impact of the development proposed.

Each of these items is allocated a number of project impact points which are added together to determine the complete point valuation for the project. The Residential Area Impact is determined by the amount of land area that is comprised of single-unit detached homes within a ¼ mile (1,320 feet) radius of a development proposal.

POINTS/ELEMENTS	1	2	3	4
<b>Tract Size (Acres)</b>	1 or fewer	1.1 to 2.5	2.6 to 5	5.1 or greater
<b>Dwelling Units</b>	5 or fewer	6 to 50	51 to 150	151 or greater
<b>Square Footage of Non-residential Space</b>	5,000 or fewer sq. ft.	5,001 to 25,000 sq. ft.	25,001 to 100,000 sq. ft.	100,001 or greater sq. ft.
<b>Residential Area Impact</b>	Up to 10% residential development in a single dwelling unit residential zone within ¼ mile of the project	Up to 50% of area within ¼ mile of the project area is comprised of single-unit detached residential units.	Up to 75% of area within ¼ mile of the project area is comprised of single-unit detached residential units.	Development is within single-unit detached unit area.
<b>Traffic Impact – Net New Peak Hour Trips</b>	Fewer than 30 trips	30 -74 trips	75 - 149 trips	150 or more trips

## Appendix D

### Traffic Estimates for PIPS Determination

As part of the application review process, the applicant is required to provide information on the potential traffic impact the proposed project may produce. The following information is intended to provide the applicant with a way to estimate the amount of traffic that will be generated, depending on the type of use or uses proposed.

Please note that these are general guidelines for initial estimates and not inclusive of all types of uses. All applicants for development other than individual single-family houses are required to attend a transportation scoping meeting with the Traffic and Transportation staff to determine the information that will be required to process the application.

In general, the traffic generation rates must be based on the highest peak hour for the use and the area of the project. Projects generating less than 30 peak hour trips must evaluate on-site vehicle and non-vehicle circulation. Projects generating more than 30 peak hour trips will be required to submit a traffic report. The chart below includes the highest peak hour factor, which is normally the afternoon (p.m.) peak.

## Appendix D

### Residential (Table A-4)

Single Unit Detached Residential (1 to 74 units)	1.1 per unit
Single Unit Detached Residential (75 units or more)	0.82 per unit +21
Townhouses (up to 99 units)	0.83 per unit
Townhouses (100 units and up)	0.48 per unit + 35
Multi-unit Residential (up to 74 units)	0.48 per unit
Multi-unit Residential (75 units or more)	0.47 per unit + 1

### General Retail (Table A-2)

Buildings less than 50,000 sq. ft. gross leasable area	12.36 per 1,000 s.f.
Buildings 50,000 to 200,000 sq. ft. gross leasable area	7.43 + 247 per 1,000 s.f.

### General Office (Table A-1)

Buildings less than 25,000 square feet	2.24 per 1,000 s.f. GFA
Buildings 25,000 square feet to less than 300,000 s.f.	1.44 per 1,000 s.f. GFA + 20
Buildings 300,000 square feet or more	1.44 per 1,000 s.f. GFA + 127

# Appendix E

## Zoning and Development Application Fee Schedule

The fee schedule for the various Development and Zoning applications is available on the [Apply for Planning, Forestry, or Historic District Review](#) page of the City's Website.

# Appendix F

## Comprehensive Transportation Review (CTR) Scoping Intake Form



Comprehensive Transportation Review  
SCOPING INTAKE FORM

<b>Project Name:</b>				
<b>Permit No. (if available):</b>				
<b>Subject Property Address:</b>				
<b>Contact Person:</b>				
<b>Contact Phone Number:</b>				
<b>Contact Email Address:</b>				
<b>Proposed Land Use Density:</b>	<b>Use</b>	<b>Square Footage/ Dwelling Units</b>		
<b>Trip Generation</b>	<b>Peak Hour Site Trips</b>			
	<i>Peak Period</i>	IN	OUT	TOTAL
	AM			
	PM			
	SAT			
<b>Proposed Study Area (Boundaries and Intersections)</b>				
<b>Proposed Access Points:</b>				
<b>Projected Horizon (Build Out) Date:</b>				
<b>Statement of Operations</b>				

# Appendix G

## Area Meeting Guidelines

### A. Time and Location of the Meeting

The meeting shall begin no earlier than 6:00 p.m. and no later than 8:00 p.m. on a weekday or no earlier than 10:00 a.m. and no later than 7:00 p.m. on a weekend. The meeting shall not be on a holiday. A holiday is defined as any legal holiday recognized by the City. In addition, effort should be made to avoid other, non-recognized holidays.

The meeting shall be held:

- On, or in close proximity to the subject property; and
- At a location and room suitable to accommodate the number of attendees, or
- Virtually
- If no attendees arrive 30 minutes following the start time, the meeting may be adjourned

### B. General Procedures

The applicant shall conduct the meeting and provide necessary information and materials to attendees including, but not limited to:

- Details about the proposed project, e.g., location, uses, heights, building sizes, parking, access, site design, natural resources, etc;
- The type of approval process that is involved with the proposal; and
- How the neighborhood will be kept informed during the process.
- The applicant shall provide an opportunity for each attendee to ask question and voice concerns about the proposal.
- The applicant will provide for minutes of the meeting to be taken by an objective, outside source paid for by the applicant.
- The Case Planner will attend the Post-Application Area Meeting as a resource for process information.

### C. Post Meeting

The applicant shall provide the following materials to the Department of Community Planning and Development Services with the submitted application (provide in electronic format):

## **Appendix G**

- A list of names and addresses of attendees as provided on sign-up sheets from the meeting;
- A copy of the minutes from the meeting;
- A copy of the meeting notification letter;
- A copy of the mailing list used for notification; and
- A copy of all materials distributed at the meeting.

# Appendix H

## Sample Letter for Notification of Area Meeting

Mailing Address  
Phone Number, FAX #  
E-mail Address  
(or Company Letterhead if Available)

Date  
Name  
Address  
City, State Zip

Dear Property Owner or Resident:

Please be advised that application [enter case #] has been submitted to the City of Rockville seeking approval of a [enter type of application] for the following described property: [Description: address, distance from nearest intersection, fronting street or access road. Verify with Case Planner]

In compliance with the City's Zoning Ordinance, an Area Meeting will be held to provide you an opportunity to become fully aware of our development intentions and to give you an opportunity to provide input into the proposed development. A description of the project is enclosed.

Notice of Area Meeting

Date:  
Time:  
Location:

At this meeting the applicant will make every effort to illustrate how the property will be developed and answer any questions. Additionally, a meeting with the City's Development Review Committee (DRC) is scheduled for Thursday, Month/Day/Time at City Hall. Members of the public are invited to attend these meetings to observe, however these are not public hearings and no testimony will be received. Should you have any questions, please contact [insert preference]

Sincerely,  
[Agent/Applicant's name signed and printed]

## Appendix H

### Enclosures:

- Project Description
- Location Map
- Site Plan (if appropriate / applicable)
- Anticipated Timeline of the Project
- A copy of "A Citizen's Guide to Development Review in Rockville"

# Appendix I

## Sample Letter for Notification of Public Meeting/Hearing

Mailing Address  
Phone Number, FAX #  
E-mail Address  
(or Company Letterhead if Available)

Date  
Name  
Address  
City, State Zip

Dear Property Owner or Resident:

Please be advised that application [enter case #] has been submitted to the City of Rockville seeking approval of a [enter type of application] for the following described property: [Description: address, distance from nearest intersection, fronting street or access road. Verify with Case Planner]

A description of the project is enclosed. In compliance with the City's Zoning Ordinance the applicant is providing the following notification:

Notice of Public Hearing / Meeting before the (Hearing Body) Date:

Time:

Location: Mayor and Council Chambers  
Rockville City Hall  
111 Maryland Avenue

[Verify date and location with Case Planner].

Should you have any questions prior to the meeting, please contact [insert name and contact of assigned Case Planner]

Sincerely,  
Agent/Applicant's name signed and printed]

## **Appendix I**

### Enclosures:

- Project Description
- Location Map
- Site Plan (if appropriate / applicable)
- Anticipated Timeline of the Project
- A copy of "A Citizen's Guide to Development Review in Rockville"

# Appendix J

## Affidavit of Mail Notice

City of Rockville  
Department of Community Planning and Development Services

### AFFIDAVIT OF PUBLIC NOTICE

I hereby certify and affirm that, pursuant to the City of Rockville Zoning Ordinance No. 19-08 Section 25.05.03, I did give notice by mail of the subject application for development approval to the owners and residents of property that may be affected by the application as reflected on the attached mailing list. The names and mailing addresses of the property owners were obtained from the most current tax assessment records.

I further affirm that the said notice contains the address and/or other readily identifiable description of the property location of the proposed development and the date, time and place of the meeting to be held on the proposed development.

Application # Applicant

Subscribed and sworn to before me, a Notary Public in and for the

State of \_\_\_\_\_, County of \_\_\_\_\_, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

Notary Public

## Appendix J

My Commission Expires: \_\_\_\_\_

1. AFFIDAVIT TO BE SIGNED BY THE APPLICANT
2. ATTACH COPY OF THE NOTIFICATION LETTER, MAILING LIST AND NOTIFICATION AREA MAP (PROVIDE IN ELECTRONIC FORMAT)
3. PLEASE CALL THE PLANNING DIVISION AT (240) 314-8200 FOR ANY QUESTIONS ABOUT THE REQUIREMENTS

# Appendix K

## Sample Post Card for Notification of Public Meeting/Hearing

**Note:** A post card example can be provided upon request by reaching out to the Case Planner



# Development Meeting

**WHAT** Lorem ipsum dolor sit amet. eaque aut voluptatibus perferendis quo

**WHEN** Lorem ipsum dolor sit amet. eaque aut voluptatibus perferendis quo

**WHERE** Lorem ipsum dolor sit amet. eaque aut voluptatibus perferendis quo

**LEARN MORE** [www.xxxxxxxxxx.xxxxxx.com](http://www.xxxxxxxxxx.xxxxxx.com)



# Development Meeting

**WHAT** Lorem ipsum dolor sit amet. eaque aut voluptatibus perferendis quo

**WHEN** Lorem ipsum dolor sit amet. eaque aut voluptatibus perferendis quo

**WHERE** Lorem ipsum dolor sit amet. eaque aut voluptatibus perferendis quo

**LEARN MORE** [www.xxxxxxxxxx.xxxxxx.com](http://www.xxxxxxxxxx.xxxxxx.com)



# Appendix L

## Affidavit of Area Meeting Compliance

City of Rockville  
Department of Community Planning and Development Services

### AFFIDAVIT OF AREA MEETING COMPLIANCE

I hereby certify that, pursuant to the City of Rockville Zoning Ordinance 19-08, I did hold the required Area Meeting on this \_\_\_ day of \_\_\_\_, 20\_\_ I solemnly affirm that the said Area Meeting was held in accordance with the aforementioned Zoning Ordinance and that all Area Meeting guidelines, as set forth in City's Development Review Manual, were followed and that the meeting minutes were prepared by an objective outside source.

Application # Applicant  
Subscribed and sworn to before me, a Notary Public in and for the State of \_\_\_\_\_, County of \_\_\_\_\_, on this \_\_\_ day of \_\_\_\_\_, 20\_\_

---

Notary Public

My Commission Expires: \_\_\_\_\_

1. AFFIDAVIT TO BE SIGNED BY THE APPLICANT
2. PROVIDE A COPY OF THE MEETING NOTIFICATION LETTER, MAILING LIST USED FOR NOTIFICATION, AND A COPY OF ALL MATERIALS DISTRIBUTED AT THE MEETING (PROVIDE IN ELECTRONIC FORMAT)
3. PLEASE CALL THE PLANNING DIVISION AT 240-314-8200 IF YOU HAVE QUESTIONS ABOUT THE REQUIREMENTS

# Appendix M

## Affidavit of Sign Posting

City of Rockville  
Department of Community Planning and Development Services

### AFFIDAVIT OF SIGN POSTING

I hereby certify that I placed or caused to be placed upon the property, which is the subject of Case # \_\_\_\_\_ the sign furnished by the Planning Division of Rockville; that the sign was posted for filing of said application, within ten feet of the boundary line, which abuts the most traveled public road, or if no road abuts thereon, then facing in such a manner as may be most readily seen by the public; that I inspected the property at least once a week and that on each and every occasion through the date of public hearing, the sign was in place, or if the sign was damaged, destroyed, or removed, that such sign was repaired or replaced within five days of the inspection, which resulted in the discovery of the damage to, or destruction or removal of the sign. I understand that the sign is to be maintained in the same condition until a final decision has been made on the subject application.

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Application # Applicant \_\_\_\_\_

Subscribed and sworn to before me, a Notary Public in and for the State of \_\_\_\_\_, County of \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Notary Public \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

- |  |
|--|
| <ol style="list-style-type: none"><li>1. AFFIDAVIT TO BE SIGNED BY THE APPLICANT.</li><li>2. PLEASE CALL THE PLANNING DIVISION AT 240-314-8200 IF YOU HAVE QUESTIONS ABOUT THE REQUIREMENTS.</li></ol> |
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