



**Rock Spring Master Plan Public Hearing Draft and Draft Zoning Text Amendment for the Regional Shopping Center
Overlay Zone: Worksession #6**



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Completed: 3-9-17

Summary

The Planning Board has held five worksessions on the Rock Spring Master Plan Public Hearing Draft, including a session that was combined with the White Flint 2 Sector Plan to discuss school issues in the Walter Johnson Cluster. At the March 2 Rock Spring worksession, staff presented final, revised zoning recommendations and discussed several outstanding issues. Staff is now preparing the Planning Board Draft Master Plan, which will reflect the changes that the Board has made to the Plan during the worksessions. At the March 16 worksession, staff will show proposed text changes for the Planning Board Draft Plan in a PowerPoint presentation. At the March 30 worksession, the Board will review a redline version of the Planning Board Draft Master Plan and staff will request approval from the Board to transmit the Plan to the County Council and County Executive.

As mentioned at the last worksession, and referenced in the Public Hearing Draft (on page 33), staff is supporting a zoning text amendment (ZTA) to modify the Regional Shopping Center Overlay Zone to clarify that residential uses are allowed, and to allow additional height to accommodate multi-family buildings. This ZTA is sought by Westfield Montgomery Mall and the Board received correspondence from the Mall's land use attorney on December 13, 2016 and March 1, 2017. Staff is requesting approval to transmit the draft ZTA (see Attachment 1) to the County Council and County Executive with the Planning Board Draft Master Plan.

Rock Spring Master Plan schedule:

- December 15, 2016 Planning Board Worksession #1: Conceptual framework, overview
- January 19, 2017 Planning Board Worksession #2: Zoning for specific properties
- February 2, 2017 Planning Board Worksession #3: Zoning for specific properties
- February 16, 2017 Planning Board Worksession #4: Schools, with White Flint 2 & MCPS
- March 2, 2017 Planning Board Worksession #5: Final Zoning and outstanding issues
- March 16, 2017 Planning Board Worksession #6: Plan text changes, RSC Overlay Zone ZTA
- March 30, 2017 Planning Board Worksession #7: Review and approve Planning Board Draft for transmittal to County Council and County Executive
- May 2017 County Council Public Hearing
- Summer 2017 County Council Worksessions
- Fall 2017 Commission adoption, Sectional Map Amendment

The Planning Board should bring their copies of the Public Hearing Drafts that were previously distributed to them.

Attachment 1 – Draft Zoning Text Amendment for the Regional Shopping Center Overlay Zone

ATTACHMENT 1

Zoning Text Amendment No.: 17-XX
Concerning: Overlay Zone – Regional
Shopping Center
Draft No. & Date: 1-3/2/17
Introduced:
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By:

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- Clarify that residential uses are allowed in the Regional Shopping Center (RSC) Overlay Zone; and allow additional height in the overlay zone to accommodate development of apartment buildings or multi use buildings with apartments above the ground floor

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

ARTICLE 59-4. “Development Standards for Euclidean Zones”
Section 59.4.9. “Overlay Zones”
Section 59. 4.9.11. “Regional Shopping Center (RSC) Overlay Zone”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. ARTICLE 59-4 is amended as follows:**

2 **DIVISION 4.9. Overlay Zones**

3 * * * *

4 **Section 4.9.11. Regional Shopping Center (RSC) Overlay Zone**

5 **A. Purpose**

6 * * * *

7 **B. Land Uses**

8 The following uses are permitted as part of a regional shopping center:

- 9 1. Hotel, Motel
- 10 2. The following Recreation and Entertainment Facility use: theater complex
- 11 3. Combination Retail
- 12 4. Retail/Service Establishment (85,001 - 120,000 SF)
- 13 5. Retail/Service Establishment (120,001 SF and Over)
- 14 6. Residential

15 **C. Development Standards**

- 16 1. To accommodate development at a regional shopping center with a gross
17 leasable area that is greater than or will be greater than (if approved by site
18 plan) 1,200,000 square feet, building height may be increased to:
 - 19 a. 90 feet for a building that includes a theater complex[, and];
 - 20 b. 130 feet for a Hotel, Motel; and
 - 21 c. 150 feet for an apartment building or a multi use building with
22 residential use.
- 23 2. Any portion of a building over 45 feet in height must be set back from an
24 abutting property in an Agricultural, Rural Residential, or Residential zone
25 a minimum of 3 feet for each 1 foot of building height over 45 feet.

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27 **E. Parking**

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1. Requirement

- a. The parking requirement for a regional shopping center is 4 parking spaces for each 1,000 square feet of gross leasable area.
- b. The parking requirement for separate standing office and professional buildings, and for any apartment buildings, is under Division 6.2.

* * *

Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council