



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Montgomery County Department of Park and Planning

December 2, 2004

**MEMORANDUM**

**TO:** Montgomery County Planning Board

**VIA:** John A. Carter, Chief *JAC*  
Community-Based Planning Division

**FROM:** Khalid Afzal, Team Leader (301/495-4650) *KA*  
Georgia Avenue Planning Team

Greg Russ, Planner Coordinator *GR*  
Development Review Division

**SUBJECT:** Proposed Zoning Text Amendment to create a new Mixed-use Town Center Zone (MXTC) for the Olney Town Center as recommended in the Planning Board Draft of the Olney Master Plan

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**STAFF RECOMMENDATION** Approval to transmit the attached Zoning Text Amendment to the District Council for introduction

**PURPOSE**

The purpose of this Zoning Text Amendment is to create a new mixed-use zone, Mixed-Use Town Center Zone (MXTC), that would replace the existing five commercial zones—C-1, C-2, C-T, C-O, and O-M—in the Olney Town Center. The new mixed-use zone could also be applied elsewhere in the County.

**DISCUSSION**

The Planning Board Draft of the Olney Master Plan recommends a new mixed-use zone to replace the existing five zones in the Olney Town Center. The PHED Committee of the County Council has sent its recommendations on the Planning Board Draft Plan, except for the Town Center portion, to the full Council for review. The PHED Committee decided to hold its recommendations on the Town Center until a zoning text amendment for a new mixed-use zone is introduced by the County Council so it can review the Town Center plan and the proposed new zone at the same time.

The Planning Board reviewed a framework of the proposed new zone on November 8, 2004, which contained the major components of the new zone. The attached Zoning Text Amendment (ZTA) is based on that framework and contains minor modifications and refinements to convert that framework into a ZTA. The Town Center chapter of the Olney Master Plan would be modified to include language that would strengthen the urban design guidelines designed to foster a traditional “streets-and-blocks” pattern of development.

## THE PROPOSED ZONING TEXT AMENDMENT

Following are the key elements of the new zone:

1. A list of residential and service/institutional uses.
2. Certain retail and other commercial uses of less than 20,000 square feet permitted as-of-right. Uses of more than 20,000 square feet permitted through a site plan review process. Other uses permitted by special exception only.
3. Development procedures include:
  - a. Standard method developments of less than five acres with a maximum 20,000 square feet per establishment have no site plan or project plan requirement if they comply with the standard method controls and the guidelines of the master plan.
  - b. Standard method developments of more than five acres, or those with more than 20,000 square feet per commercial establishment are required to seek site plan approval.
  - c. Optional method developments of any permitted use or lot size are required to go through project plan and site plan review because of the potential higher densities, and the desirability of greater oversight of public use spaces and amenities.
4. Maximum permitted densities are: 0.35 and 1.0 FAR non-residential for standard and optional method respectively, and eight and 15 units per acre residential for standard and optional method respectively.
5. This new zone creates opportunities for affordable housing in mixed-use centers by providing for moderately priced dwelling units in accordance with Chapter 25A including the density bonus provisions.
6. Minimum public use space:
  - a. Smaller properties (20,000 sf and less) with residential or non-residential development under both the standard and optional method: 10% of lot area.
  - b. For larger properties (more than 20,000 sf) with residential development or residential portion of the development: 200 sf per unit (217 sf per unit equals approximately 10 percent of lot area at 20 units per acre) for both standard and optional method.
  - c. For larger properties, non-residential development at 10% for standard method and 20% for optional method.
7. Minimum street wall requirements designed to create a traditional main street type of development pattern. Master plans would include recommended locations for street walls, which may be modified either by the Director of the Department of Permitting Services or the Planning Board.

## **CONCLUSION**

Four options were discussed in the staff report of November 8, 2004 (attached)—a new overlay zone, a new floating zone, modify an existing mixed-use zone (e.g. RMX-2C), or create a new mixed-use zone. Staff recommends creating a new mixed-use zone since it would be simpler than modifying an existing zone, and it can be applied at the time of the sectional map amendment compared to a floating zone, which would require a separate action by the individual properties as they redevelop.

Staff recommends approval of the attached ZTA for transmittal to the County Council for introduction. The County Council is expected to introduce this ZTA in December and set a public hearing date in January 2005. After introduction, the ZTA would be sent back to the Planning Board for final comments and recommendations.

KA:ha: j:\staff reports 2004\Team 4\New mixed use zone-olney draft

### **Attachments**

1. Zoning Text Amendment
2. Staff Report: Framework for a New Zone for the Olney Town Center (11/8/04)