



January 20, 2005

## MEMORANDUM

**TO:** Montgomery County Planning Board

**VIA:** John Carter, Chief *JAC*                      Rose Krasnow, Chief  
Community-Based Planning Division              Development Review Division

**FROM:** Karen Kumm, Kathy Reilly and              Carlton Gilbert and Greg Russ  
N'kosi Yearwood                                      Development Review Division  
Community-Based Planning Division

**SUBJECT:** Proposed Zoning Text Amendment  
New Transit Oriented, Mixed Use Zone  
Shady Grove Sector Plan and Other Transit Station Areas

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## RECOMMENDATION

The staff recommends approval to transmit comments to the County Council for introduction of a text amendment for a new transit station zone. This new zone is intended to implement the recommendations in the Planning Board Draft of the Shady Grove Sector Plan.

## INTRODUCTION

The Planning Board Draft of the Shady Grove Sector Plan recommends a new transit station zone for the Metro West, Metro South and Metro North areas located adjacent to the Shady Grove Metro Station. The County Council requested the introduction of a Zoning Text Amendment before the Shady Grove Sector Plan is approved. The PHED Committee of the County Council will begin a series of work sessions on the Planning Board Draft of the Shady Grove Sector Plan on January 25, 2005 with a tentative conclusion at the end of February. In accordance with the request from the County Council, this new zone for the Metro Neighborhoods in the Planning Board Draft of the Shady Grove Sector Plan is recommended for review and introduction. After the County Council has introduced the Zoning Text Amendment, the Planning Board will have an additional opportunity to review and comment before final approval by the County Council.

## DESCRIPTION

This new mixed-use zone is intended to foster the creation of a mixed-use center at the Shady Grove Metro Station. The development standards match the recommendations in the Planning Board Draft of the Shady Grove Sector Plan. The development review process proposed in the new zone is similar to the techniques established for the CBD Zones including the use of the Optional Method and Standard Method of Development. The keys features of this new zone include the following:

- **“Euclidean Zone” Instead of “Floating Zone”** - This zone will be applied by the use of a Sectional Map Amendment after the Shady Grove Sector Plan is approved. The development review process would be similar to the existing “Euclidean” CBD Zones with an emphasis on establishing a mix of uses, compatibility, design, and public facilities and amenities. This zone could be used as a future replacement for the “floating” TS-R and TS-M Zones.
- **Development Process** - A standard and optional method of development established in the CBD and RMX Zones would be included in the review process. The review of a site plan would be required in both cases. The standard and optional method of development proposed in the new zone in combination with guidelines in the sector plan are intended to implement the recommendations in the Planning Board Draft of the Shady Grove Sector Plan.
- **Public Use Space, Public Facilities and Amenities** - The proposed zone will improve the existing TS-R and TS-M development standards for active and passive recreation areas and public use space. Public use space, and facilities amenities will be required. Transfer of public use space within the transit station development area will be permitted.
- **Encourage Housing Including Affordable Housing** – The proposed new zone would be established to provide a mix of uses including housing to address the need for housing in Montgomery County near transit station areas. Bonus densities would be a central part of the new zone to provide for moderately priced dwelling units.
- **List of Permitted Uses** – The proposed new zone would expand on the uses permitted in the CBD Zones to allow advanced technology and biotechnology uses including a limited amount of manufacturing.

This new zone will be applicable to transit station areas outside of Central Business Districts (CBDs). This zone and the development standards will be recommended for use in the Staff Draft of the Twinbrook Sector Plan. This new Transit Station Zone could also be used in other transit station areas located outside the existing CBDs including other areas along the Metro Red Line, the future Corridor Cities Transitway, and the Purple Line.

The following table provides a list of development standards for the Mixed Use 2.0 Zone in the Shady Grove Area. In addition, the following table also provides a sample of the development standards that could be used as a replacement for the TS-R and TS-M Zones in future sector plans and master plans.

Development Standards: Mixed Use Zones for Transit Station Areas:

	Mixed Use 2.0 (Shady Grove)		Mixed Use 2.5 (TS-R replacement)		Mixed Use 3.0 (TS-M replacement)	
	Standard Method	Optional Method	Standard Method	Optional Method	Standard Method	Optional Method
Minimum Net Lot Area	-	18,000	-	18,000	-	18,000
Maximum Allowable Density	0.5 FAR	2.0 FAR	0.65 FAR	2.5 FAR	0.75 FAR	3.0 FAR
Maximum Building Coverage	75%	-	75%	-	75%	-
Maximum Building Heights: • From adjacent residentially zoned property	50 feet 35 feet	- -	50 feet 35 feet	- -	50 feet 35 feet	- -
Minimum Public Use Space (percent of net lot area) • With MPDUs included on-site	10% 5%	20% 20%	10% 5%	20% 20%	10% 5%	20% 20%

Notes:

1. The maximum building coverage and building height would be determined during the review of the project plan and site plan in a manner consistent with the applicable sector plan or master plan.
2. The allowable density for the residential area could be increased in proportion to the amount of the applicable bonus for including moderately priced dwelling units.

**ANALYSIS**

This new zone is intended as a significant departure from the existing methods of review and development around transit stations located outside of CBDs. It is intended to position Montgomery County to meet the challenges of community building in the 21<sup>st</sup> century. Staff evaluated existing zones including the CBD, mixed-use, and transit station zones. Each of these zones has limitations. The following paragraphs provide a brief analysis of the existing zones and other options considered for the Shady Grove Sector Plan.

**Central Business District Zones**

The proposed zone recommends the use of the standard method and optional method of development that is provided in the CBD Zones. Designating the Shady Grove area as a Central Business District would be a significant land-use policy change and is not appropriate given the major employment focus of CBDs. Instead of this significant

policy and land-use change, staff recommends the proposed new zone that would achieve a compact, mixed-use, transit-oriented center not only at Shady Grove, but also at the Twinbrook Metro Station area and other transit station areas of Montgomery County. The proposed density in the Shady Grove Sector Plan is significantly less than most of the density limitations in the CBD Zones. The list of permitted uses in the CBD Zones also does not permit some of the advanced technology and biotechnology uses including manufacturing needed in the Shady Grove Metro Station area.

### **TS-R and TS-M Zones**

The Transit Station-Residential Zone (TS-R) and the Transit Station-Mixed Zone (TS-M) have been used in areas surrounding transit stations, including the Friendship Heights, Grosvenor, White Flint, and Twinbrook areas. These floating zones require considerable time from the initial submission of the rezoning petition and County Council approval, which is followed by approval of a preliminary plan and site plan.

The TS-R and TS-M Zones require smaller land areas than other floating zones, 18,000 and 40,000 square feet, respectively. The densities exceed the recommendations for the Shady Grove area (2.5 FAR for TS-R, and 3.0 FAR for TS-M). The TS-R and TS-M Zones do not require public use space, and amenities and facilities recommended in the Planning Board Draft of the Shady Grove Sector Plan. The lengthy process associated with both zones has limited the potential of the zone. For example, the 1990 Shady Grove Study Area Plan recommended 1,250 dwelling units and one million square feet of commercial development under both the TS-R and TS-M Zones. To date, no property has been redeveloped under this method.

### **Mixed-Use Zones (MXP, MXN, and RMX)**

The Mixed-Use Planned Development Zone (MXP), and the Mixed-Use Neighborhood Zone (MXN) are floating zones that have been used in the Clarksburg and Germantown areas of Montgomery County to address the needs of new development instead of redevelopment. These zones have not been used for development close to transit stations for the following reasons.

- **Minimum Lot Size** - Minimum land area of 20 acres is required for both the MXP and the MXN Zones. This amount of land is often under single ownership instead of the multiple owners surrounding transit station areas. Additionally, the total density is limited to a FAR of 0.3 for the MXN Zone.
- **Green Area Requirement** - Both the MXP and MXN Zones specify a 50 percent green area. Given the multiple land ownership that surrounds transit stations, including Shady Grove and Twinbrook, a zone similar to a CBD Zone is the best approach to encourage redevelopment, promote transit-oriented development, and create an efficient review process.
- **Density Limitations** - Staff also examined the Residential-Mixed Use (RMX) Zones. The RMX Zones, unlike the MXP and the MXN Zones, are Euclidean zones. The density of 30-40 dwelling units per acre for residential development and a FAR of 0.35 to 0.5 in the RMX Zones is not sufficient for development

adjacent to transit stations. The RMX Zones are useful in converting existing commercial centers, such as Cabin John Center in Potomac, Glenmont Shopping Center, and The Grove Shopping Center into mixed-use centers, but lower density in the RMX Zones is not appropriate for transit station areas.

**Planned Development Zones**

The Planned Development (PD) Zones allow densities from two to 100 dwelling units per acre. The PD Zones do not allow the mix of uses recommended for the transit station area in the Shady Grove Sector Plan. In addition, the green area requirement for densities of 15 to 44 dwelling units per acre is 50 percent of the gross site area. This amount of green area is difficult to achieve at transit centers. Higher densities in the PD Zones reduce the green area to 30 percent of the gross tract area. PD zones generally do not provide sufficient non-residential floor area to create a desirable mixed-use neighborhood.

**Comparison of Density in Other Transit Station Areas**

The following table identifies the location, zone, and density for transit station areas located outside the CBDs in Montgomery County. The density proposed in the new zone is similar to the density permitted in other areas not including the density permitted in the CBD Zones.

Table of Location, Zone, and Density for Other Transit Station Areas:

Location	Zone	Density
Friendship Heights	TS-M	FAR 3.0
Bethesda CBD	TS-R	FAR 2.5
Grosvenor	PD 75	75 DUs per acre
White Flint	TS-M	FAR 2.0
Twinbrook	TS-R	FAR 1.9
Shady Grove (Proposed)	TOMX	FAR 1.5 - 2.0
Glenmont	TS-R	51 DUs per acre

**CONCLUSION**

The staff recommends the introduction of the attached draft for a new transit station zone to implement the recommendations in the Planning Board Draft of the Shady Grove Sector Plan.

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Attachments:

- Map of Shady Grove Metro Station Areas
- Draft of the New Zone