

## **Proposed Rezoning: January 27, 2025, Work Session Follow-Up**

The below information is provided in relation to Mayor and Council's requests for additional information during and immediately following the January 27 work session.

### General

Following the January 27 Mayor and Council work session, questions were raised related to the role of Mayor and Council and the community feedback in the Comprehensive Map Amendment process, given that the proposed rezonings are already adopted policy, either in the Comprehensive Plan or the Town Center Master Plan.

The Zoning Ordinance Rewrite (ZOR) and Comprehensive Map Amendment (CMA) can be thought of as two separate but interrelated exercises: the first is the task of updating and modernizing the language, structure, and regulations in the Zoning Ordinance; the second is the task of amending the zoning map. The ZOR & CMA have multiple goals, one of which is to implement the Comprehensive Plan. This goal is primary when considering the recommended rezonings included in the Comprehensive Plan that are proposed to be implemented through the CMA, which were the subject of the January 27 Mayor and Council work session. For the most part, the Plan's rezoning recommendations are very specific, so implementation of the plan is rather straightforward (e.g., when the Plan recommends that a property be rezoned from MXCD to MXB, there is very little room for interpretation). In the case of these highly specific recommendations, Mayor and Council's options are to either move forward with implementation through the CMA or defer to a later time.

The Plan also includes recommendations for rezoning to new zones which have not yet been created. New zones proposed to be adopted and applied through the CMA are 1) a zone for residential and office use; and 2) a zone for high-density residential only. Because the recommendations in the Plan are adopted policy, input from the community will not impact the existing Plan recommendations; however, the Plan's recommendations do not specify all the regulations for these zones, so this is an area where input from community members and Mayor and Council comes to bear. For example, input from Planning Area 10 (Montrose and North Farm) community members has had an impact on staff and consultants' proposal for the high-density residential zone. (Also of note, because of community engagement with Planning Area 10 residents, CPDS has worked to connect community members with DPW and Recreation and Parks staff who have been able to speak to community concerns that fall outside the scope of the ZOR and CMA.)

Generally, this portion of the project (the implementation of Comprehensive Plan recommended rezonings through the CMA) provides less room for interpretation when compared to others.

### Community Engagement

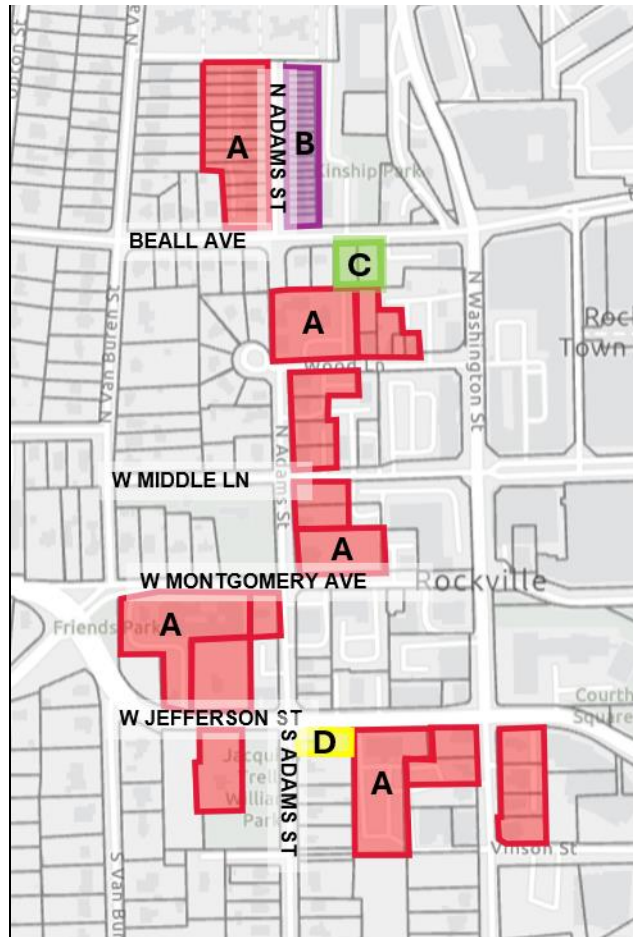
Prior to the January 27, 2025, work session, staff had contacted all neighborhood associations where rezonings were proposed within or adjacent to the association's boundaries. During the January work session, Mayor and Council requested that staff make special efforts to contact the communities. Following the work session, CPDS staff reached out to these communities of interest by both email and phone, and also dropped fliers off to the identified apartment communities. Additional information on

### Planning Area 3 (Hungerford, New Mark Commons, Lynfield, and Fireside Park)

**Focus Area: A1**

- At the January 27 work session, Mayor and Council expressed a desire to hear input from the Hungerford community on the proposed rezoning on a portion of the Woodmont County Club property. Staff contacted a community representative via email and phone, and will be attending a meeting with community members on April 26, 2025.

### Planning Area 4 (West End and Woodley Gardens E-W)



**Focus Area: C** (Focus areas not assigned in Planning Area 4; staff assigned letter 'C' to areas outlined in green)

- Current zone: **MXT (Mixed-Use Transition)**
- Comprehensive Plan recommendation: Change the zone for these two properties to R-60
- Staff proposal: Rezone to **R-60 (Single Unit Detached Residential)**

At the January 27 work session, Mayor and Council requested more information on the proposed rezoning of property owned by Jerusalem Mt. Pleasant United Methodist Church. The Comprehensive Plan includes the following rationale regarding this rezoning:

**“Jerusalem Mt. Pleasant United Methodist Church Properties, Wood Lane / Beall Avenue**

The multi-lot property includes the church, the old parsonage building, the Hebron Print Shop, vacant parcels fronting Beall Avenue, and a vacant parcel between the church and Beall Avenue. The church and parsonage are designated historic; the Hebron Print shop is not currently. This plan’s land use designates the church at 21 Wood Lane, the vacant lot behind the church, the former parsonage at 17 Wood Lane, and the former Hebron Print Shop at 11 Wood Lane as Residential and/or Office (RO); and two parcels behind the church on Beall Avenue as Residential Detached (RD). The land use for the property at 12 Beall Avenue is Residential Detached. It abuts an existing single-unit detached house.”

Staff met with the Jerusalem Mt. Pleasant United Methodist Church to discuss the Comprehensive Plan recommendation to rezone the church's two undeveloped properties on Beall Avenue from MXT to R-60 on March 6, 2025. Staff explained the Plan recommendation and the resulting ZOR and CMA process, and church representatives indicated that they are opposed to the rezoning (as it would further limit development of the property). They do not have specific plans for the property, but have considered several options, including church parking and senior/affordable housing. As noted during the January 27 work session, staff perceive that this recommended rezoning may be inconsistent with the broader housing goals of the Comprehensive Plan.

#### Planning Area 6 (Lincoln Park)



#### **Focus Area: A4**

- Current zone: **R-60** (Single Unit Detached Residential)
- Comprehensive Plan recommendation: Rezone the properties in this area from R-60 (Single Unit Detached Dwelling) to a new zone that allows a diverse range of housing types, including duplexes, triplexes, fourplexes, and rowhouses, in addition to single-unit detached dwellings. Fourplexes should only be allowed on corner lots in the zone. Multiplexes of greater than four units are not appropriate in this area.
- Staff proposal: Rezone to **RMD-Infill**

At the January 27 work session, Mayor and Council questioned whether the existing infrastructure (particularly Ashley Avenue) could support the proposed rezonings. The city's Department of Public Works expressed that they anticipate any traffic increase that may occur related to the proposed rezonings will be well-distributed in the street grid, and that Ashley Avenue will continue to operate as designed. As

development occurs, DPW staff can evaluate roadway traffic on Ashley Avenue and N. Stonestreet Avenue. They also noted several improvements proposed within nearby rights-of-way, including:

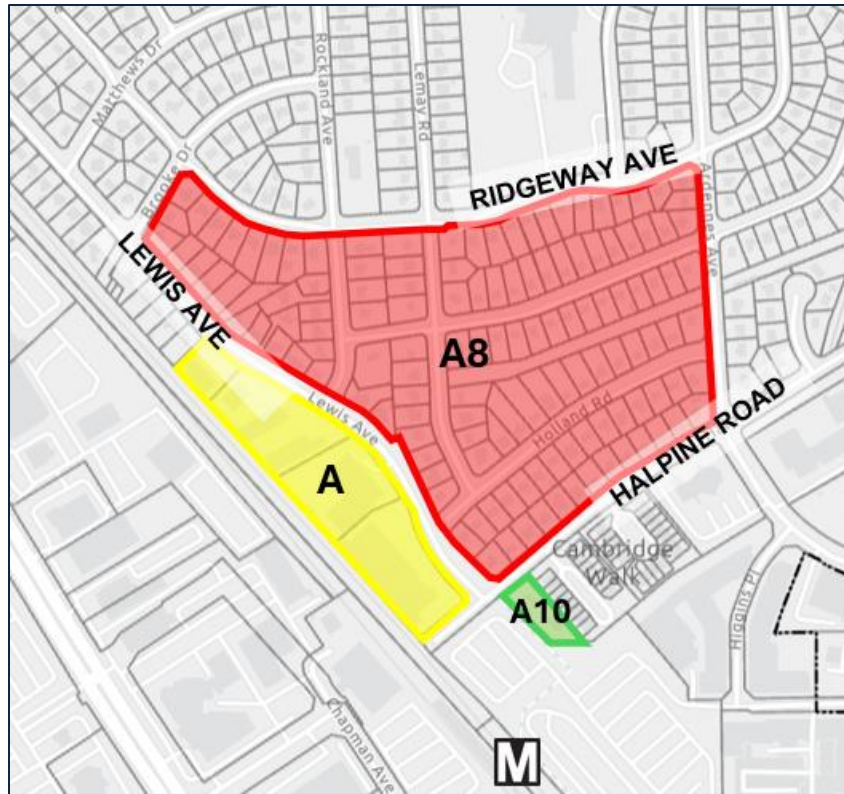
- A pedestrian connection along the north side of Frederick Ave. from N Stonestreet Ave. to Westmore Ave.; and curb extensions at Lenmore Ave.
- A complete streets design of N Stonestreet Ave. from Lincoln Ave. to Park Rd.

In the intervening time between the January 27 work session and the drafting of this staff report, CPDS staff met with the Lincoln Park Civic Association a second time, on April 12, 2025 (the first meeting was on October 12, 2024). During this meeting, Civic Association members expressed strong concerns regarding the proposed rezonings. The proposed rezoning is recommended within the Comprehensive Plan (2021) and resulted from community conversations during the Stonestreet Small Area Study (2018). The APA's *Equity in Zoning Policy Guide* includes Zoning District Policy 1, which generally supports the establishment of a flexible RMD-Infill zone:

**“Establish new residential zoning districts or amend existing residential districts to allow more types of housing by right.** Avoid districts limited to only single-household detached dwellings when that will limit housing opportunities for historically disadvantaged and vulnerable populations. Evidence shows that single-household only residential zoning has a disproportionate impact on the ability of historically disadvantaged and vulnerable groups to access attainable housing and quality schools and services. Revise zoning to allowing a broader range of building forms, lot sizes, lot widths, and residential types in low-density residential neighborhoods” (18).

Notably in the case of the proposed rezonings within Lincoln Park, the final line of Zoning District Policy 1 states: *“However, if the residents of historically disadvantaged and vulnerable neighborhoods want to preserve single-household zoning to discourage speculative investment and displacement, those desires should be respected”* [emphasis added]. Staff has committed with continuing to meet with Lincoln Park community members throughout the CMA process. In light of APA guidance, staff is investigating options of whether and how the Comprehensive Plan recommendation for these properties should be implemented, either through the CMA or at a future date.

Planning Area 8 (Twinbrook and Twinbrook Forest)



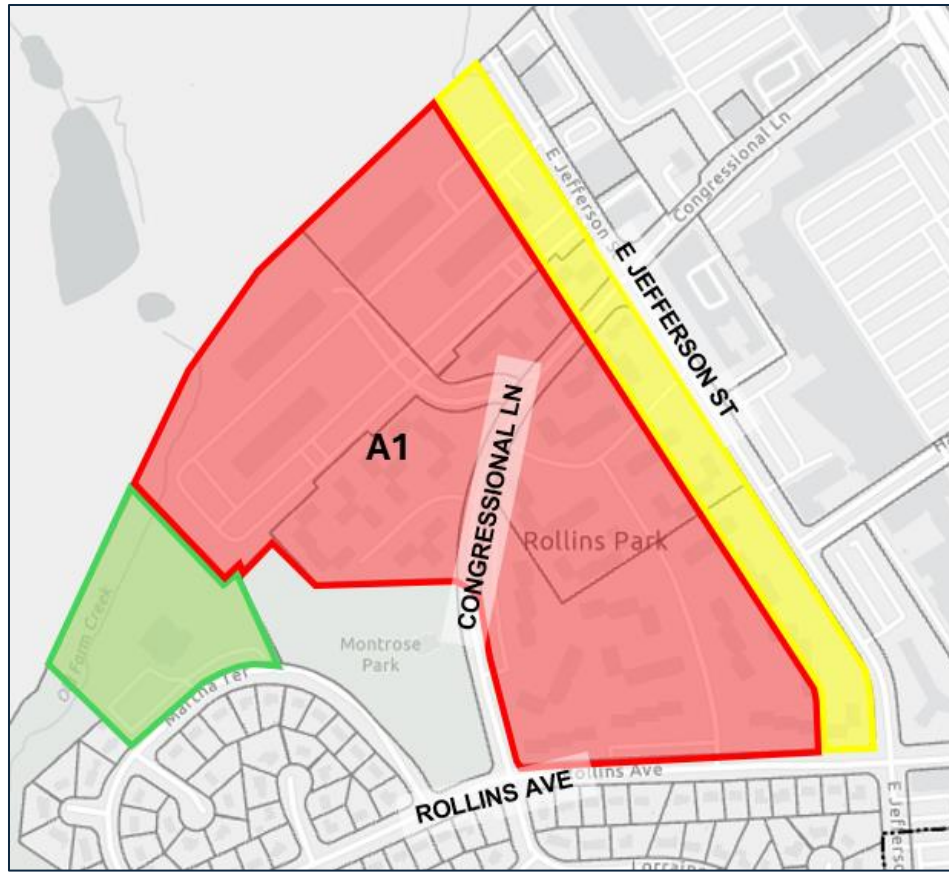
**Focus Area: A** (This area is not identified in the Comprehensive Plan as a Focus Area; staff assigned letter 'A' to areas outlined in yellow)

- Current zone: **IL** (Light Industrial)
- Comprehensive Plan recommendation: Rezone to **MXB** (Mixed-Use Business) to permit a wider mix of uses.
- Staff proposal: Rezone to **MXB**

At the January 27 work session, Mayor and Council questioned whether the proposed rezoning of the existing Light Industrial properties between Veirs Mill and Lewis Avenue (recommended in the Comprehensive Plan to be rezoned from Industrial, Light/IL to Mixed-Use Business/MXB) could receive a comparable treatment to properties recommended for rezoning near the Rockville Metro Station (recommended in the Comprehensive Plan to be rezoned from Mixed-Use Neighborhood Commercial/MXNC to Mixed-Use Corridor District/MXCD). While in many instances, the Comprehensive Plan includes broad policy guidance that allows some flexibility in interpretation, this recommendation is not one of those instances. Instead, the Comprehensive Plan recommends, "Change the Light Industrial (IL) zone on south Lewis Avenue to Mixed Use Business (MXB), to permit a wider mix of uses" (Land Use Element action 16.3, p. 43).

Planning Area 10 (Montrose and North Farm)





#### Focus Area: A1

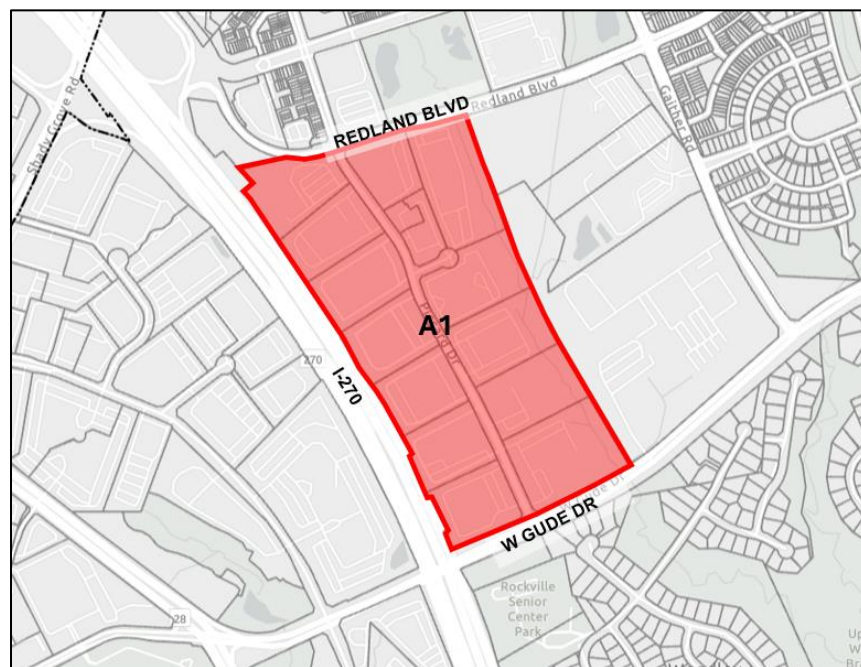
- Current zone: **Multiple**; all properties outlined in red and yellow are zoned **RMD-25** (Residential Medium Density); property outlined in green is zoned **R-75** (Single Unit Detached Residential)
- Comprehensive Plan recommendation: Rezone the strip of land along the west side of East Jefferson Street [outlined in yellow] from RMD-25 (Residential Medium Density) to MXCT (Mixed-Use Corridor Transition), to allow for development with a mix of commercial and residential uses. This new zone would mirror the zoning adopted on the east side of East Jefferson Street, as an implementation of the *2016 Rockville Pike Neighborhood Plan*. A new, higher-density residential zone, limited to residential uses, is appropriate for the remainder of the site [outlined in green and red] to permit new investment and upgrades, though it should not result in residential displacement.
- Staff proposal: The Comprehensive Plan's recommendation for A1 in Planning Area 10 can be understood as two recommendations: 1) The recommendation pertaining to the approx. 200-foot strip along the west side of East Jefferson Street (rezone from RMD-25 to MXCT), and 2) the recommendation pertaining to the rest of the property (a new, higher-density residential zone is appropriate).
  - Area outlined in green: Rezone to a new, higher-density residential zone, limited to residential uses.
  - Area outlined in red: Rezone to a new, higher-density residential zone, limited to residential uses.

- Area outlined in yellow: Rezone to MXCT Staff's

At the January 27 work session, Mayor and Council requested to see visual mock-ups of the new high-density zone, specifically the height. Information on the proposed Residential High-Density/RHD zone can be found in the New Zones section of the staff report.

Staff has also scheduled a second meeting with the Montrose community, to occur on April 30. Staff members from Community Planning and Development Services (Zoning) will be joined by staff from the Department of Public Works (Traffic and Transportation) and the Police Department. Presentations will address proposed rezonings, traffic updates, and enforcement, respectively.

#### Planning Area 16 (King Farm and Shady Grove)



#### **Focus Area: A1**

- Current zone: **MXE (Mixed Use Employment)**
- Comprehensive Plan recommendation: Rezone these properties from MXE (Mixed-Use Employment) to MXCD (Mixed-Use Corridor District) to allow for a greater mix of land uses and community destinations.
- Staff proposal: Rezone to **MXCD (Mixed Use Corridor District)**

At the January 27 work session, Mayor and Council expressed a desire to better understand the different uses permitted within the Mixed-Use Employment/MXE and Mixed-Use Corridor District/MXCD zones, as the proposed rezoning in Planning Area 16 would rezone property from MXE to MXCD to allow for a greater mix of land uses and community destinations. Generally, the MXE allows more flexibility for industrial uses (e.g., alcoholic beverage production, light industrial, self-storage), whereas the MXCD allows more flexibility for auto-oriented and residential uses (e.g., car wash; apartments, townhouses,



etc.). The proposed use permissions for the MXE versus the MXCD are outlined in Table 1. Uses which are proposed to be permitted by-right are denoted by a 'P'; uses which are proposed to be subject to certain conditions are denoted by a 'C'; uses which are proposed to require special permission from the Board of Appeals are denoted by an 'S'; and uses which are proposed not to be permitted under any circumstances have no letter assigned. (Additional information on uses and use permissions generally will be provided during the July 21 work session on Uses and Parking.)

*Table 1. Comparison of Proposed MXE and MXCD Uses*

Proposed Use	MXCD	MXE
Adult Day Care	P	P
Adult Oriented Establishment		
Alcoholic Beverage Production		C
Alcoholic Beverage Production, Limited	C	C
Alcoholic Beverage Retail Establishment	P	P
Ambulance service	P	P
Animal Boarding Establishment	C	C
Animal Grooming Establishment	P	P
Dwelling, Apartment	P	C
Artisanal Craft Production	P	P
Auctioneer and commercial gallery	P	P
Automobile Filling Station	S	S
Automobile Repair Establishment	C	C
Automobile and Recreational Vehicle Sales or Rental Establishment	C	C
Automobile towing establishment		
Backyard Chicken Coop	C	C
Bank	P	P
Bed and Breakfast	C	C
Car Wash	P	
Cemetery		
Charitable or Philanthropic Institution	P	P
Child Care Center	P	P
Child Care Home	P	P
Cottage Court (NEW)		

Crematorium		
Cultural Institution	P	P
Data Center or Data/Crypto Currency Mining		
Dormitory		
Drive-Through Window	C	C
Dwelling Unit, Accessory	C	C
Dwelling, multiplex	P	P
Dwelling, Single-Unit Detached	C	C
Dwelling, Townhouse	P	C
Eating and Drinking Establishment	P	P
Educational Institution, Private	P	P
Electric Vehicle Charging Station	P	C
Event Spaces, Clubs, and Lodges	P	P
Food preparation establishment	P	P
Funeral home	C	
General Warehousing		
Group Home, Large	S	S
Group Home, Small	P	P
Health and Fitness Establishment	P	P
Home-Based Business Enterprise	C	C
Home Maintenance Service	P	P
Hospital	P	P
Hotel	P	P
Industrial, Heavy		
Industrial, Light		P
Instructional Facilities	P	P
Junk Yard		
Housing for senior adults and persons with disabilities	P	P
Life Care Facility	P	P
Live/Work Unit	P	C
Medical Clinic	P	P
Medical or dental laboratory	P	P

Mobile Commercial Use	C	C
Mobile Use	C	C
Office	P	P
Outdoor sales & storage	C	C
Park	P	P
Pawnbroker		
Personal Care Facility	P	P
Personal living quarters	P	P
Professional Services	P	P
Public Utility Structure	P	P
Recreational Facility, Indoor, Commercial	P	P
Recreational Facility, Outdoor, Commercial	P	P
Religious Assembly	P	P
Renewable Energy Systems	C	C
Research and Development	P	P
Retail Establishment	P	P
Self-Storage Facility		C
Shooting Gallery		
Shopping Center	P	P
Structured Parking Lot, Off-Street	C	C
Studio	P	P
Surface Parking Lot, Off- Street	C	C
Swimming Pool	C	C
Temporary Uses	C	C
Theater	P	P
Tobacco and vape shops	C	C
Veterinary Services	P	P
Walk-up Windows	P	P
Wholesale Establishment	C	C
Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C
Wireless communication facility not located entirely within an existing building or on the roof or side of a building, or attached to an existing		

structure, including, but not limited to antennas on a freestanding ground mounted antenna support structure	
Wireless communication freestanding ground mounted antenna support structure	S S