



PLANNING COMMISSION

Meeting No. 04-26
Wednesday, February 11, 2026 - 7:00 PM

AGENDA

Meng Sun, Chair

Jaime Espinosa Shayan Salahuddin
Eric Fulton Jeff Zyontz
Susan Pitman

Jim Wasilak, Staff Liaison
Nicholas Dumais, Senior Assistant City Attorney

Rockville City Hall 111 Maryland Ave and
Virtually via WebEx
Watch LIVE on Comcast Cable Rockville Channel 11 and online at
<https://www.rockvillemd.gov/services/rockville-11/>

See page 2 for more information

1. Convene

2. Public Hearing and Work Session

Public Hearing and Work Session No. 4 on Zoning Text Amendment TXT2026-00271, the Draft Zoning Ordinance and Map Amendment MAP2026-00126, the Comprehensive Map Amendment; Mayor and Council of Rockville, Applicants

3. Commission Items

- A. Staff Liaison Report
- B. Old Business
- C. New Business
- D. Minutes Approval
 - September 10, 2025
 - September 24, 2025

- October 8, 2025
- E. FYI/Correspondence

4. Adjourn

PLANNING COMMISSION

HYBRID MEETING AND PUBLIC HEARING PROCEDURE

The Planning Commission meets in person in the Mayor and Council Chambers at Rockville City Hall, 111 Maryland Avenue. The public is invited to participate in person or virtually via Webex. Anyone wishing to participate virtually may do so per the instructions below.

HYBRID MEETING AND PUBLIC HEARING PROCEDURE

1. Pre-meeting Platform: Webex

- A. Applicant Access: Provided by Community Planning and Development Services/IT
- B. Access for Oral Testimony and Comment: Provided by CPDS/IT (see below)

2. Pre-Meeting Preparations/Requirements:

A. Written Testimony and Exhibits

Written testimony and exhibits may be submitted by email to Jim Wasilak, Staff Liaison to the Planning Commission, at jwasilak@rockvillemd.gov or by regular mail to:

Meng Sun, Chair
 Rockville Planning Commission
 111 Maryland Avenue
 Rockville, MD 20850

Written testimony must be received no later than nine (9) days in advance of the hearing in order to be distributed with the Planning Commission briefing materials. Written testimony and exhibits received after this date, until 4:00 pm on the day before the hearing, will be provided to the Planning Commission by email.

B. Webex Orientation for Applicants

- i. Applicants must contact the planning case manager assigned to the Application no later than five(5) days in advance of the hearing in order to schedule Webex orientation, which must be completed prior to the hearing.

C. Oral Testimony by Applicants and the Public

- i. Applicants – Applicants must provide to the planning case manager a list of presenters

and witnesses who will testify on behalf of the Application to the planning case manager no later than five (5) days prior to the date of the hearing.

- ii. Public Testimony/Comment on an Application – Any member of the public who wishes to comment on an application must submit their name and email address to the Staff Liaison Jim Wasilak (jwasilak@rockvillemd.gov) no later than 9:00 am on the day of the hearing to be placed on the testimony list.

Members of the public who seek technical assistance from City staff must submit their name and email address to Jim Wasilak no later than two (2) days in advance of the hearing so that an orientation session may be scheduled.

If a member of the public is unable to meet the deadline to be placed on the testimony list, they can submit written testimony to the Staff Liaison to the Planning Commission by email to jwasilak@rockvillemd.gov.

3. Conduct of Online Meeting and Public Hearing

A. Rules of Procedure

The Meeting and Public Hearing will be held in accordance with the Planning Commission Rules of Procedure, including the order of testimony and applicable time limits on testimony. The Rules may be viewed here: <https://www.rockvillemd.gov/DocumentCenter/View/2023/Planning-Commission---Rules-of-Procedure>

B. Oral Testimony

During the hearing, the Chair will sequentially recognize each person on the testimony list and ask the host to allow the speaker to speak. Each speaker must wait to be specifically recognized by the Chair before speaking.

If during the hearing a party wishes to speak, or a speaker wishes to request the opportunity to engage in cross-examination following specific testimony, the party must contact the Staff Liaison/Host by email at jwasilak@rockvillemd.gov with the specific request. The Host/Staff Liaison will inform the Commission. The Chair will determine if the party may be heard.

C. Continuance of Hearing

The Planning Commission, at its discretion, reserves the right to continue the hearing until another date.

HELPFUL INFORMATION FOR STAKEHOLDERS AND APPLICANTS

A. GENERAL ORDER OF SESSION FOR DEVELOPMENT APPLICATIONS

1. Staff presentation
2. City Board or Commission comment
3. Applicant presentation (10 min.)

4. Public comment (3 min, or 5 min for the representative of an association)
5. Planning Commission Discussion and Deliberation
6. Decision or recommendation by vote

The Commission may ask questions of any party at any time during the proceedings.

B. PLANNING COMMISSION BROADCAST

- Watch LIVE on Comcast Cable Rockville Channel 11 and online at: www.rockvillemd.gov
- Replay on Comcast Cable Channel 11:
 - o Wednesdays at 7:00 pm (if no live meeting)
 - o Sundays at 7:00 pm
 - o Mondays, Thursdays and Saturdays at 1:00 pm
 - o Saturdays and Sundays at 12:00 am (midnight)
- Video on Demand (within 48 hours of meeting) at: www.rockvillemd.gov/VideoOnDemand.

C. NEW DEVELOPMENT APPLICATIONS

- For a complete list of all applications on file, visit: www.rockvillemd.gov/DevelopmentWatch.

D. ADDITIONAL INFORMATION RESOURCES

- Additional resources are available to anyone who would like more information about the planning and development review process on the City's web site at: www.rockvillemd.gov/cpds

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte (extra-record) communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission. Wednesdays at 7:00 pm (if no live meeting)



PLANNING COMMISSION Meeting Date: February 11, 2026
Agenda Item Type: WORKSESSION
Department: CPDS - ZONING REVIEW & OTHER
Responsible Staff: HOLLY SIMMONS

Planning Commission Memo

MEETING DATE: February 11, 2026

REPORT DATE: February 5, 2026

RESPONSIBLE STAFF: Holly Simmons/Jim Wasilak

SUBJECT:

Public Hearing and Work Session No. 4 on Zoning Text Amendment TXT2026-00271, the Draft Zoning Ordinance and Map Amendment MAP2026-00126, the Comprehensive Map Amendment; Mayor and Council of Rockville, Applicants

BACKGROUND:

This is the fourth in a series of Planning Commission work sessions during the Zoning Ordinance Rewrite (ZOR) and Comprehensive Map Amendment (CMA) adoption process. The first three work sessions were conducted on January 14, 2026; January 28, 2026; and February 4, 2026, respectively. Additional project background was provided in the staff report for the January 14 work session.

The following materials can be accessed via the project webpage, engagerockville.com/zoningrewrite:

- *Highlights: Staff Draft Zoning Ordinance*
- Staff Draft Zoning Ordinance Table of Contents
- Staff Draft Zoning Ordinance (full text)
- Staff Draft Comprehensive Map Amendment

The Planning Commission is scheduled to make a recommendation to the Mayor and Council on February 25, 2026.

DISCUSSION:

Zones

Floating zones

Currently, the City's Zoning Ordinance includes a set of 'Comprehensive Plan floating zones,' which may be applied through an optional map amendment process that was established in 2023 (Sec. 25.14.35). Since 2023, these floating zones have provided a path for development consistent with the land uses and zoning recommendations of the Comprehensive Plan (and later, the Town Center Master Plan) prior to citywide rezoning proposed through the Comprehensive Map Amendment.

Comprehensive Plan floating zones do not automatically apply to specific properties. Instead, they may be applied to properties consistent with the Comprehensive Plan, in order to implement the Land Use Policy Map. Applicants seeking to use a floating zone must receive approval through the floating zone map amendment process, which includes both a rezoning and a concurrent Project Plan application.

Because the Comprehensive Map Amendment implements the Comprehensive Plan's land use and zoning recommendations, the Comprehensive Plan floating zones were not retained in the Staff Draft Zoning Ordinance.

Zoning Map Amendments

The Zoning Ordinance (both the existing ordinance and the Staff Draft) include processes for changing the zoning designation(s) of a property or area as depicted on the zoning map for the City. In the Staff Draft Zoning Ordinance, these can be found at draft Sec. 25.5.3, and include the following types of zoning map amendments:

- *Local map amendment.* A map amendment affecting a single, contiguous site that is typically sought by the owner or other person having a proprietary interest in the site. A local map amendment may include multiple lots or parcels.
- *Sectional map amendment.* A map amendment affecting a section of the City. A sectional map amendment is a type of comprehensive amendment as defined by Maryland case law.
- *Comprehensive map amendment.* A map amendment affecting the entire City. A comprehensive map amendment may rezone some or all areas of the City and reconfirm the zoning in other areas of the City.

One Commissioner raised questions about the map amendment processes, specifically:

- Should map amendments include required findings?
- Should owner consent be required for local map amendments?

Findings

Currently, the Zoning Ordinance does not include findings for zoning map amendments; however, it is typical for the grant of a local map amendment, which are generally initiated by a property owner and resulting from a change or mistake, to be based on certain findings. As such, staff propose including the following findings for local map amendments only. These findings have been adapted from those required for local map amendments in Montgomery County.

1. Substantial change in the character of the neighborhood since the original zoning or comprehensive rezoning, or a mistake was made when the existing zoning was applied; and
2. The requested zone is compatible with the surrounding area.

Owner consent

Owner consent is not required for zoning map amendments because zoning is a policy decision made by the Mayor and Council for the benefit of the community as a whole. While property owners own their land, zoning classifications are set by the City and may be updated over time to reflect adopted plans, changing conditions, and community goals.

Rather than requiring owner consent, state and local law provide procedural dues process through public notice and public hearings. This provides property owners and other community members the opportunity to review and comment on proposed zoning map amendments prior to adoption. Requiring owner consent for zoning map amendments would limit the Mayor and Council’s ability to implement adopted plans and policies intended to advance city objectives.

Development Standards

Transition Heights

As supported by the Mayor and Council on May 5, 2025, and the Planning Commission on May 28, 2025, the Staff Draft Zoning Ordinance incorporates an updated requirement for height transitions between single-unit residential and higher-intensity uses. These provisions are intended to ensure appropriate transitions between higher-density development and single-unit detached neighborhoods, while balancing policies from the Comprehensive Plan, Town Center Master Plan, and Climate Action Plan regarding intense development around Metro stations, as well as housing production goals.

Relevant information excerpted from the staff reports for the May 5 Mayor and Council and May 28 Planning Commission work sessions is included as Attachment 1 – Height Transitions.

Bonus Height

In the Staff Draft Zoning Ordinance, bonus height may be applied in three instances:

- *MXTD family of zones.* The MXTD-235, MXTD-200, and MXTD-85 implement the character areas recommended by the Town Center Master Plan. Bonus height in the MXTD family of zones is available for projects that provide affordable housing over the minimum required, as shown in Table 1.

TABLE 1. BONUS HEIGHTS APPLIED TO MXTD ZONES

| Proposed Zone | Character Area | Base Height | Bonus Height |
|-----------------|--------------------------------|-------------|--------------|
| MXTD-235 | MD-355 Corridor Character Area | 235 feet | 100 feet |
| MXTD-200 | Core Character Area | 200 feet | 100 feet |
| MXTD-85 | Edge Character Area | 85 feet | 50 feet |

- *Champion Projects.* The Staff Draft Zoning Ordinance provides a 100-foot bonus height to Champion projects, representing an increase over the bonus height currently permitted for such projects.
- *Housing Expansion and Affordability Act (HEAA).* Pursuant to State law, qualified projects as defined in the State’s 2025 Housing Expansion and Affordability Act are entitled to additional (or bonus) height. For clarity, this is reflected in the Staff Draft Zoning Ordinance.

Relevant information excerpted from the staff reports for the May 5, 2025, Mayor and Council and May 28, 2025, Planning Commission work sessions is included as Attachment 2 – Bonus Height.

Minimum Lot Area versus Density

Residential zones use different standards, such as minimum lot size and maximum dwelling units per acre, based on the intended development pattern of each zone. Single-unit residential zones rely on minimum lot size and dimensional standards to shape development form and scale, with density occurring as an indirect outcome of those standards, as opposed to a fixed requirement. The City’s medium- and high-density residential zones allow a wider range of housing types, making density limits a more effective and less prescriptive way to regulate overall development intensity.

The order in which the residential zones are presented in the existing Zoning Ordinance and in Staff Draft Article 7 is based on regulatory intent and anticipated development patterns. The RMD-Infill zone serves as a transition between single-unit residential and medium- to high-density residential zones. It allows small-scale ‘missing middle’ housing types including multiplexes, townhouses, and cottage courts, in addition to single-unit detached dwellings. Unlike the RMD-10, RMD-15, and RMD-25, it does not allow apartment buildings. The RMD-Infill’s placement within the zoning framework reflects considerations of form, scale, and intensity, rather than density alone.

In response to one Commissioner’s questions related to the RMD-Infill, staff further reviewed the proposed standards for the zone, specifically, those related to the proposed density of one dwelling unit per 2,000 square feet. Based on a review of similar zones in other jurisdictions, staff recommend revising this standard to a minimum lot area requirement to better reflect the intended development pattern. Staff also recommend adding standards that clarify the number of dwellings permitted by form, as shown in Table 2. Per-form dwelling unit caps help ensure that infill development in the RMD-Infill zone occurs at a scale and pattern similar to surrounding single-unit neighborhoods, regardless of housing type.

TABLE 2. RECOMMENDED MAXIMUM NUMBER OF DWELLING UNITS BY FORM

| Use | Maximum Dwelling Units per Lot |
|-----|--------------------------------|
|-----|--------------------------------|

| | |
|-----------------------------|--|
| Single-Unit Detached | 1 |
| Multiplex | 4 (Unless recommended otherwise by the Plan) |
| Townhouse | 6 |
| Cottage Court | 8 |

Recommendation: Revise the RMD-Infill density standard to a minimum lot area standard and specify the maximum number of dwelling units per lot based on form, as shown in Table 1.

Frontage and Setback Requirements: RMD-25 versus RHD

One Commissioner raised questions regarding the frontage and rear setback standards for the RMD-25 zone and the RHD zone. The development standards intentionally differ between these two zones, because the RHD is a new zone that was modeled more closely on the City’s existing Mixed-Use zones.

Upon further review, staff recommend revising the RHD side and rear setback standards to align with those in the Mixed Use zones. Staff also recommend revising the language of the front setback requirement for clarity and accuracy. These changes will allow more consistent treatment of development in the RHD zone and greater sensitivity to situations where the RHD zone abuts or confronts residential property. For comparison purposes, development standards for the RMD-25, RHD, and the medium- to high-intensity Mixed Use zones, as contained in the Staff Draft Zoning Ordinance, along with the proposed revised RHD standards, are provided in Table 3.

Notes on Table 3:

- Standards informing the updated RHD zone recommendation are shown in red.
- All zones included in the table are subject to the transition heights of draft Sec. 25.7.3.8(a)(1).
- Setbacks based on ‘residential property’ apply when the abutting or confronting property is zoned R-400, R-200, R-150, R-90, R-75, R-60, R-40, RMD-Infill, RMD-10, or RMD-15 and is developed with single-unit detached, townhouse, or multiplex dwellings.

TABLE 3. PROPOSED RMD-25, RHD, AND MXTD-85 STANDARDS

| Standard | Staff Draft Zoning Ordinance | | | Updated RHD Recommendation |
|---|------------------------------|--|---------------------------|--|
| | RMD-25 | RHD | MXTD ‘Family’; MXCD, MXCT | |
| Lot Frontage | 100 ft. | 10 ft. | 10 ft. | 10 ft. |
| Front Setback / Setback Abutting | 25 ft. | <ul style="list-style-type: none"> • Abutting or confronting a lot zoned for and developed with | None | <ul style="list-style-type: none"> • Confronting residential property: 25 ft. |

| | | | | |
|-----------------------------------|---|---|--|--|
| Public Right-of-Way (Min.) | | <i>single-unit residential uses: 25 ft.</i> <ul style="list-style-type: none"> • <i>All other locations: 10 ft.</i> | | <ul style="list-style-type: none"> • <i>Confronting nonresidential property: 10 ft.</i> |
| Side Setback (Min.) | <ul style="list-style-type: none"> • <i>Townhouse, multiplex, small apartment buildings, and cottage courts: 8 ft.</i> • <i>Apartments of seven or more units: 10 ft.</i> | 10 ft. | <ul style="list-style-type: none"> • <i>Abutting residential property: 25 ft.</i> • <i>Abutting nonresidential property: None required. 10 ft. minimum if provided</i> | <ul style="list-style-type: none"> • <i>Abutting residential property: 25 ft.</i> • <i>Abutting nonresidential property: None required. 10 ft. minimum if provided</i> |
| Rear Setback (Min.) | 25 ft. | 10 ft. | <ul style="list-style-type: none"> • <i>Abutting residential property: 25 ft.</i> • <i>Abutting nonresidential property: None required. 10 ft. minimum if provided</i> | <ul style="list-style-type: none"> • <i>Abutting residential property: 25 ft.</i> • <i>Abutting nonresidential property: None required. 10 ft. minimum if provided</i> |

Sign Regulations

The Zoning Ordinance includes regulations related to signage in the City. The Staff Draft Zoning Ordinance modernizes and reorganizes regulations to provide clarity, usability, and consistency across zones while ensuring compliance with requirements for ‘content neutrality.’

Key changes to the sign ordinance (draft Article 10) are as follows:

1. *Significantly reorganizes the article for ease of use.* In the Staff Draft, permitted signs are clearly identified and regulations for each zone are housed within the sign types.
2. *Exempts certain signs, including directional signs and signs regulated by Chapter 21.*
3. *Ensures regulations are content-neutral (i.e., regulating sign size, location, or design, rather than the text, color, or images on a sign).* This revision is necessary to align with first amendment requirements enunciated in recent federal court opinions, including the 2015 U.S. Supreme Court decision *Reed v. Town of Gilbert*.
4. *Introduces new sign types, including A-frame signs, window signs, and building-mounted banner signs, and associated regulations.* The current Zoning Ordinance is silent on these signs. By including them, the Staff Draft creates a clear framework to both allow and regulate their use.
5. *Eliminates different regulations for real estate, temporary noncommercial, and yard sale signs and regulates them as temporary freestanding signs.* Temporary freestanding sign regulations vary by zone and associated use type. Of note, the Staff Draft allows up to three temporary freestanding signs on lots with single-unit detached dwellings, townhouses, and multiplexes without a permit.

6. *Prohibits certain signs, including feather flags and electronic message centers (unless they are pedestrian-oriented).* These prohibitions are intended to support a more cohesive streetscape, while still allowing pedestrian-oriented LED signs to support wayfinding and on-site communication.
7. *Consolidates sign types for consistent regulation of signs in the Industrial and Mixed Use zones.* Permitted sign types are identified as section headers in Division 10.3 (i.e., A-Frame sign, building sign, temporary building-mounted banner sign, etc.).
8. *Expands the scope of repairs allowed for nonconforming signs.* Allows repainting, refacing, and electrical repairs so long as repainting does not include a change of copy.
9. *Eliminates sign concept plans (which regulate content) and optional sign packages (which have only been used once) while requiring a new comprehensive sign plan be submitted prior to permit where two or more signs are proposed on a site.*
10. *Revises and updates the required approval findings for a sign variance.* Findings focus on effective signage and compatibility with structures on the site, as follows:
 - a. The Chief of Zoning may approve a sign variance, with or without conditions, only after making all of the following findings:
 - i. Strict application of this Article would preclude effective signage on the site.
 - ii. The variance application proposes a sign or signs that are compatible with the major structures on the site.

Planned Development Adequate Public Facilities (APF) Validity

Prior to March 16, 2009, developments with special provisions for development standards and allowed uses were approved through several types of special development procedures, including comprehensive planned development, planned residential unit, preliminary development plan, and the I-3 zone optional method. Under these procedures, each development was governed individually by approval documents, which outlined standards and uses that often had little or no relation to the underlying zoning. With the 2009 update, these special developments were placed in individual “Planned Development” (PD) zones.

At the same time, provisions to address APF in these PD zones were introduced. The current Zoning Ordinance outlines the following:

- APF determinations for planned developments remain valid for either:
 - The time stated in the original approval, if stated explicitly; or
 - “[T]wenty-five years from November 1, 2005” (i.e., November 1, 2030), if not stated explicitly.
- The Mayor and Council may extend the APF validity period for planned developments by five years, based on certain findings. (See Sec. 25.20.04.b.)

The Staff Draft Zoning Ordinance retains the November 1, 2030 PD APF expiration date but updates the extension process to align with broader policy established in the Staff Draft. Under the Staff Draft, the APF validity period for planned developments would be

subject to two consecutive two-year extensions approved by the Chief of Zoning, rather than a single five-year extension approved by Mayor and Council.

Transitional Provisions

The Staff Draft Zoning Ordinance includes transitional provisions to ensure an orderly and fair transition following adoption of the new ordinance. These provisions establish a limited option for certain pending applications to proceed under the existing ordinance, at the applicant's option. In the Staff Draft, to qualify for the transitional provisions, a complete site plan application must have been submitted within one year prior to the new ordinance's adoption; a written request must be submitted to the Chief of Zoning within two months of adoption; and the application must be approved within one year following adoption. Staff currently propose to widen these eligibility criteria to (1) include project plans as well as site plans; (2) expand the provision to complete applications submitted within eighteen months before the new ordinance's adoption; and (3) require applications to be approved within two years of the new ordinance's adoption. This approval window aligns with typical development review timelines and limits the transitional option to applications that are actively advancing under the existing Zoning Ordinance, balancing fairness to applicants who have made investments under the existing ordinance with the City's interest in timely implementation of the new zoning regime.

While it is necessary to provide fair and predictable transitional provisions, staff anticipate that most applicants will choose to develop under the new Zoning Ordinance, as the Staff Draft generally streamlines development review processes, right-sizes requirements, and increases flexibility.

Follow-Up from January 28 Planning Commission Work Session: Use-Based GFA Restrictions

During the January 28, 2026, Planning Commission work session, Commissioners requested a complete list of uses in the Staff Draft Zoning Ordinance to which use-based GFA restrictions apply. In response, the full list, including a comparison of treatment in the current and Staff Draft Zoning Ordinances and an explanation of the rationale, is provided in Attachment 3 – Use-Based Gross Floor Area Restrictions.

Additional Updates

As part of the ongoing review of the Staff Draft Zoning Ordinance, staff have identified several items requiring correction. These include the items outlined below.

Pipe stem lots

During the October 6 Mayor and Council work session, Mayor and Council supported allowing pipestem lots (which have been expressly prohibited by the Zoning Ordinance since 2006) to increase options for housing diversity. As such, this prohibition was removed from the Staff Draft Zoning Ordinance; however, frontage requirements that would allow for pipestem lots were not included in the Staff Draft. To address this, staff intends to add language requiring that frontage for pipestem lots must be adequate to

provide access and an ingress/egress and utility easement ensuring that every lot has access to the street.

Bicycle Parking

Staff are updating the bicycle parking location and design standards based on knowledge gained through recent site plan inspections. Revisions include:

- Required clearance between bicycle parking spaces and an adjacent curb or wall.
- Requirement for short-term spaces to be at the same grade as the sidewalk or at a location that can be reached by a bike-accessible route.
- Requirement for long-term spaces located within a parking garage to be located on the same level as the entrance to the garage or accessible by an elevator.
- Requirement for long-term spaces located within a room to be located on the same level as the entrance to the building or accessible by an elevator.

Driveways/Drive aisles

Staff are updating the driveways and drive aisles requirements to ensure existing policy is retained, including a narrower width requirement for interior driveways that have no adjacent parking spaces.

Cluster Subdivision Overlay zone

Cluster subdivisions are currently shown on the City's zoning map; however, because no Cluster Subdivision Zone exists in the current Zoning Ordinance, this layer was removed from the Staff Draft zoning map. Upon further consideration, staff has determined that it most advisable to add a Cluster Subdivision Overlay Zone to both the CMA and the ZOR, for record-keeping and transparency. Zoning Ordinance language will retain the existing minimum lot areas, as well as the existing policy that determines applicable setback and width requirements for lots within existing cluster subdivisions.

Attachments

Attachment 1_Transition Height, Attachment 2_Bonus Height, Attachment 3_Use Based GFA Restrictions

Attachment 1: Transition Height

The below information is excerpted from the staff report for the May 5, 2025, Mayor and Council ZOR and CMA work session.

The Zoning Ordinance Rewrite recommends an updated requirement for height transitions between single-unit residential and higher-intensity uses. The proposal is intended to ensure appropriate transitions between higher-density development and single detached neighborhoods, while balancing policies from the Comprehensive Plan, Town Center Master Plan, and Climate Action Plan regarding intense development around Metro stations, as well as housing production goals.

Under the proposal, any building greater than 50 feet in height within higher-intensity zones would be required to incorporate a height transition along the façade(s) that abut or confront lots¹ zoned for and developed with single-unit residential in lower-intensity zones (Table 1, below). Buildings subject to transition requirements would be required to incorporate one or two building set backs (or “step backs”) along the façade(s) that abut or confront residential (as described above), depending upon the height of the building. A step back is an architectural design feature where a building’s upper floors are recessed from the lower floors, thereby creating a stepped or recessed building profile.

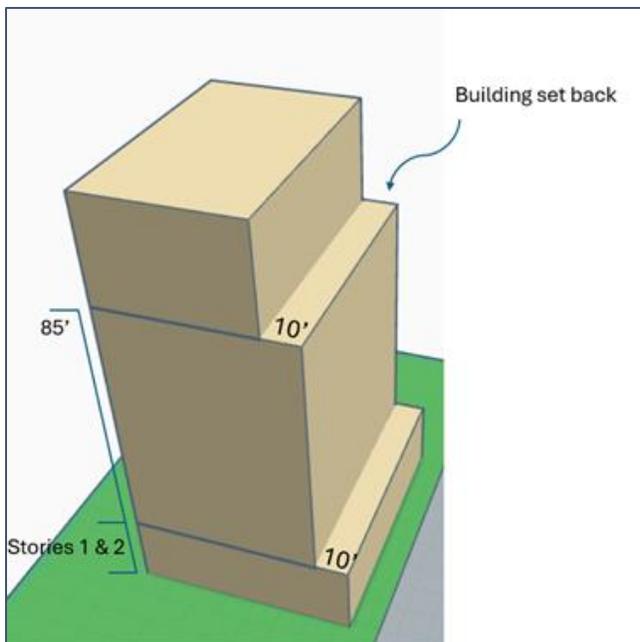


Figure 1. Proposed Building Height Transition Requirements

For buildings exceeding 50 feet tall, a ten-foot step back would be required above the second floor. This step back is intended to correspond to the roofline of smaller nearby structures, reducing the scale of the proposed building while emphasizing its ground-level elements. For buildings that exceeding 85 feet tall, an additional step back would be required at 85 feet to further ease the transition. The step back would apply along the portion of the building facade that abuts or confronts properties as listed in Table 1. Buildings under 50 feet tall would not be required to have the step back, as a height of 50 feet provides a logical transition from the 35- to 45-foot height maximums of the residential zones. The ZOR proposes that height transitions would not apply to lots that confront one another across the metro/CSX right-of-way, MD-355, or I-270, as these rights-of-way serve as significant physical barriers between development.

Table 1. Proposed Application of Height Transitions Requirements

| | |
|-------------------------------------|---|
| Height Transitions Apply to: | When abutting or confronting properties developed with single-unit, duplex, or townhouse dwellings in the... |
|-------------------------------------|---|

¹ *Abutting* properties are those “having a common point or border,” while *confronting* properties are “properties directly opposite each other, and separated only by public right-of-way” (Sec. 25.03.02).

| | |
|----------|---|
| MXTD-235 | <ul style="list-style-type: none"> • R zones • RMD-Infill • RMD-10 • RMD-15 |
| MXTD-200 | |
| MXTD-85 | |
| MXCD | |
| MXCT | |
| MXE | |
| MXB | |
| MXNC | |
| RMD-25 | |
| I-H | |
| I-L | |

[...]

The recommended height transitions requirements would take the place of outdated transition requirements currently existing within the city’s Zoning Ordinance, most notably including:

- Layback slopes (generally, a line extending 30 degrees from grade at the property line of an abutting/confronting residential-zoned lot onto a mixed-use, industrial, or RMD-25 property; Figure 2 Figure 4, below)
- Setbacks that are based on the height of a proposed building (e.g., development within the Mixed-Use Transit District/MXTD must have rear and side setbacks of the normal 25 feet *or the height of the proposed building, whichever is greater* when abutting residential property)

The layback slope and setback existing requirements place onerous restrictions on properties that are intended for dense development, undermining the intent of the city’s adopted plans. Additionally, the layback slope is difficult to understand and interpret – not only for applicants, but also for city staff and members of the public.

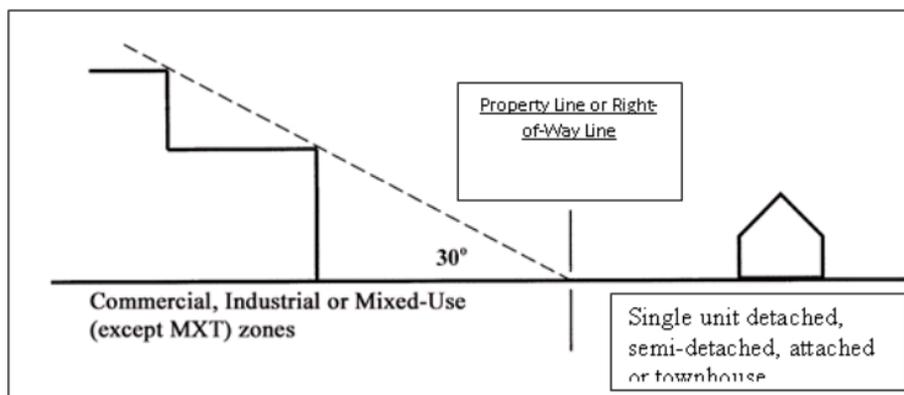


Figure 2. Layback Slope Example (Image 13.1 from the Current Zoning Ordinance)

Attachment 2: Bonus Height

The below information is excerpted from the staff report for the May 5, 2025, Mayor and Council ZOR and CMA work session.

Town Center Zones

On January 27, 2025, the Mayor and Council adopted the 2025 *Rockville Town Center Master Plan* (TCMP) as an amendment to the *Rockville 2040 Comprehensive Plan*. The TCMP amends the Land Use Policy Map for Planning Area 1 and includes land use recommendations for three “character areas” within Town Center: the MD-355 Corridor, the Core, and the Edge. Specifically, TCMP Actions 1.1.1 and 1.1.2 recommend increased building heights and associated incentives, as well as no minimum parking requirements.

To implement these recommendations, the ZOR and CMA proposes to expand the Mixed-Use Transit District (MXTD) to become a ‘family’ of zones with height restrictions corresponding to the three TCMP character areas (Table 1, below). The MXTD zones are proposed to be distinguished by the allowable base heights recommended in the TCMP through Actions 1.1.1 and 1.1.2, named MXTD-235, MXTD-200, and MXTD-85, accordingly. All zones within the MXTD family will have the same uses, setbacks, design, and other such standards, tailored to be more walkable and less auto-oriented. (Any recommended revisions related to MXTD uses or parking will be addressed at the July 21 work session on Uses and Parking.) At the May 5 work session, staff will be seeking direction from the Mayor and Council on this item.

Table 1. Proposed MXTD 'Family' of Zones

| Character Area | Proposed Zone | Base Height | Bonus Height |
|--------------------------------|---------------|-------------|--------------|
| MD-355 Corridor Character Area | MXTD-235 | 235 feet | 100 feet |
| Core Character Area | MXTD-200 | 200 feet | 100 feet |
| Edge Character Area | MXTD-85 | 85 feet | 50 feet |

Height Maximums

Mixed-Use Transit District (MXTD)

In addition to the properties zoned or proposed to be zoned within the MXTD family of zones in Town Center, properties near the Twinbrook and Shady Grove metro stations are also zoned MXTD (Figure 1 and Figure 2). Currently, the base height in the MXTD is 120 feet, with a 30-foot bonus (for a total of 150 feet) that may be applied under certain conditions.¹ Champion Projects in the MXTD in the South Pike qualify for an 80-foot bonus height (up to 200 feet maximum).



¹ Conditions required to receive the 30-foot height bonus are listed in Sec. 2513.05.b.2(a)(ii) of City Code, as follows:

- A. The public use space requirement must be provided on the site, except in the Rockville Pike Neighborhood Plan area, where the public use space requirement can be met either on site or through fee-in-lieu payment;
- B. The building footprint cannot occupy more than eighty (80) percent of the net lot area;
- C. The building design exceeds the urban design recommendations of the applicable master plan; and
- D. The building must exceed any energy conservation standards set forth in this Code.

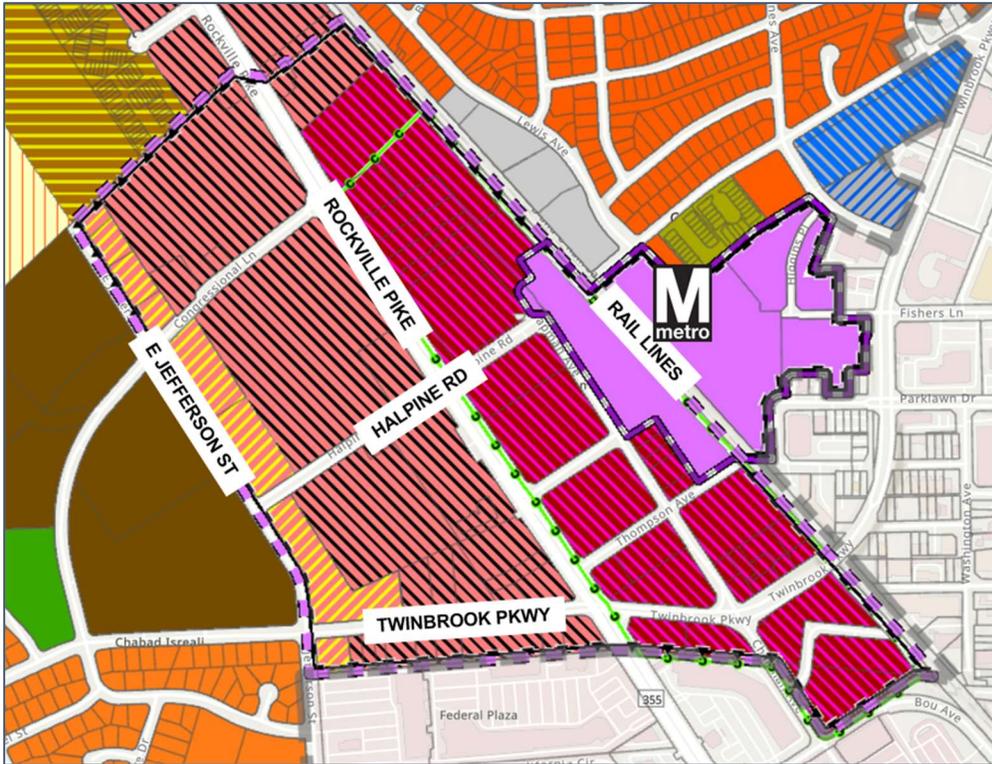


Figure 1. MXTD Zone Near Twinbrook Metro

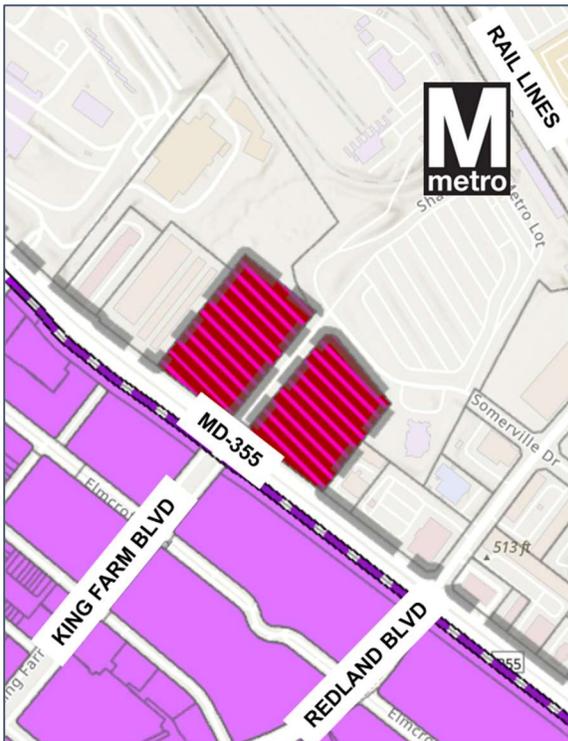


Figure 2. MXTD Property Near Shady Grove Metro

As noted above, the MXTD zone is proposed to be expanded to a new ‘family’ of zones that will be used to implement the recommendations of the recently adopted Town Center Master Plan. As described above, the family of MXTD zones is proposed to have base and bonus heights consistent with the recommendations of the Town Center Master Plan (Table 1). In conjunction with the creation of the MXTD family, staff recommends that the MXTD-200 zone be applied to the MXTD properties near the Twinbrook and Shady Grove metro stations. This would effectively increase the base height of these properties from 120 to 200 feet. Staff also proposes that the 100-foot bonus height apply not only to projects in Town Center that include 20% or more affordable housing, but also to projects in the South Pike that qualify as Champion Projects.

Increasing the MXTD height would ensure that these properties are positioned to be similarly competitive to those in Town Center, and more competitive with transit-oriented properties in Montgomery County outside of the city. It would also better implement the Comprehensive Plan’s Principle to “Steer the most-dense development to mixed-use, transit served locations” and the Climate Action Plan’s Action C-16 to “Implement the Comprehensive Plan to steer the densest development/redevelopment to mixed-use, transit-served locations, reduce vehicle miles traveled (VMT) and emissions, and conserve/restore environmental areas.” At the May 5 work session, staff will be seeking direction from the Mayor and Council on this item.

Housing Expansion and Affordability Act

The State of Maryland’s Housing Expansion and Affordability Act (HB 538; HEAA) went into effect on January 1, 2025. The HEAA has several components, including benefits for ‘qualified projects’ (generally, projects located on historic former state- or federal-owned campuses²; projects located within 0.75 miles of a passenger rail station; or projects controlled by a nonprofit or located on land owned by a nonprofit). Qualified projects located within 0.75 miles of a passenger rail station must be deed-restricted to include 20% of housing units that are affordable for a period of at least 40 years, while projects developed by nonprofits must be deed-restricted to include 25% of the same.

Qualified projects are entitled to additional density, above what base zoning permits. In an area zoned for single family residential use, a qualified project may include middle housing units; this will be reflected in the updated Zoning Ordinance. Qualified projects are also entitled to an increase in allowable density in areas zoned for multifamily and mixed-use. Generally, the statutory language involving a density increase in multifamily and mixed-use zones states:

- In an area zoned exclusively for multifamily residential use, a qualified project shall have a density limit that exceeds by 30% the allowable density in that zone.
- In an area zoned for mixed-use, a qualified project may include 30% more housing units than are allowed in that zone.

While the medium- and high-density residential zones control intensity through a standard “density” calculation based on the number of dwelling units allowed per acre, most the city’s high-density residential development is occurring in the mixed-use zones, which do not control intensity by utilizing a density calculation of dwelling units per acre, but instead control through setback and height restrictions. To address HEAA density increase requirements, staff propose bonus heights of 30% above what the base zones allow in all MX zones (Table 2, below). In the MXTD family of zones within Town Center, qualified

² No properties within the city qualify as historic former state- or federal-owned campuses.

projects would be afforded bonus heights above those required by the HEAA, as they would receive the height bonuses described in the New Zones section of this staff report.

Table 2. Housing Expansion & Affordability Act (HEAA) Qualified Project Bonus Height

| Zone | Base Height (Feet) | Bonus Height for Qualified Projects under the HEAA (Feet) | Qualified Project Total Height (Feet) |
|-------------|-------------------------------|--|--|
| MXTD-235 | 235 | 70.5 (Outside of Planning Area 1) 100 (Within Planning Area 1) | 305.5, respectively 335, respectively |
| MXTD-200 | 200 | 60 (Outside of Planning Area 1) 100 (Within Planning Area 1) | 260, respectively 300, respectively |
| MXTD-85 | 85 | 25.5 (Outside of Planning Area 1) 50 (Within Planning Area 1) | 110.5, respectively 135, respectively |
| MXCD | 75 | 22.5 | 97.5 |
| MXCT | 75 | 22.5 | 97.5 |
| MXE | 120 | 36 | 156 |
| MXB | 55 | 16.5 | 71.5 |
| MXNC | 45-65 ³ | 13.5-19.5 | 58.5-84.5 |
| MXT | 35 | 10.5 | 45.5 |
| MXRO | 35 | 10.5 | 45.5 |
| MXC | 30 | 10 | 40 |
| Zone | Base Density (DU/Acre) | Bonus Density for Qualified Projects under the HEAA (DU/Acre) | Qualified Project Total Density (DU/Acre) |
| RHD | 50 | 15 | 65 |
| RMD-25 | 25 | 7.5 | 32.5 |
| RMD-15 | 15 | 4.5 | 19.5 |
| RMD-10 | 10 | 3 | 13 |

³ The MXNC is a special case, as it currently includes a bonus height of 20 feet if recommended by the Plan, or if the applicant proposes open space/public use space above the minimum (Sec. 25.13.05.b.2(c)).

Attachment 3: Use-Based Gross Floor Area Restrictions

The table below lists the of uses in the Staff Draft Zoning Ordinance to which use-based gross floor area (GFA) restrictions apply, compares the regulations in the current and Staff Draft Zoning Ordinances, and provides a brief rationale for the standard ultimately included in the Staff Draft. Where standards differ between the current Zoning Ordinance and the Staff Draft, those differences are shown in red text. In the Rationale column, cells are highlighted in green where greater flexibility was introduced in the Staff Draft and in red where standards were increased.

Table 1: Summary of Changes to GFA Restrictions

| Use | Current Zoning Ordinance | | Staff Draft Zoning Ordinance | | Rationale |
|---|---|---|------------------------------|---|---|
| | Zone | Restriction (Max.) | Zone | Restriction (Max.) | |
| Attached Accessory Dwelling Unit (ADU) | R-400 R-200 R-150 R-90 R-75 R-60 R-40 RMD-Infill RMD-10 RMD-15 RMD-25 | Generally: 50% of principal dwelling's GFA If located in a basement: the square footage of the basement | All zones | Generally: 50% of principal dwelling's GFA If located in a basement: the square footage of the basement | Retained from current Zoning Ordinance. Use permissions expanded to allow ADUs in all zones when accessory to a single-unit detached dwelling. |
| Detached Accessory Dwelling Unit (ADU) | R-400 R-200 R-150 R-90 R-75 R-60 R-40 RMD-Infill RMD-10 RMD-15 RMD-25 | If the principal dwelling has a GFA of 800sf or greater: 50% of principal dwelling's GFA or 750sf, whichever is less If the principal dwelling has a GFA of less than 800sf: 400sf | All zones | If the principal dwelling has a GFA of 800sf or greater: 50% of principal dwelling's GFA or 750sf, whichever is less If the principal dwelling has a GFA of less than 800sf: 400sf | Retained from current Zoning Ordinance. Use permissions expanded to allow ADUs in all zones when accessory to a single-unit detached dwelling. |
| Cottage Court | n/a | n/a | R-400 | 1,200sf | Cottage Court is a new use. |

| Use | Current Zoning Ordinance | | Staff Draft Zoning Ordinance | | Rationale |
|--|----------------------------|--|--|--|--|
| | Zone | Restriction (Max.) | Zone | Restriction (Max.) | |
| | | | R-200 R-150 R-90 R-75 R-60 R-40 RMD-Infill RMD-10 RMD-15 RMD-25 | | Limitation modeled on Gaithersburg requirements. Limiting unit size preserves intended scale, supports housing diversity goals, and prevents multi-unit dwellings or single-unit subdivisions from being developed under the cottage court designation. |
| Alcoholic Beverage Retail Establishment | MXCT MXNC MXC MXT | 5,000sf | MXCT MXNC MXC MXT | 5,000sf | Retained from current Zoning Ordinance. |
| Auctioneer or Commercial Gallery | MXNC MXC MXT | 2,500sf | n/a | Eliminated | Restriction removed. |
| Eating and Drinking Establishment | I-L | 25% of the GFA of the building. <i>Does not apply to carry out.</i> | I-L | 25% of the GFA of the building. <i>Does not apply to carry out.</i> | Retained from current Zoning Ordinance. |
| Event Space, Club, or Lodge | MXCT MXNC | 4,000sf, unless located in basement or cellar. <i>Applies to rental halls only.</i> | MXNC MXT | 4,000sf, unless located in basement or cellar. <i>Applies to rental halls only.</i> | Standard retained from current Zoning Ordinance. Removed from MXCT zone and added to MXT zone. This change allows for more flexibility in both zones, as the use is currently not permitted in the MXT. Reference to basements and cellars removed. |
| Health and Fitness Establishment | MXNC MXC MXT | 4,000sf <i>Does not apply if located in a basement or cellar.</i> | MXNC MXC MXT | 5,000sf | Restriction slightly relaxed. Reference to basements and cellars removed. |

| Use | Current Zoning Ordinance | | Staff Draft Zoning Ordinance | | Rationale |
|------------------------------|--------------------------|--------------------------------|---|--------------------------------|--|
| | Zone | Restriction (Max.) | Zone | Restriction (Max.) | |
| Hospital | n/a | n/a | MXNC | 50,000sf | Hospitals are currently permitted only by Special Exception in the MXTD, MXCD, MXB, MXCT, and MXNC zones. Consistent with the goals of FAST 2, all Hospital Special Exceptions are transitioned to Permitted uses in the Staff Draft. In the MXNC, GFA restrictions are also applied. |
| Hotel | MXCT | 15,000sf | MXNC | 15,000sf | GFA restriction removed from the MXCT. Hotels are currently permitted only by Special Exception in the MXNC zone. Consistent with the goals of FAST 2, the Hotel Special Exceptions is transitioned to a Conditional uses in the Staff Draft. A GFA restrictions is also applied. |
| Instructional Facility | n/a | n/a | I-L MXTD MXCD MXCT MXNC MXC MXT MXE MXB | 7,500sf | Instructional Facility is a new use. GFA restriction intended to limit scale of use and further distinguish between the use and Private Educational Institutions and Indoor Commercial Recreational Facilities. |
| Medical or Dental Laboratory | MXNC | Basements and cellars only | MXNC | 10,000sf | Expanded to allow medical and dental laboratories on the ground or upper floor. 10,000sf limits the establishment of a regional laboratory processing medical or dental samples from multiple hospitals. |
| Office | I-L | 25% of the GFA of the building | I-L | 25% of the GFA of the building | Retained from current Zoning Ordinance to preserve the intent of the zone. |
| Retail Establishment | n/a | n/a | I-L | 25% of the GFA of the building | Retail uses are currently not allowed in the I-L zone. Consistent with recommendations from REDI, accessory retail uses are a Conditional use |

| Use | Current Zoning Ordinance | | Staff Draft Zoning Ordinance | | Rationale |
|---|---|---|---|---|---|
| | Zone | Restriction (Max.) | Zone | Restriction (Max.) | |
| | | | | | under the Staff Draft, with a limit on GFA to preserve the intent of the zone. |
| | MXT | 2,500sf <i>Does not apply to grocery stores and pharmacies.</i> | MXT | 5,000sf <i>Does not apply to grocery stores and pharmacies.</i> | Maximum raised from current Zoning Ordinance. |
| Veterinary Service | MXNC MXT | 2,500sf | MXT | 2,500sf | Existing restriction removed from MXNC for greater flexibility. |
| Wholesale Establishment | n/a | n/a | MXCD MXCT MXE MXB | 20,000sf | Wholesale Establishment is a new use. GFA restriction included to allow wholesale establishments in the MXCD, MXCT, MXE, and MXE, while limiting the use to the size of an average drug store. |
| Charitable of Philanthropic Institution | MXB MXNC MXC MXT | 5,000sf | MXB | 5,000sf | Restriction retained in the MXB only, to preserve the intent of the zone. Removed from MXNC, MXC, and MXT. |
| Cultural Institution | MXNC MXC MXT | 5,000sf | n/a | Eliminated | Removed from all zones. |
| Home-Based Business | All zones, except I-L and I-H | 35% of the GFA of the principal dwelling | All zones, except I-L and I-H | 35% of the GFA of the principal dwelling or 400sf, whichever is greater. | Retained from current Zoning Ordinance. Added option for 400 square foot maximum to allow flexibility for smaller dwellings (those under approximately 1,150sf). |
| Residential Accessory Buildings and Structures (except ADUs) | R-400 R-200 R-150 R-90 R-75 R-60 R-40 | Individual accessory buildings and structures: 750sf or the footprint of the main building, whichever is less | R-400 R-200 R-150 R-90 R-75 R-60 R-40 | Individual accessory buildings and structures: 750sf or the footprint of the main building, whichever is less | Retained from current Zoning Ordinance. |

| Use | Current Zoning Ordinance | | Staff Draft Zoning Ordinance | | Rationale |
|-------------------------------------|--|--|--|--|---|
| | Zone | Restriction (Max.) | Zone | Restriction (Max.) | |
| | RMD-Infill | Total footprint of all accessory buildings and structures on a lot: 1,000sf or the footprint of the main building, whichever is less | RMD-Infill | Total footprint of all accessory buildings and structures on a lot: 1,000sf or the footprint of the main building, whichever is less | |
| Single-Tenant Commercial Use | MXTD MXCD MXCT MXNC MXC MXT MXE MXB | Generally: 65,000sf at the ground level Champion Projects: 100,000sf, if approved by Mayor and Council | MXTD MXCD MXCT MXNC MXC MXT MXE MXB | Generally: 65,000sf at the ground level Champion Projects: 100,000sf, if approved by Mayor and Council | Retained from current Zoning Ordinance. |