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).

MXTD - Mixed-Use Transit District

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[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
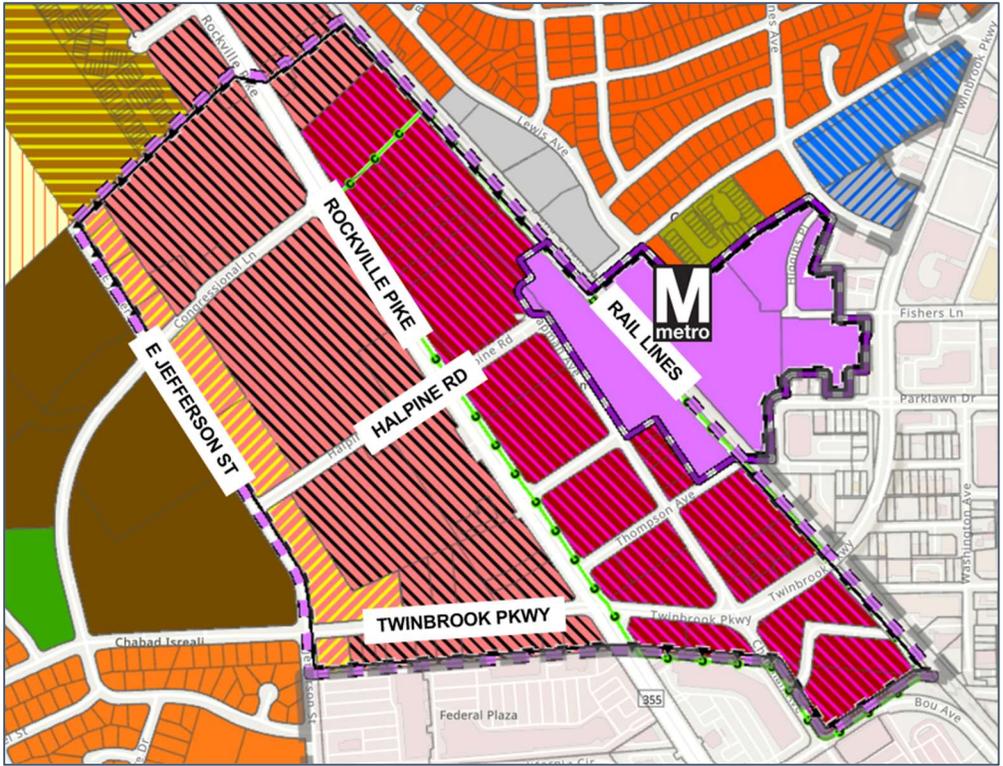   D. The building must exceed any energy conservation standards set forth in this Code.
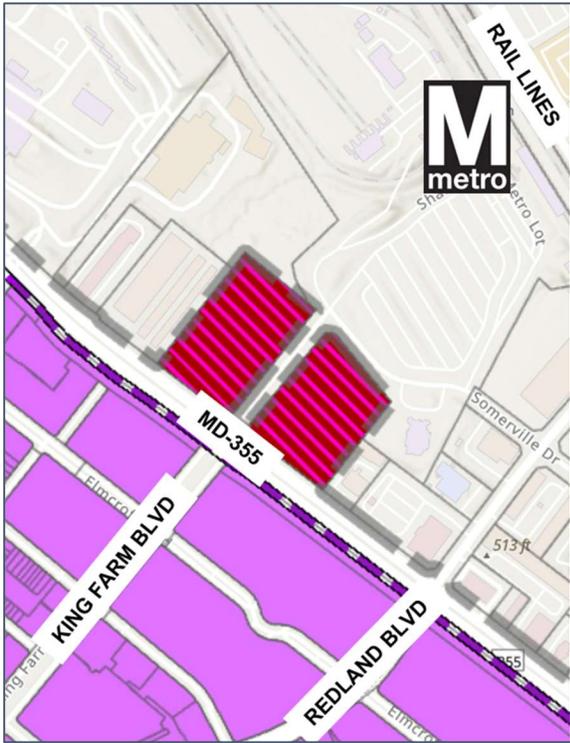
Figure 1. MXTD Zone Near Twinbrook Metro

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 campuses[2]; 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

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[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

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[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)).