



PLANNING COMMISSION

Meeting No. 07-25
Wednesday, May 28, 2025 - 7:00 PM

AGENDA

Jaime Espinosa, Chair

Susan Pitman
Eric Fulton

Shayan Salahuddin
Meng Sun

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>

See page 2 for more information

1. Convene

2. Review and Action

Final Record Plat Application PLT2025-00640, to Resubdivide a Part of Parcel C, Block D, Tower Oaks, Located in the PD-TO (Planned Development - Tower Oaks) Zone at 2000 Tower Oaks Boulevard; Lerner, Applicant

3. Recommendation to Mayor and Council

Zoning Text Amendment TXT2025-00270, to Regulate Establishments that Include the Retail Sale of Cannabis for Personal Use: Mayor and Council of Rockville, Applicants

4. Discussion

Work Session No. 2 on the Zoning Ordinance Rewrite (ZOR) and Comprehensive Map Amendment (CMA)

5. Commission Items

- A. Staff Liaison Report
- B. Old Business

- C. New Business
 - Approval of 2024 Annual Report
- D. Minutes Approval
 - February 19, 2025
 - April 9, 2025
 - April 23, 2025
- E. FYI/Correspondence

6. 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:

Jaime Espinosa, 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: May 28, 2025
Agenda Item Type: REVIEW AND ACTION
Department: PC - DEVELOPMENT REVIEW
Responsible Staff: NELSON ORTIZ

Subject

Final Record Plat Application PLT2025-00640, to Resubdivide a Part of Parcel C, Block D, Tower Oaks, Located in the PD-TO (Planned Development – Tower Oaks) Zone at 2000 Tower Oaks Boulevard; Lerner, Applicant

Department

CPDS - Development Review

Recommendation

Staff recommends approval of Final Record Plat Application PLT2025-00640, based upon compliance with the Zoning Ordinance and subject to the conditions outlined in this staff report.



Overview

Case:	Final Record Plat Application PLT2025-00640
Location:	2000 Tower Oaks Boulevard
Staff:	Nelson Ortiz, Principal Planner Community Planning and Development Services

nortiz@rockvillemd.gov

Applicant: Lerner
2000 Tower Oaks Boulevard, Eighth Floor
Rockville, MD 20852

Filing Date: February 27, 2025

**Planning
Commission Date:** May 28, 2025

Executive Summary

Lerner (“Applicant”) proposes to resubdivide a 2.57-acre portion of Parcel C, Block D to create a new record lot, Lot 1, Block D, which will meet the requirements of the City Code and the Zoning Ordinance. The original Parcel C, Block D, of Tower Oaks Subdivision was 2.72 acres. The difference in area was recently dedicated as public right-of-way by Plat No. 26231 and serves to accommodate the sidewalk and landscape buffer for Towler Street. The subject property was included in Project Plan application PJT2023-00015 Tower Preserve to seek a parking reduction. The sidewalk and landscape buffer were contemplated as part of the Towler Street right-of-way dedication. The existing improvements on the property will remain and no further improvements are proposed at this time.

The Zoning Ordinance defines a Final Record Plat as:

A map that illustrates a metes and bounds description of the property into a system of lot and block numbering, the naming of the tract (subdivision name), and the assignment of a plat number when recorded among the Land Records of Montgomery County, Maryland.

Pursuant to Section 25.21.11.g of the Zoning Ordinance, the Planning Commission is the Approving Authority for Final Record Plats. The approval and subsequent recordation of this Final Record Plat will create the proposed record lot.

Site Description

Location: 2000 Tower Oaks Boulevard

Planning Area: Planning Area 12 – Tower Oaks

Land Use

Designation: OCRM – Office Commercial Residential Mix

Zoning District: PD-TO (Planned Development – Tower Oaks); MXE (Mixed-Use Employment) equivalent zone

Plat Area: 112,043 square feet (2.57 acres)

Surrounding Land Use and Zoning

Location	Zoning	Planned Land Use	Existing Use
North	Planned Development Tower Oaks	OSP – Open Space Private	Open Space (Cabin John)
East	Planned Development Tower Oaks	OSP – Open Space Private	Open Space (Cabin John)
South	Planned Development Tower Oaks	OCRM – Office Commercial Residential Mix	Townhouse Development
West	Planned Development Tower Oaks	OCRM – Office Commercial Residential Mix	Vacant

Site Analysis



Parcel Map

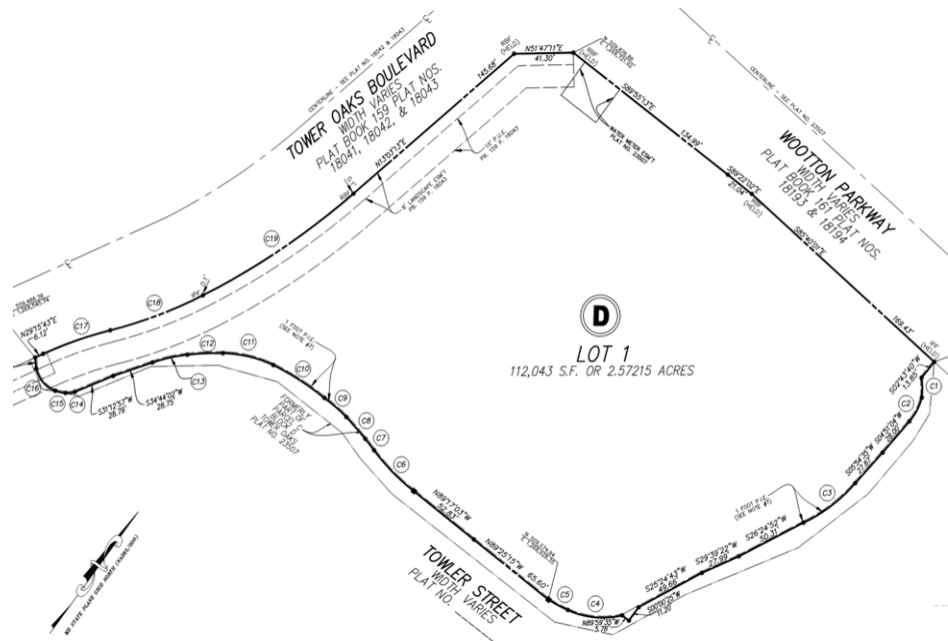
The property is located at the southeastern corner of the Wootton Parkway and Tower Oaks Boulevard intersection in the Tower Oaks Planned Development. It is zoned PD-TO (Planned Development – Tower Oaks) and has an equivalent zone of MXE (Mixed-Use Employment). The total land area is currently 2.72 acres (118,791 square feet). The property is developed with a 9-story, 195,925 square-foot office building, a restaurant located on the ground floor of the office building, a 5-level parking garage (three levels underground and two above ground), and a small surface parking area accommodating five spaces.

Project Description

The proposed record lot, Lot 1, Block D, of the Tower Oaks subdivision, is approximately 2.52

acres and is bounded by Wootton Parkway to the north, Tower Oaks Boulevard to the west, and Towler Street to the east and south. Access to the lot will continue from Towler Street, formerly a private access drive. The proposed lot is subject to several easements as outlined in the plat drawing and notes.

The property is currently developed as described above and no further improvements are proposed at this time.



Proposed Plat

Project Analysis

Zoning Ordinance Compliance

The existing development was previously authorized as described in the 'Previous Related Actions' section below. All applicable development standards of the MXE Zone, the property's equivalent zone, including height, setback, open area and vehicle parking requirements are met. This Final Record Plat meets the conditions of approval as defined in Section 25.21.02, Final Record Plats, of the Rockville Zoning Ordinance.

There are no proposed changes to the site. If there are future changes, the Applicant will need to comply with the zoning regulations in effect at that time and may be subject to site review and approval.

Adequate Public Facilities Standards (APFS)

The proposed Final Record Plat resubdivides a portion of an existing record lot. The existing office building and related site improvements were previously approved, and no additional improvements are proposed at this time. As such, no impacts to public facilities will result from

this proposal.

Previous Related Actions

- Comprehensive Planned Development Application CPD-1-85 was approved by Mayor and Council on October 12, 1987. The subject property is within Development Area 4 of the approved concept plan.
- On December 14, 2005, the Planning Commission approved Comprehensive Planned Development application CPD2005-0001M to construct a 9-story, 198,000 square foot office building on the subject property.
- Minor Site Plan Amendment STP2015-00243 was approved in March 2015 to allow restaurant use in the office building on the subject property.
- The Mayor and Council approved Project Plan application PJT2023-00015 amending the Tower Oaks Planned Development to allow 82 townhouses on 2200 Tower Oaks Boulevard and authorized an 18% parking reduction for the existing office building located on the subject property.
- On July 24, 2024, the Planning Commission approved Level 2 Site Plan STP2024-00473 implementing Project Plan PJT2023-00015.
- Four Tower Preserve plats, PLT2025-00627, PLT2025-00628, PLT2025-00629, and PLT2025-00630, were approved by the Planning Commission on March 12, 2025 to implement Project Plan PJT2023-00015 Tower Preserve. An approximately .15-acre portion of Parcel C, Block D was dedicated for public use as right-of-way by PLT2025-00627.

Community Outreach

Public notification of the Final Record Plat was made pursuant to the requirements of Section 25.21.11.d (Notice). Mailed notification was provided to all property owners within 750 feet from the subject property as required by the Zoning Ordinance. At the time of this report, no public testimony or inquiries have been received regarding the Final Record Plat application.

Findings and Recommendation

There are no required findings that need to be made as part of the approval for this Final Record Plat. The plat is in compliance with the approved site plan for the property.

Final Record Plat PLT2025-00640 meets the conditions of approval as defined in Section 25.21.02 – Final Record Plats of the City of Rockville Zoning Ordinance.

Staff recommend approval of Final Record Plat Application PLT2025-00640, subject to the conditions outlined in this report.

Conditions

Planning and Zoning

1. The Final Record Plat submission must include the original mylar plat and three mylar copies.

2. The Final Record Plat application shall be submitted in an appropriate electronic format as specified in Section 25.21.10.d of the City of Rockville Zoning Ordinance.

Forestry

3. The following note must be included on the plat prior to recordation:
This property is subject to a forest conservation easement recorded in book _____ at page _____ among the land records of Montgomery County, Maryland, subject to a forest conservation plan.

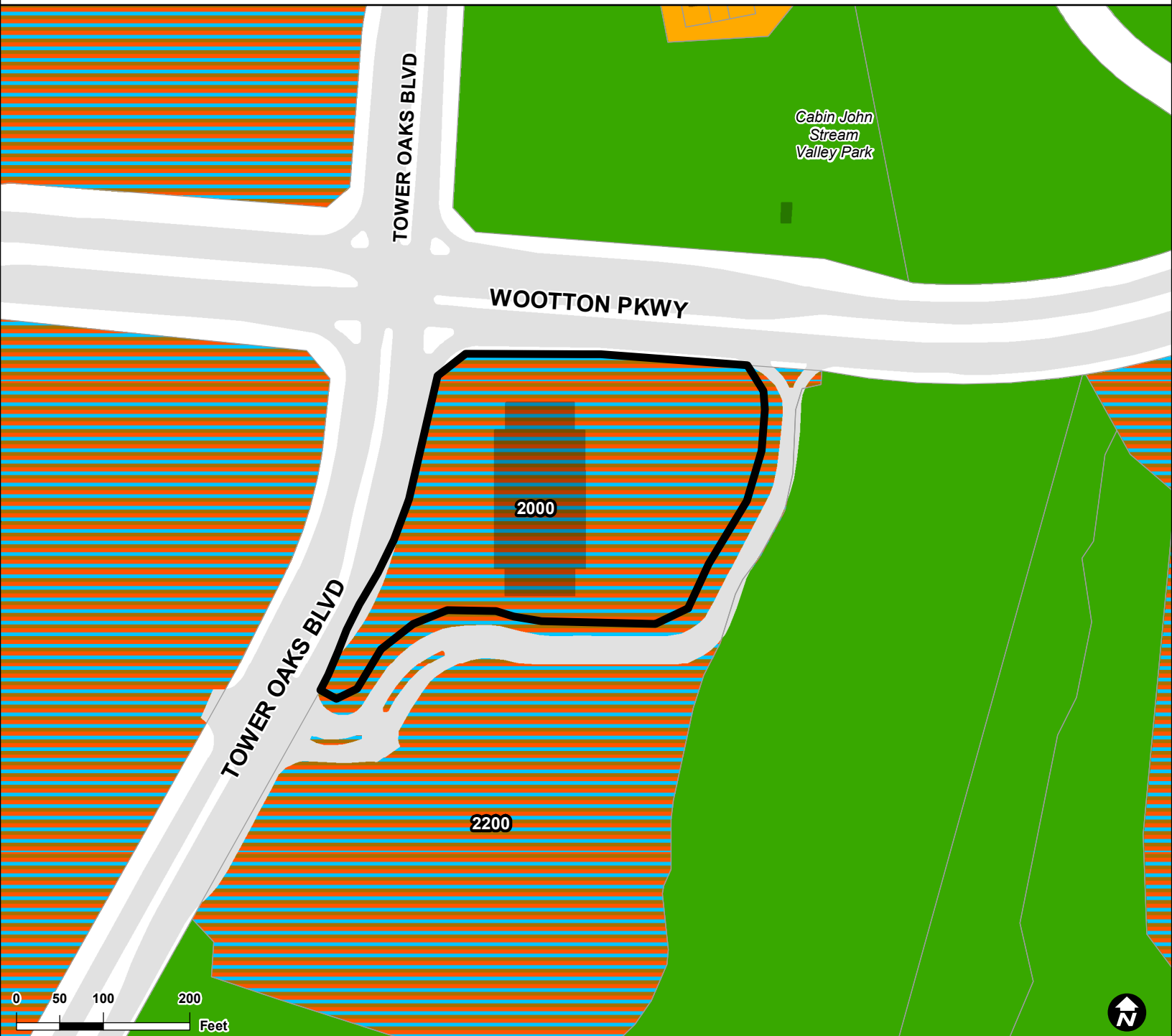
Department of Public Works Engineering

4. Prior to issuance of any DPW permit and prior to the recordation of a Final Record Plat, the Applicant must submit for review and approval by the Office of the City Attorney all necessary deeds, easements, agreements, dedications, and declarations. Drafts of the documents must be included with the initial submission of the engineering plans and must be recorded prior to issuance of DPW permits, unless otherwise allowed by DPW. All dedicated easements must be referenced on the Final Record Plats.
5. Prior to issuance of any DPW permit and prior to the recordation of the Final Record Plat, the Applicant must secure the termination or abandonment of all existing easements as necessary for the construction of the development, including all easements located in proposed rights-of-way. Termination or abandonment of such easements must be evidenced by recordation of a deed of termination or abandonment in the Montgomery County Land Records. Abandonment or termination of any easement granted to the City must be approved by the Mayor and Council of Rockville, and prior to recordation, any deed of abandonment or termination of an easement granted to the City must be reviewed and approved by DPW and must be in a form approved by the Office of the City Attorney.
6. If the Applicant proposes work within any easements that are held by entities other than the City and that are not proposed to be terminated or abandoned, the Applicant must demonstrate to DPW's satisfaction that the applicant has the authority to undertake such work prior to issuance of any DPW permit and prior to the recordation of the Final Record Plat.
7. The Applicant shall execute a License and Maintenance Agreement for the private maintenance of existing private improvements that will remain within the dedicated Towler Street public right-of-way. The agreement must be executed by the owner of 2000 Tower Oaks Boulevard and other parties of interest and submitted for review and approval by DPW and the Office of The City Attorney. The License and Maintenance Agreement must be authorized by the Mayor and Council and must be recorded in the Montgomery County Land Records prior to DPW issuance of any PWK permit.
8. The Applicant shall grant a minimum 1' Public Improvement Easement (PIE) adjacent to the Towler Street public right-of-way for maintenance of sidewalks. Any deviation from the location of the PIE must be approved by the Director of Public Works. The PIE must be revised and approved by DPW and in a format acceptable to the Office of the City Attorney and must be recorded in the Montgomery County Land Records prior to DPW issuance of any PWK permit.

Attachments

Aerial Map, Land Use Map, Zoning Map, Plat, Application



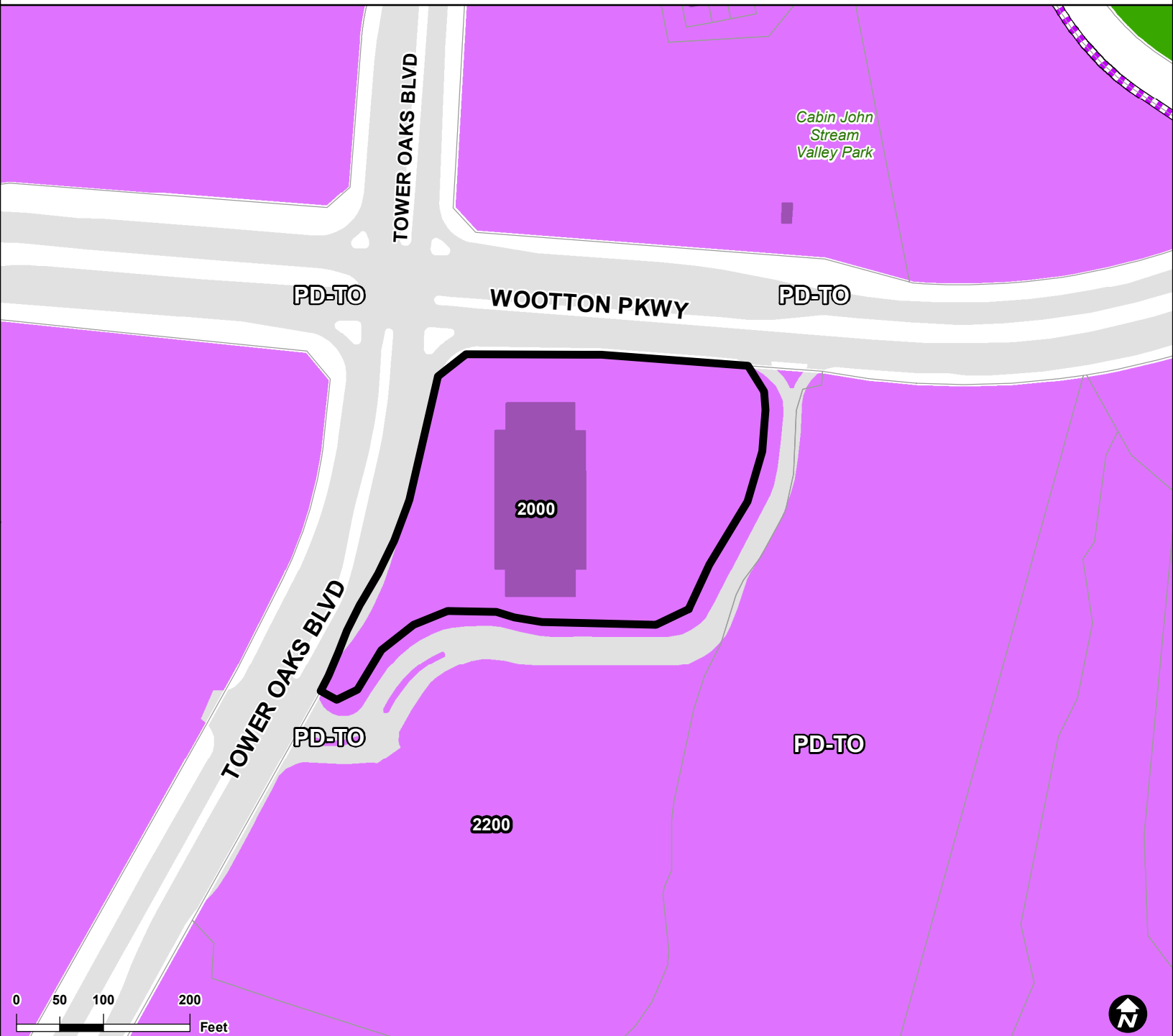


Land Use Policy Designations

-  RD - Residential Detached
-  RA - Residential Attached
-  RF - Residential Flexible
-  RM - Residential Multiple Unit
-  RO - Residential and/or Office

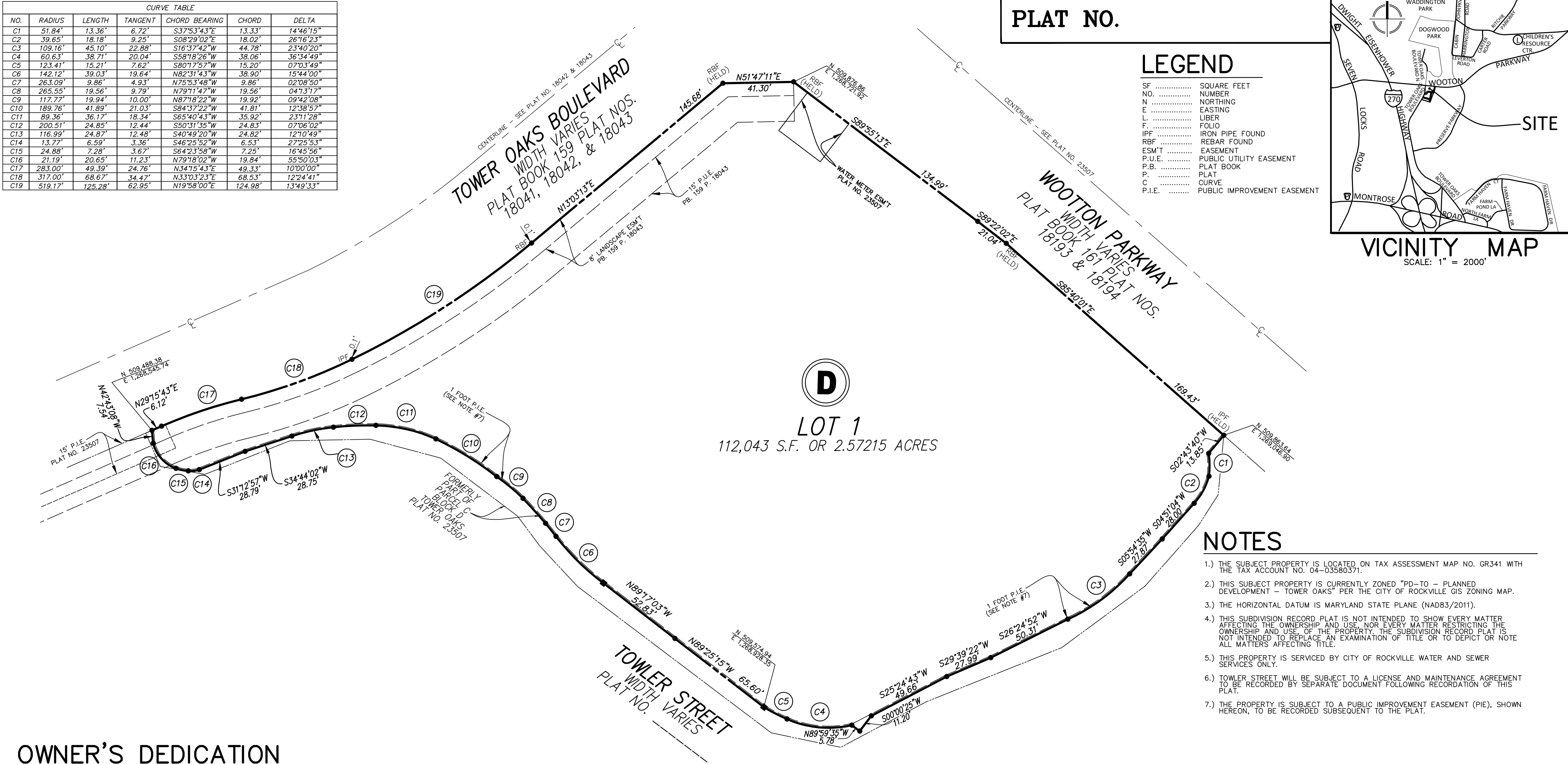
-  O - Office
-  C - Commercial
-  CRM - Commercial and Residential Mix
-  OCRM - Office, Commercial and Residential Mix
-  CI - Civic and Public Institutional

-  I - Private Institution
-  P - Public Park
-  OSP - Open Space Private
-  SI - Service Industrial
-  SRM - Service Industrial and Residential Mix
-  * Potential Future Park Asterisk



Zoning Overlays	Zoning Districts	PD - Planned Development
 Town Center Performance District	 R-400 - Residential Estate	 MXB - Mixed-Use Business
 South Pike	 R-200 - Suburban Residential	 MXC - Mixed-Use Commercial
 Rockville Pike Core	 R-150 - Low Density Residential	 MXCT - Mixed-Use Corridor Transition
 Twinbrook Metro Performance District	 R-90 - Single Unit Detached Dwelling, Restricted Residential	 MXCD - Mixed-Use Corridor District
 Lincoln Park Conservation District	 R-75 - Single Unit Detached Dwelling, Residential	 MXE - Mixed-Use Employment
 Planned Developments	 R-60 - Single Unit Detached Dwelling, Residential	 MXNC - Mixed-Use Neighborhood Commercial
 Residential Clusters	 R-40 - Single Unit Semi-detached Dwelling, Residential	 MXT - Mixed-Use Transition
 Local Historic Districts	 RMD-Infill - Residential Medium Density, Infill	 MXTD - Mixed-Use Transit District
* Special Exceptions	 RMD-10 - Residential Medium Density	 PARK - Park Zone
	 RMD-15 - Residential Medium Density	 IL - Light Industrial
	 RMD-25 - Residential Medium Density	

CURVE TABLE						
NO.	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD	DELTA
C1	51.84'	13.36'	6.72'	S37°53'43"E	13.33'	14°46'15"
C2	39.65'	18.18'	9.25'	S08°29'02"E	18.02'	26°16'23"
C3	109.16'	45.10'	22.88'	S16°37'42"W	44.78'	23°40'20"
C4	60.63'	38.71'	20.04'	S58°18'26"W	38.06'	36°34'49"
C5	123.41'	15.21'	7.62'	S80°17'57"W	15.20'	07°03'49"
C6	142.12'	39.03'	19.64'	N82°31'43"W	38.90'	15°44'00"
C7	263.09'	9.86'	4.93'	N75°53'48"W	9.86'	02°08'50"
C8	265.55'	19.56'	9.79'	N79°11'47"W	19.56'	04°13'17"
C9	117.77'	19.94'	10.00'	N87°18'22"W	19.92'	09°42'08"
C10	189.76'	41.89'	21.03'	S84°37'22"W	41.81'	12°38'57"
C11	89.36'	36.17'	18.34'	S65°40'43"W	35.92'	23°11'28"
C12	200.51'	24.85'	12.44'	S50°31'36"W	24.83'	07°06'02"
C13	116.99'	24.87'	12.48'	S40°49'20"W	24.82'	12°10'49"
C14	13.77'	6.59'	3.36'	S46°25'52"W	6.53'	27°25'53"
C15	24.88'	7.28'	3.67'	S64°23'58"W	7.25'	16°45'56"
C16	21.19'	20.65'	11.23'	N79°18'02"W	19.84'	55°50'03"
C17	283.00'	49.39'	24.76'	N34°15'43"E	49.33'	10°00'00"
C18	317.00'	68.67'	34.47'	N33°03'23"E	68.53'	12°24'41"
C19	519.17'	125.28'	62.95'	N19°58'00"E	124.98'	13°49'33"



OWNER'S DEDICATION

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAT OF SUBDIVISION. FURTHERMORE, AS OWNER OF THIS SUBDIVISION, WE, OUR SUCCESSORS AND ASSIGNS, WILL CAUSE CORNER MARKERS AND ANY OTHER MONUMENTATION TO BE SET BY A REGISTERED MARYLAND SURVEYOR.

THERE ARE NO SUITS, ACTIONS-AT-LAW, LEASES, LIENS, OR TRUSTS AFFECTING THE PROPERTY EXCEPT FOR A DEED OF TRUST TO JPMORGAN CHASE BANK, N.A. RECORDED IN BOOK 68234 AT PAGE 254 AMONG THE LAND RECORD OF MONTGOMERY COUNTY, MARYLAND.

OWNER: 2000 TOWER OAKS BOULEVARD, LLC

BY: _____ DATE: _____

NAME: _____

TITLE: _____

WITNESS:

BY: _____ DATE: _____

NAME: _____

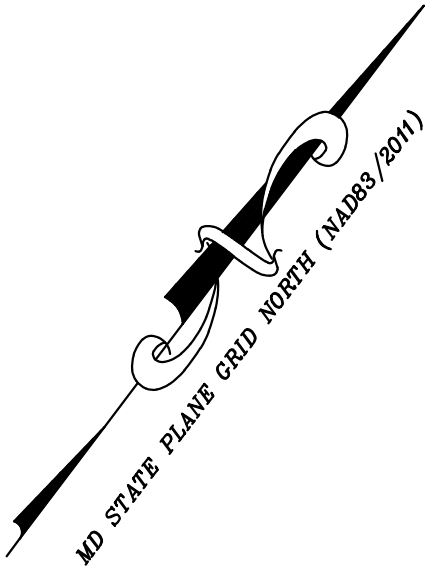
TITLE: _____

JPMORGAN CHASE BANK, N.A.

BY: _____ DATE: _____

NAME: _____

TITLE: _____



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL ABILITY AND THAT IT IS A PLAT OF PART OF THE PROPERTY ACQUIRED BY 2000 TOWER OAKS BOULEVARD, LLC, A MARYLAND LIMITED LIABILITY COMPANY, FROM TOWER-DAWSON, LLC, A MARYLAND LIMITED LIABILITY COMPANY, BY DEED DATED DECEMBER 20, 2006 AND RECORDED IN LIBER 33515 AT FOLIO 491 AND ALSO BEING PART OF PARCEL C, BLOCK D, TOWER OAKS, RECORDED AS PLAT NO. 23507 ALL AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DEDICATION HEREON, ALL PIPES SHOWN THUS  AND MONUMENTS SHOWN THUS  WILL BE SET AT FINISHED GRADE, IN ACCORDANCE WITH CHAPTER 25, ARTICLE 21, SECTION 25.21.25 OF THE ROCKVILLE CITY CODE.

THE TOTAL AREA OF THIS PLAT OF SUBDIVISION IS 112,043 SQUARE FEET OR 2.57215 ACRES OF LAND, OF WHICH NONE IS DEDICATED TO PUBLIC USE.

DATE _____

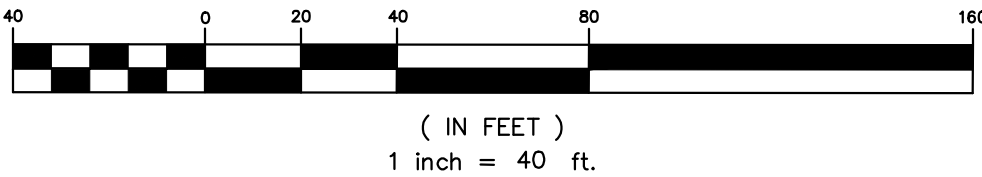
JOSHUA G. PRICE
PROFESSIONAL LAND SURVEYOR
MARYLAND NO. 21846
LICENSE EXPIRES: MAY 31, 2026

Community Planning & Development Services
Received
April 16, 2025

NOTES

- 1.) THE SUBJECT PROPERTY IS LOCATED ON TAX ASSESSMENT MAP NO. GR341 WITH THE TAX ACCOUNT NO. 04-03580371.
- 2.) THIS SUBJECT PROPERTY IS CURRENTLY ZONED "PD-TO - PLANNED DEVELOPMENT - TOWER OAKS" PER THE CITY OF ROCKVILLE GIS ZONING MAP.
- 3.) THE HORIZONTAL DATUM IS MARYLAND STATE PLANE (NAD83/2011).
- 4.) THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE, OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- 5.) THIS PROPERTY IS SERVICED BY CITY OF ROCKVILLE WATER AND SEWER SERVICES ONLY.
- 6.) TOWLER STREET WILL BE SUBJECT TO A LICENSE AND MAINTENANCE AGREEMENT TO BE RECORDED BY SEPARATE DOCUMENT FOLLOWING RECORDATION OF THIS PLAT.
- 7.) THE PROPERTY IS SUBJECT TO A PUBLIC IMPROVEMENT EASEMENT (PIE), SHOWN HEREON, TO BE RECORDED SUBSEQUENT TO THE PLAT.

GRAPHIC SCALE



SUBDIVISION PLAT

TOWER OAKS LOT 1, BLOCK D

(BEING A RESUBDIVISION OF PART OF PARCEL C, BLOCK D, TOWER OAKS, PLAT NO 23507)
CITY OF ROCKVILLE - 4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 40' DATE: APRIL 14, 2025



VIKA MARYLAND, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com

Our Site Set on the Future.

PLT2025-00640

THE CITY OF ROCKVILLE PLANNING COMMISSION
ROCKVILLE, MARYLAND

APPROVED _____

WITHOUT COMMITMENT TO THE INSTALLATION OF WATER, SEWER AND STREETS

CHAIR

CITY MANAGER

DATE RECORDED _____

PLAT NO. _____



Application for

Subdivision Form

PLT
8/22

City of Rockville

Department of Community Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • **Fax:** 240-314-8210 • **E-mail:** cpds@rockvillemd.gov • **Website:** www.rockvillemd.gov

Type of Application:

☐ Preliminary Plan ☐ Ownership Plat ☐ Final Record Plat* ☐ Cluster Development

**For final plat application, please submit the Affidavit of Final Plat Action*

Please Print Clearly or Type

Property Address information _____

Property Size (Sq. Ft.) _____ Lot(s) _____

Zoning _____ Tax Account(s) _____ , _____ , _____

Proposed Subdivision _____ Lot _____ Block _____

Applicant Information:

Please supply name, address, phone number and e-mail address for each.

Applicant _____

Property Owner _____

Architect _____

Engineer _____

Attorney _____

STAFF USE ONLY

Application Acceptance:

Application # PLT2025-00640

Date Accepted _____

Staff Contact _____

OR

Application Intake:

Date Received February 27, 2025

Reviewed by Fee: \$841.50

Date of Checklist Review _____

Deemed Complete: Yes ☐ No ☐

Project Identification _____
Application is hereby made with the City of Rockville Planning Commission for appeal of a Subdivision Plan for the property described on page 1.

A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.
I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understand all procedures for filing this application.

Stuart Miller

Please sign and date

Comments on Submittal: (For Staff Use Only)

Attached hereto and made a part of this application, I submit the necessary plans, specifications and other data or explanatory material as required by the Subdivision Regulation (Chapter 25, Article XV). All applications must include the original mylar and six (6) prints, showing the following:



1. Surveyor's Certificate

- a. Show all recordation of conveyance with dates.
- b. Establish pipes and monuments.
- c. Give area of street dedication in square feet and acreage.
- d. Plan is certified correct and is sealed by a Maryland registered surveyor.



2. Owner's Dedication

- a. Owner adopts plan of subdivision.
- b. Dedicate all streets to public use and/or to public use and private maintenance.
- c. Grant land as shown on the subdivision plan to proper HOA entity, Mayor and Council, etc.
- d. Establish minimum building restriction lines.
- e. All necessary easements to be established by plat including PUE's, (with PUE recordation information), grading and slope easements, sidewalk/bike path/pedestrian easements, utility easements, ingress/egress easements, etc.

Note: SWM easements to be shown on subdivision plan and locations verified with maintenance agreement location sketch. Forest Conservation easements are also established by a separate document but location should be shown on plat.



3. Easements and Rights of Way

- a. Show all existing easements.
- b. Abandon all unnecessary easements, rights of way by separate document, and reference on plat.
- c. Locations of new utilities or other public improvements outside of rights-of-way match locations of new easements being established or shown as future/recorded on plat.
- d. Establish 10 feet along all public roadways.



4. Datum and North Arrow

- a. Datum to be NAD 83/91 for new subdivisions, WSSC, original plat datum or other approved datum.
- b. North Arrow is shown on plat with datum and scale (maximum scale is 1" = 100').
- c. Show three (3) property corner coordinate values per plat.
- d. Minimum of two (2) monuments per block.



5. Adjacent Parcels

- a. Show all adjacent plat/deed and owner information.



6. General Plat Information

- a. Show all proposed or previously dedicated street names, and right-of-way widths. Give recordation information if applicable.
- b. Show all curve and line data.
- c. Show all lot numbers, blocks, and lot areas.
- d. Show all parcel letters, blocks, and parcel areas.
- e. All information shown on title block is correct and consistent with any predetermined subdivision name.
- f. Certification block for Planning Commission and City Manager.



7. Plat of Corrections

- a. For correction plats, all previous information to be corrected should be clearly identified as such (with the use of dashed lines, stippled numbers, etc.), and all new information to be established uses heavier line weights or other methods to clarify its intent.
- b. Final plat to be accompanied by digital submission (DWG or DXF format).



PLANNING COMMISSION Meeting Date: May 28, 2025
Agenda Item Type: RECOMMENDATION TO MAYOR AND COUNCIL
Department: PC - CHIEF OF ZONING REVIEW
Responsible Staff: JIM WASILAK

Planning Commission Memo

MEETING DATE: May 28, 2025

REPORT DATE: May 21, 2025

RESPONSIBLE STAFF: Jim Wasilak

SUBJECT:

Zoning Text Amendment TXT2025-00270, to Regulate Establishments that Include the Retail Sale of Cannabis for Personal Use: Mayor and Council of Rockville, Applicants

BACKGROUND:

The Maryland General Assembly passed legislation allowing for the retail sale of cannabis for personal or recreational use in 2023. Prior to that time, the sale of cannabis had been permitted for medical purposes only for eight years and was limited to two medical cannabis dispensaries per legislative district. Two medical cannabis dispensaries were eventually located in the city (GLeaf at 808 Hungerford Drive and Peake Releaf at 2001 Chapman Avenue) within District 17.

The 2023 law allowed the sale of cannabis for personal use from standard dispensaries, which have physical storefronts and are authorized to sell cannabis or cannabis products to patients or consumers. The Maryland Cannabis Authority limited the number of standard dispensaries by county, with a maximum of 11 authorized in Montgomery County.

The law was adopted with separation requirements between dispensaries and sensitive uses, as well as between dispensaries. The law also included limitations on how municipalities may regulate the location of standard dispensaries via zoning and did not permit municipalities to adopt zoning regulations that would be more stringent than the requirements of the state law. The 2023 law required that Standard Dispensaries not locate within 500 feet of any of the following pre-existing sensitive locations:

- Primary school
- Secondary school
- Childcare center

- Playground
- Recreation Center
- Library
- Place of worship and
- Public Park

The staff has produced a map (see Attachment 2 – ppt for PC recommendation) that illustrates the impact of the separation distances on where standard dispensaries can be located. In addition, a standard dispensary may not be located within 1,000 feet of another dispensary. Note that the separation distances shown from the existing dispensaries represent the state-mandated minimum of 1,000 feet and the optional ½ mile.

In 2024, the Maryland General Assembly adopted clarifying changes to the law that provide some flexibility for municipalities (see Attachment 3 – MCA Zoning Update). The 2024 law allows local jurisdictions to:

- Increase the distance between dispensaries to a half mile;
- Establish a 100 feet distance requirement between standard dispensaries and areas zoned for residential use only;
- Apply distance limitations used for licensed alcoholic beverage retailers from an area zoned exclusively for residential use;
- Reduce the required distance between a licensed dispensary and any sensitive locations as listed;
- Reduce the required distance between dispensaries to less than 1,000 feet; and
- enforce the distance restrictions when making zoning decisions for licensed dispensaries.

However, the same legislation does not allow municipalities to adopt zoning requirements that are more stringent than the requirements for the sale of alcoholic beverages. Currently, the city does not have restrictions on the location of alcoholic beverage retailers, other than specifying in which zones the sale of alcoholic beverages is permitted. To enact the more stringent limitations described above, the Mayor and Council would have to enact similar restrictions on the sale of alcoholic beverages that do not currently exist.

In the most recent legislative session, further clarification of the law regulating standard dispensaries and cannabis use was enacted. This includes allowing municipalities to prohibit establishments that permit onsite consumption of cannabis and requires that municipalities that wish to enact a more stringent separation distance between standard dispensaries must do so before July 1, 2025.

The Mayor and Council authorized the filing of the attached ZTA with cannabis regulations that mirror those of state law for separation distances only..

DISCUSSION:

The intent of the proposed Zoning Text Amendment (ZTA) is to align the city's Zoning Ordinance regulations for cannabis dispensaries with state law regarding the sale of cannabis for recreational or personal use.

The proposed definition for a "cannabis dispensary" is "any retail establishment that is licensed by the state of Maryland to sell cannabis to patients or consumers."

The proposed ZTA would add "cannabis dispensary" as a conditional use where retail use is permitted generally. This use would be a conditional use in the zones where retail use is permitted, which are the mixed-use (MXTD, MXCD, MXE, MXCT, MXB, MXT, and MXC) and Light Industrial (I-L) zones.

The use would be subject to two conditions: 1) that no onsite consumption is permitted; and 2) that the use complies with the requirements of State law and regulations, including, but not limited to, any distance requirements in § 36-410 of the Alcoholic Beverages and Cannabis Article of the Maryland Annotated Code, as may be amended.

The distance requirements in the state code are: that standard dispensaries may not be located within 500 feet of the following pre-existing sensitive uses: primary and secondary schools, child care centers, playgrounds, recreation centers, libraries, places of worship, and public parks. In addition, standard dispensaries may not be located within 1,000 feet of another dispensary.

State code also forbids jurisdictions from adopting requirements for dispensaries that are more restrictive than the requirements for licensed alcoholic beverage retailers. Currently, the city does not have zoning restrictions on alcoholic beverage retailers, so the city is limited in enacting more stringent requirements without also imposing such requirements on alcoholic beverage retailers. This would potentially impact such retailers significantly, and staff does not recommend imposing such requirements on alcoholic beverage retailers.

The proposed zoning text amendment includes a prohibition on establishments that allow onsite consumption of cannabis, which is allowed by the 2025 cannabis reform bill.

RECOMMENDATION:

Staff recommends approval of the proposed zoning text amendment, which will ensure that any dispensary will meet the minimum separation distances required by the state.

NEXT STEPS:

The Mayor and Council will hold a public hearing in advance of their decision on June 9, 2025.

Attachments

Draft Ordinance as Filed, ppt for PC Recommendation 052825, MCA Zoning Update 2024

PROPOSED ZONING TEXT AMENDMENT TO REGULATE CANNABIS DISPENSARIES

ARTICLE 3. - DEFINITIONS; TERMS OF MEASUREMENTS AND CALCULATIONS

* * *

Sec. 25.03.02. - Words and terms defined.

* * *

Canopy means a marquee, porte-cochere, or other unenclosed covering structure projecting from and attached to a building, with or without supporting members, protecting pedestrians and vehicles outside of an entrance doorway from inclement weather.

Cannabis dispensary means any retail establishment that is licensed by the state of Maryland to sell cannabis to patients or consumers.

* * *

ARTICLE 12. - INDUSTRIAL ZONES

* * *

Sec. 25.12.03. Land use tables.

The uses permitted in the industrial zones are shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of article 15.

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
a. Residential uses	Live/work unit	P	N	Includes dwelling unit for caretaker in connection with a self-storage warehouse
	Personal living quarters	S	N	See Sec. 25.15.02.i.
b. Institutional uses	Adult day care	P	N	
	Charitable or philanthropic institution	P	N	
	Child care center	P	N	
	Educational institution, private	P	N	
	Places of worship	P	N	
c. Medical services	Ambulance service	C	N	Conditional use must not adjoin residential uses
	Hospital	S	N	Sec 25.15.02.i.
	Veterinary office and animal hospital	P	N	
d. Temporary uses	Christmas tree sales	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Garden produce	C	N	

PROPOSED ZONING TEXT AMENDMENT TO REGULATE CANNABIS DISPENSARIES

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	Temporary building or yard for construction materials or equipment	C	C	Conditional use subject to the requirements of Sec. 25.09.04
	Temporary carnival, flea market, or festival	C	C	
	Temporary office or model home	C	C	
	Mobile uses	C	N	
	Portable storage units	C	C	
e. Commercial, office, and industrial uses	Alcoholic beverages for consumption on the premises of any restaurant	P	N	
	Auctioneer and commercial gallery	P	N	
	Boats and marine supplies	P	N	
	Garden supplies	P	N	
	Home improvement service	P	P	
	Home maintenance services	P	P	
	Pawnbroker	S	N	See Section 25.15.02.m.
	Public transportation station	C	C	Conditional use must comply with any Plan recommendation
	Repair of household appliances, inc'l home electronic equipment	P	N	
	Taxicab service	P	N	
	Wearing apparel and related accessories	P	N	
	Wearing apparel services	P	N	
	Caterer, no seating	P	N	
	Carry-out	P	N	
	Restaurant	S	N	See Sec. 25.15.02.o.
	Office uses:			
	Duplicating service	P	N	
	Office	C	N	Conditional use limited to 25% of the gross floor area of a building
	Medical or dental laboratory	P	N	
	Research and development	P	N	
	Automobile filling station (Class I and II)	S	S	See Sec. 25.15.02.c.
	Automobile fluid maintenance station	P	N	
	Automotive repair garage	P	N	
	Mechanical car wash	P	N	
	Motor vehicle and trailer sales, including new and reconditioned	P	N	

PROPOSED ZONING TEXT AMENDMENT TO REGULATE CANNABIS DISPENSARIES

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
	parts and accessories and service incidental thereto			
	Motor vehicle towing service, without storage on the premises	P	N	
	Tires, batteries, and accessory sales, including service incidental thereto	P	N	
	Tobacco and vape shop	C	N	Conditional use subject to the requirements of Sec. 25.13.04.f.
	<u>Cannabis dispensary</u>	<u>C</u>	<u>N</u>	<u>Conditional use subject to the requirements of Sec. 25.13.04.g</u>

Key: P = Permitted Use; S = Special Exception; C = Conditional Use; N = Not Permitted

* * *

ARTICLE 13. - MIXED-USE ZONES

* * *

Sec. 25.13.03. Land use tables.

The uses permitted in the mixed-use zones are as shown in the table below. Uses are subject to applicable conditions of site plan approval. All special exceptions are subject to the requirements of article 15.

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
a. Residential	Dwelling, single unit detached	N	C	C	C	N	C	P	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, semi-detached (duplex)	N	N	C	P	N	C	N	P	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, townhouse	P	P	P	P	P	P	N	C	Conditional use subject to the requirements of Sec. 25.13.04.a.
	Dwelling, attached	P	P	P	P	P	P	N	C	Conditional use density must not

PROPOSED ZONING TEXT AMENDMENT TO REGULATE CANNABIS DISPENSARIES

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
										exceed 6 dwelling units per acre
	Dwelling, multiple-unit	P	P	P	P	P	P	C	C	Conditional use subject to the requirements of Sec. 25.13.04.a
	Live/work unit	P	P	P	P	P	P	P	P	
	Personal living quarters	P	P	P	P	P	P	N	P	
* * *										
h. Commercial and office uses	Retail sales and services:									
	Alcoholic beverages for consumption off the premises	P	P	P	N	C	C	C ¹	C	For conditional use, tenant area limited to 5,000 sq. ft. of gross floor area
	Alcoholic beverages for consumption on the premises of any restaurant	P	P	P	P	P	P	P	P	
	Auctioneer and commercial gallery	P	P	P	P	P	C	C	C	For conditional use, tenant area limited to 2,500 sq. ft. of gross floor area
	Boats and marine supplies	N	C	N	C	N	N	N	N	For conditional use, all sales and storage must be indoors
	Business equipment sales and service	P	P	P	P	P	N	P	N	
	<u>Cannabis dispensary</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Conditional use subject to Sec. 25.13.04.g</u>

Key: P = Permitted Use; C = Conditional Use; S = Special Exception; N = Not Permitted

* * *

PROPOSED ZONING TEXT AMENDMENT TO REGULATE CANNABIS DISPENSARIES

Sec. 25.13.04. - Special regulations for conditional uses.

- a. *Residential.* Where residential uses are permitted as conditional uses in a mixed-use zone, other than the MXC zone...

* * *

- g. *Cannabis dispensary.* Where a cannabis dispensary is allowed as a conditional use, it must meet all applicable requirements of State law and regulations, including, but not limited to, any distance requirements in § 36-410 of the Alcoholic Beverages and Cannabis Article of the Maryland Annotated Code, as may be amended.



Zoning Text Amendment TXT2025- 00270, Regulations for Standard Dispensaries of Cannabis

Planning Commission

May 28, 2025



Cannabis Regulation in Maryland

- **Medical cannabis dispensaries have been allowed since 2015, with two permitted per legislative district**
- **Regulations and licensing are enforced by Maryland Cannabis Authority.**
- **Legislation for standard dispensaries that allowed retailing of cannabis for personal use was approved in 2023, with clarifying legislation approved in 2024 and 2025**

State Regulation of Standard Dispensaries

The 2023 legislation enacted separation requirements, and did not permit municipalities to enact more stringent requirements than the following:

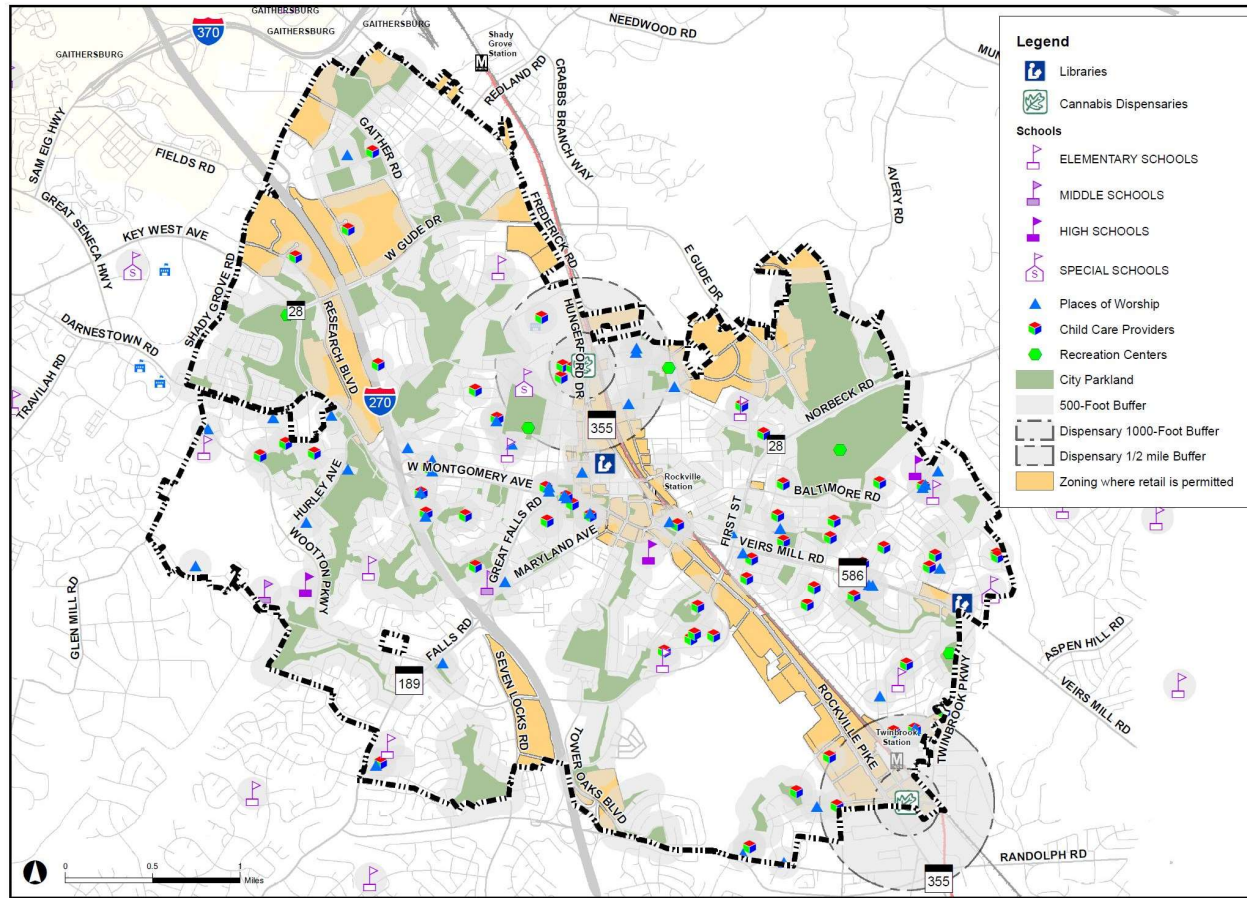
- Required separation distance of 500 feet between standard dispensaries and certain sensitive uses: primary school, secondary school, childcare center, playground, recreation center, library, place of worship and public park**
- Required separation distance of 1,000 feet between standard dispensaries**



Options for Municipalities

- **The 2024 legislation allows municipalities to enforce the distance restrictions when making zoning decisions for licensed dispensaries, and allowed some flexibility in separation distance.**
- **The legislation does not permit municipalities to enact more stringent requirements for standard cannabis dispensaries that those enacted for the retail sale of alcoholic beverages. Currently, the city Zoning Ordinance does not include separation distance requirements for the sale of alcoholic beverages.**

Required Buffers for Cannabis Dispensaries





Questions?



Sample Motion:

- **I move that the Planning Commission recommend to the Mayor and Council that Zoning Text Amendment TXT2025-00270 be approved.**

Zoning Update

HB0805 passed the Maryland General Assembly with an effective date of June 1, 2024. This bill clarifies statutory requirements for where new cannabis businesses can locate, and provides more flexibility to local governments than what was previously authorized under the Cannabis Reform Act of 2023. HB0805 provides clarity to both new businesses and county and municipal officials. The Maryland Cannabis Administration (MCA) is providing this document in response to questions received from local governments and to help inform county and municipal officials on their scope of authority regarding the siting and operation of cannabis businesses.

Note: Items underlined reflect new provisions passed this year by the Maryland General Assembly.

Standard Dispensaries:

Standard dispensaries have physical storefronts and are authorized to sell cannabis or cannabis products to patients or consumers. The MCA limited the number of standard dispensaries by county. The number of awards for each county can be found on the table in *Appendix A*.

Standard Dispensaries *cannot* locate:

- Within 500 feet of any of these pre-existing sensitive locations:
 - Primary school
 - Secondary school
 - Child care center
 - Playground
 - Recreation Center
 - Library
 - Place of worship
 - Public Park
- Within 1,000 feet of another dispensary.

Local jurisdictions *may*:

- Pass an ordinance to increase the distance between dispensaries to a half mile.
- Pass an ordinance to establish a 100 foot distance requirement between dispensaries and areas zoned for residential use only.
 - Local jurisdictions may also apply distance limitations used for licensed alcoholic beverage retailers from an area zoned exclusively for residential use.
- Reduce the required distance between a licensed dispensary and any sensitive locations (listed above).
- Reduce the required distance between dispensaries to less than 1,000 feet.
- Consider and enforce the distance restrictions (listed above) when making zoning decisions for licensed dispensaries.
- Prohibit unlicensed retailers from siting in the jurisdiction.

Zoning Update

Local jurisdictions *may not*:

- Adopt an ordinance establishing zoning or operational requirements for a licensed dispensary that are more restrictive than the requirements for licensed alcoholic beverage retailers in their jurisdiction.
- Establish zoning or other requirements that unduly burden the cannabis licensee.
- Impose licensing, operating, or other fees or requirements on a cannabis licensee that are disproportionately greater or more burdensome than those imposed on other businesses with a similar impact on the area where the cannabis licensee is located.
- Prohibit transportation through or deliveries within the political subdivision by cannabis businesses located in other political subdivisions.
- Prohibit the adult-use retail of cannabis by licensees within the jurisdiction.

Growers:

Growers are licensed entities authorized to cultivate cannabis. Cannabis cultivation may be done either through field cultivation (outdoors), indoor cultivation, or a combination of field and indoor cultivation. Regardless of cultivation method, growers are subject to strict security regulations, including fencing, lighting and surveillance. MCA has issued grower licenses in two categories: Standard and Micro. The award for each category has been made by region. A map of the MCA's regions in the State can be found in *Appendix B*. Awardees may locate in any jurisdiction within the region, subject to local approval.

Local jurisdictions *may not*:

- Establish zoning requirements for an exclusively field-cultivated grower that are more restrictive than zoning requirements that existed for registered hemp farms on June 30th, 2023.¹
- Prohibit outdoor cannabis cultivation on a premise that was properly zoned for outdoor cultivation on or before June 30, 2023.

Other Provisions:

In 2024, the General Assembly added provisions to allow local communities to protest the renewal of a cannabis license under certain circumstances. A protest may be filed under one of several bases specified in the law, and if the protest meets the minimum requirements established in law the MCA must hold a hearing to determine if the license should be renewed. Protests may only be filed by residents or commercial tenants located within 1,000 feet of the licensed premises for the following reasons:

- A violation of the Alcoholic Beverages and Cannabis title;
- A violation of civil or criminal law;
- Conduct by the licensee that creates or maintains conditions that allow other individuals to act in a manner that disturbs the peace.

Local jurisdictions maintain the authority to prohibit on-site consumption establishments, or restrict the types of consumption authorized in the jurisdiction. The MCA has not issued any On-Site Consumption licenses to date.

¹ Only applicable in areas zoned for agriculture.

Appendix A: Number of New Dispensary Awards by County

Number Available	County	Number Available	County
1	Allegany	3	Harford
5	Anne Arundel	3	Howard
6	Baltimore	1	Kent
11	Baltimore City	9	Montgomery
3	Calvert	9	Prince George's
1	Caroline	1	Queen Anne's
2	Carroll	1	Somerset
2	Cecil	2	St. Mary's
2	Charles	2	Talbot
1	Dorchester	3	Washington
3	Frederick	2	Wicomico
1	Garrett	1	Worcester
Total: 75			

Appendix B: MCA Regional Distributions

Garrett	Allegany	Washington	Frederick	Carroll	Baltimore	Harford	Cecil
			Montgomery	Howard	Baltimore City		Kent
				Prince George's	Anne Arundel		Queen Anne's
				Charles	Calvert		Talbot
				St. Mary's			Caroline
							Dorchester
							Wicomico
							Somerset
							Worcester

Key

- Southern Region
- Central Region
- Eastern Region
- Western Region



PLANNING COMMISSION Meeting Date: May 28, 2025
Agenda Item Type: DISCUSSION AND INSTRUCTIONS
Department: PC - CHIEF OF ZONING REVIEW
Responsible Staff: JIM WASILAK

Planning Commission Memo

MEETING DATE: May 28, 2025

REPORT DATE: May 21, 2025

RESPONSIBLE STAFF: Holly Simmons and Jim Wasilak

SUBJECT:

Work Session No. 2 on the Zoning Ordinance Rewrite (ZOR) and Comprehensive Map Amendment (CMA)

BACKGROUND:

Background

The city is undertaking a comprehensive rewrite of the city's Zoning Ordinance to modernize this chapter of the City Code so that it better accommodates the changing living, working, and recreation trends of the 21st century. In conjunction with the Zoning Ordinance Rewrite (ZOR), the city's zoning map will be updated through a Comprehensive Map Amendment (CMA) that will implement the rezonings recommended in the Rockville 2040 Comprehensive Plan.

The following objectives have been identified for the project:

- Implement many of the recommended land use actions identified in the *Rockville 2040 Comprehensive Plan*, including implementing the Plan's zoning recommendations.
- Accomplish goals from the city's ongoing FAST Initiative, making the development review and permitting process Faster, Accountable, Smarter and Transparent.
- Incorporate planning and zoning best practices that have become common in the field of urban planning and in other similarly situated communities.
- Incorporate the city's commitment to equity, resilience, and sustainability, as described in the 2021 Mayor and Council social justice resolution and the 2022 Climate Action Plan.
- Ensure compliance with current federal and state regulations.

- Create a modern ordinance that can accommodate the changing living, working, and lifestyles of the 21st century.
- Create a user-friendly, accessible, and well-organized document that provides appropriate graphics and information to aid in its understanding.

This work session is intended to focus on the following elements of the ongoing Zoning Ordinance Rewrite and Comprehensive Map Amendment project:

- New zones (including the High-Density Residential (RHD), and Town Center zones)
- Revisions to the development standards of existing zones
- Proposed height transition regulations, and
- Proposed rezonings recommended by the Comprehensive Plan.

Additional Commission work sessions are scheduled for June 11 (following up on the development review process), July 23 (Uses and Parking) and September 24 (a review of remaining topics, including parkland dedication, historic preservation, and signs, etc.). The scheduled adoption for the new Zoning Ordinance and Comprehensive Zoning Map Amendment is Spring 2026.

Community Engagement

Community engagement and outreach for the Zoning Ordinance Rewrite and Comprehensive Map Amendment project began in Summer/Fall 2024 and is planned to continue through Summer 2025. A full report on community engagement for this project to date is found in Attachment 1 above – Community Engagement Summary.

New Zones

Mixed-Use Residential Office (MXRO)

The Comprehensive Plan recommends that certain properties within Planning Area 4 (West End and Woodley Gardens East-West) be rezoned to a new zone that limits uses to residential and office only. The properties recommended to be rezoned are in the eastern portion of Planning Area 4, adjacent to Town Center, and are largely currently zoned Mixed-Use Transition (MXT). A new zone, the Mixed-Use Residential Office (MXRO) Zone, was proposed to be established on these properties. However, the Mayor and Council determined at the May 5 work session that this rezoning should not be pursued because it represents a downzoning of the subject properties.

Residential High Density (RHD)

The Comprehensive Plan recommends that a new, high-density residential zone, limited to residential uses, is appropriate for certain properties within Planning Area 10 (Montrose and North Farm). The properties recommended to be rezoned are those where the Rollins Park and Congressional Towers apartment communities are located. These properties are currently zoned primarily Residential Medium Density-25 (RMD-25), with one parcel zoned Residential-75 (R-75). A new zone, the Residential High-Density (RHD) zone, is recommended by staff to be established on these properties.

The RHD zone is proposed to have an allowable density of 50 dwelling units per acre (twice that of the RMD-25 Zone), which would be similar to the highest density residential-only zones in Gaithersburg and Montgomery County, which have zones with 54 and 43.5 dwelling units per acre, respectively. (Currently, the allowable density in the RMD-25 is 25 dwelling units per acre, while the R-75 Zone requires a minimum of 7,500 square feet per lot, which is approximately 6 dwelling units per acre). The maximum height is proposed to be 75 feet, which is the same as the RMD-25 Zone, while the R-75 Zone has a maximum height of 35 feet. To respond to resident concerns and to ensure appropriate height transitions from single-unit residential, staff is recommending that buildings be limited to a maximum height of 45 feet within 100 feet of the property line when the property abuts or confronts a lot that is zoned for and developed with single-unit residential uses. Side and rear setback requirements, as well as design and access requirements, are proposed to be consistent with those of the mixed-use zones that currently allow for higher-density residential.

Proposed development standards for the RHD are found in Table 1, below.

Table 1. Proposed Residential High Density Zone Development Standards

Standard	Requirement
Density (Max.)	50 dwelling units/acre
Lot Frontage (Min.)	10 ft.
Front Setback (Min.)	25 ft. when abutting or confronting a lot zoned for and developed with single-unit residential uses 10 ft. in all other locations
Side Setback	10 ft.
Rear Setback (Min.)	10 ft.
Building Height (Max.)	75 ft. When abutting or confronting a lot zoned for and developed with single-unit residential uses, buildings are limited to a max. height of 45 ft. within 100 ft. of the property line.
Access	For apartment dwellings, the mixed-use site access requirements apply.
Design Standards	For apartment dwellings, the mixed-use design standards apply.

At the May 5 work session, the Mayor and Council generally supported the proposed zone and associated standards.

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.

The Mayor and Council approved a zoning text amendment allowing the use of floating zones to implement the TCMP recommendations for the three character areas until the CMA is adopted. With the future adoption of the new Zoning Ordinance, staff is proposing a more permanent change by creating new zones. Staff proposes to use the ZOR and CMA to expand the Mixed-Use Transit District (MXTD) Zone to become a family of zones with height restrictions corresponding to the three TCMP character areas (Table 2, below). The MXTD zones are proposed to be distinguished by the allowable base heights recommended in the TCMP, and 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 (the implementation of no minimum parking for these zones will be addressed at the July 23 work session on Uses and Parking). Specifically, no new drive-through uses would be allowed in these zones.

Table 2. 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

At the May 5 work session, the Mayor and Council generally supported the proposed zones.

Revisions to Existing Zone Standards

Several revisions to development standards for existing zones to resolve issues, address inaccuracies and nonconformities, and to simplify and clarify, will be included with the release of the draft Zoning Ordinance. More substantive proposed changes are addressed below.

Residential Medium Density-Infill (RMD-Infill)

Revisions to the RMD-Infill Zone are proposed to ensure that the zone is effective in producing the outcomes intended by the Comprehensive Plan (which recommends flexibility for this zone to allow a diverse range of housing types) and to further align with the Mayor and Council’s Social Justice Resolution. Proposed revisions are also informed by meetings with community organizations, a focus group with affordable housing organizations, and individual conversations with small infill builders.

The APA *Equity in Zoning Policy Guide* Zoning District Policy 1 is to “Establish new residential zoning districts or amend existing residential districts to allow more types of housing by right.” Further, the *Guide* recommends:

“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.”

Under the Zoning Ordinance Rewrite, development within the RMD-Infill is proposed to be allowed on lots of any size and frontage width within the zone, so long as the development proposal meets the development standards.¹ The proposal would continue to allow the development of duplexes, triplexes, and fourplexes, and townhouses, and is proposed to also allow for the development of “cottage courts” (small-scale residential developments that consist of a cluster of small, detached or semi-detached cottages arranged around a shared courtyard). To achieve this type of housing, different setbacks, lot size, and other single-family type regulations need to be reduced. Development of no more than six units would be allowed on a single lot. Front yard coverage requirements would be removed, as these are more appropriate for the single unit detached zones and is atypical when compared to surrounding jurisdictions. The rear setback would be reduced from 20 feet to 5 feet; and building height maximums would be revised to the following:

- 30 feet for cottage court development
- 35 feet for duplex and triplex development (retained from the current Ordinance)
- 40 feet for fourplex development

Revisions to the zone’s limited design standards will also be recommended. Proposed development standards for the RMD-Infill are found in Table 3, below.

Table 3. Proposed RMD-Infill Development Standards

Standard	Requirement
Density (Max.)	Min. 2,000 square feet per tract area per DU, but no more than 4 units per lot <u>1 DU/2,000 sq. ft. but never more than 6 DUs per lot</u>

¹ This is recommended both to increase flexibility in developing on smaller, infill lots, which pose unique challenges, but also to increase equity. The American Planning Association’s *Equity in Zoning Policy Guide* notes, “[W]hen the Supreme Court invalidated overt racial zoning, many communities realized that zoning based on permitted forms of housing or minimum lot size could achieve the same result by making many neighborhoods less affordable to less white, less abled, and less wealthy households. While originally adopted as a successor to overtly racial exclusion targeting Black and Asian people, zoning has had the effect of excluding much broader segments of the American population from many residential areas and job opportunities.”

Lot Size (min)		Min. Lot Area of 4,000 square feet <u>n/a</u>
Lot Frontage (Min.)		40 ft. <u>n/a</u>
Front Setback		20 15 ft. or the established setback, whichever is less
Side Setback	Abutting Street (Min.) ⁴	15 ft.
	Abutting Land (Min.)	5 ft. Side setbacks can be reduced from the normal requirement of 5 ft. provided that the sum of both side setbacks is a minimum of 10 ft.
Rear Setback (Min.)		20 ft. <u>5 ft.</u>
Building Height (Max.)		<u>30 ft. for cottage courts</u>
		<u>35 ft. for duplexes and triplexes</u>
		<u>40 ft. for fourplexes</u>
Front Yard Coverage	Single Frontage and Through Lots (Max. per front yard)	40%
	Corner Lots (Max. per frontage)	20 %

Light Industrial (I-L)

The height maximum for the Light Industrial Zone is proposed to increase from 40 feet, to address the Comprehensive Plan recommendation to “[p]reserve light and service industrial land and uses to ensure that productive businesses thrive and provide employment and services to area residents” (Economic Development Element Policy 8) and related Action 8.1, “Ensure that City policies and regulations are supportive of the retention and growth of light and service industrial uses, where suitable.” Industry is an important component of the city’s economy, providing jobs, key services to the community, and relatively affordable spaces for small businesses and entrepreneurs. In recent years, growing market pressure for mixed-use and residential land uses has resulted in a loss of industrially zoned land in many municipalities. The city has limited land within the Light Industrial zone, and industrially zoned land can be highly sought-after. An increase in height could provide for additional potential floor area in the Light Industrial zone; preliminarily, staff recommended a height of 60 feet, which was supported by the Mayor and Council on May 5.

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 and

Figure). 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.² Champion Projects in the MXTD Zone in the South Pike qualify for an 80-foot bonus height (up to 200 feet maximum).

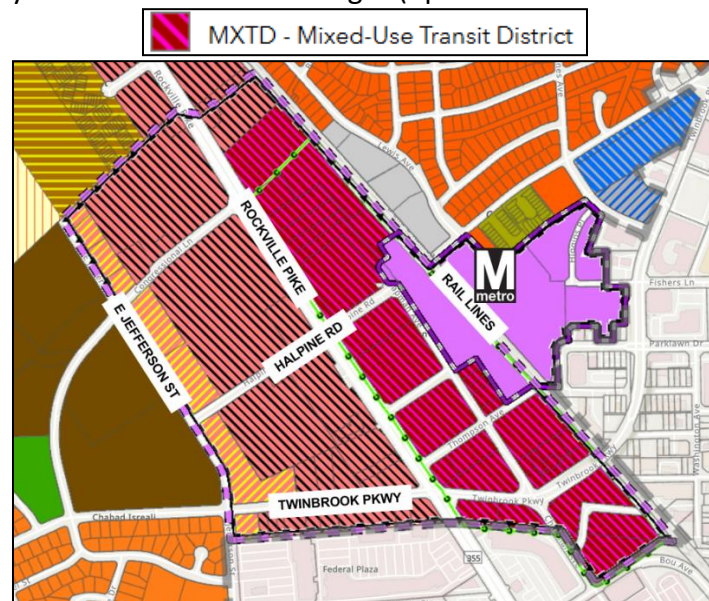


Figure 1. MXTD Zone Near Twinbrook Metro

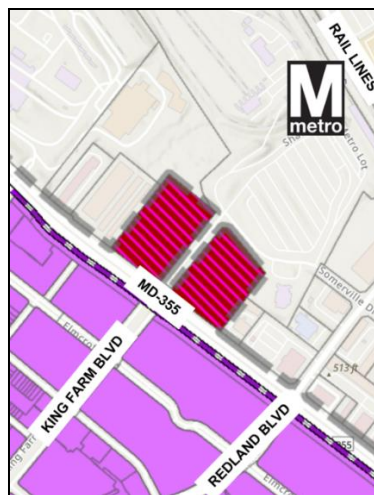


Figure 2. MXTD Property Near Shady Grove Metro

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.

² 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.

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). In conjunction with the creation of the MXTD family, staff recommends that the MXTD-235 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 235 feet. Staff also proposes that the 100-foot bonus height apply not only to projects in the MXTD-235 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."

The Mayor and Council supported these recommendations on May 5.

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. Qualified projects under this act can be allowed to exceed allowable units under the Zoning Ordinance and/or be exempted from certain requirements. The HEAA has several components, including benefits for "qualified projects" (generally, projects located on historic former state- or federal-owned campuses³; 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

³ No properties within the city qualify as historic former state- or federal-owned campuses.

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 intensity 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. In the MXTD family of zones within Town Center, qualified 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.

Design Requirements

Under the current Zoning Ordinance, certain zones (most notably the mixed-use zones) are subject to not only development standards (building height, setbacks) but also design requirements that go beyond what can be built to address what buildings should look like and ensure high quality design. These standards address façade treatments, architectural elements, roof design, materials, and similar features.

While the design requirements contained within the Zoning Ordinance help to ensure visual appeal of development within the mixed-use zones, staff have identified that improvements need to be made to increase the clarity, specificity, and enforceability of design requirements. The requirements are currently a combination of “standards” (required items, typically denoted by “must,” “will,” “permitted,” or similar; e.g., Sec. 25.13.06.b.5, “Building design *must* include design elements which clearly indicate to customers where the entrances are located”) and “guidelines” (encouraged items, typically denoted by “should”; e.g., Sec. 25.13.06.b.2, “Roof design *should* provide variations in rooflines *where appropriate*”). Standards are legally enforceable, whereas guidelines can be understood as suggestions and preferences which lack the force of law.

The new Zoning Ordinance proposes to convert the design guidelines to standards and to increase the standards’ clarity and specificity. This will increase the clarity and enforceability of the design-related elements of the Zoning Ordinance. To this end, the ZOR is working to identify and retain necessary and useful design requirements, and to replace subjective language with objective criteria. For example, terms such as “aesthetically pleasing” and “visual character” are proposed to be replaced with requirements that clearly define what is desired (e.g., Sec. 25.13.06.b.5, “Building design must include design elements which clearly indicate to customers where the entrances are located and which add aesthetically pleasing character to buildings by providing highly visible customer entrances” is proposed to be revised to “The primary building entrance must be clearly defined and accessible. Primary building entrances must include design features such as canopies, awnings, or porches that enhance the pedestrian experience and offer shelter.”).

With the proposed increased clarity of design requirements, the ZOR also proposes to introduce provisions for “alternative compliance.” Alternative compliance provisions allow flexibility for architects and designers to meet the intent of design standards through alternate proposals that provide equivalent or greater levels of design. Alternative compliance ensures that designers can

exercise creativity and innovation and accommodate unique site conditions. As a point of reference, the East Rockville Design Guidelines include alternative compliance provisions.

Height Transitions

The Zoning Ordinance Rewrite recommends updated requirements for height transitions between single-unit residential and higher-intensity uses. These new requirements would replace height transition regulations in several sections of our current ordinance including replacement of the “layback slope” regulations. The proposal is 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.

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 lots⁴ zoned for and developed with single-unit residential in lower-intensity zones (

Table 4, below). Buildings subject to transition requirements would be required to incorporate one or two building setbacks (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.

⁴ *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).

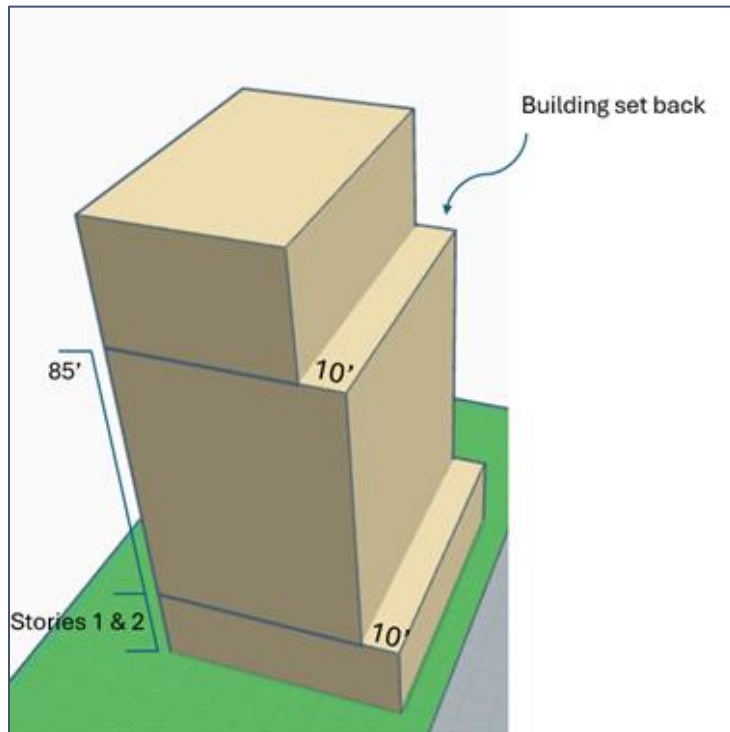


Figure 3. Proposed Building Height Transition

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.

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 exceed 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 4. 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

Table 4. 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...
MXTD-235	• R-400 • R-200 • R-150 • R-90 • R-75 • R-60 • R-40 • RMD-Infill • RMD-10 • RMD-15
MXTD-200	
MXTD-85	
MXCD	
MXCT	
MXE	
MXB	
MXNC	
RMD-25	
I-H	
I-L	

Staff does not recommend requiring a height transition to or from the MXC, MXT, or Park zone. Currently, the MXC and MXT do not require and are not subject to a layback slope and a layback slope from the Park zone is applied only to abutting RMD-25 properties. The MXT (Mixed-Use

Transition) Zone itself has historically served as a transition zone between lower and higher intensity uses, and the built form of the zone is not anticipated to change. Staff anticipate that the park buffer requirements currently included in the city's *Environmental Guidelines* will be retained and does not recommend applying height transitions from Park zones.

The recommended height transition requirements would take the place of conflicting 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 or confronting residentially-zoned lot onto a mixed-use, industrial, or RMD-25 property; 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 difficult restrictions on properties that are intended for dense development, and undermining the ability to achieve the residential densities included in 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.

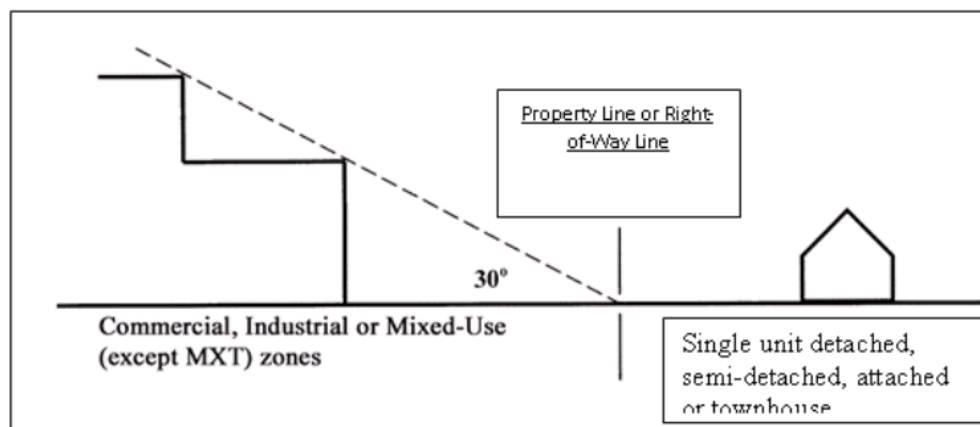


Figure 4. Layback Slope Example (Image 13.1 from the Current Zoning Ordinance)

Below is an example of applying the layback slope to a property allowed to have a building height of 85 feet with a bonus height of 50 feet based upon the recently adopted Town Center Master Plan. With the layback slope from the adjacent townhouse property, an 85-foot-high building could only be located on the front 1/3rd of the property with no ability to achieve the bonus height.



Distance from Abutting Property Line	Allowed Height with Layback Slope	Equivalent Number of Stories (estimated)	
10 feet (existing setback)	5.7 feet	0	
20 feet	12 feet	1	
61 feet	35 feet	2 – 3	
78 feet	45 feet	4	To build to the 45' height currently allowed with MXNC zoning, would need to be 78' in from the western property line (roughly 2/5 into property).
112 feet	65 feet	5 - 6	
147 feet	85 feet	7 - 8	To get to 85' height proposed under the MXTD-85 zoning, would need to be 147' (roughly 3/4) into property.
233 feet	135 feet	11 - 12	It would not be possible to construct to maximum bonus height.

The Mayor and Council supported the staff recommendation for height transitions.

Comprehensive Map Amendment

The language of the city's Zoning Ordinance (Chapter 25 of the City Code) and the city's zoning map work together to implement the city's zoning regulations. Land within the city is divided into different zoning districts (or "zones"), each of which has its own requirements. The city's zoning map visually displays the zone assigned to each property in the city, which can be cross-referenced with the use and development regulations for each zone contained within the Zoning Ordinance.

Comprehensive Plan Recommended Rezoning

The Mayor and Council adopted the Rockville 2040 Comprehensive Plan in 2021. Among its many recommendations related to land use and zoning, the Plan includes recommendations to rezone certain properties (described in detail later in this staff report). These recommended rezonings underwent an extensive public engagement process during the Comprehensive Plan, and further targeted engagement has occurred with this project.

Maryland courts have affirmed that Sections 1-302 and 3-303 of the Maryland Land Use Article, when read together, require that zoning regulations, subdivision regulations, and similar statutes must "further, and not be contrary to" provisions of the jurisdiction's comprehensive plan that implement visions set out in Land Use Article Section 1-201 as well as the elements of the plan addressing development regulations and sensitive areas.¹ This includes the Plan's zoning

recommendations. As such, a significant effort of the ongoing project is to rezone properties as recommended by the Comprehensive Plan through a Comprehensive Map Amendment.

The Comprehensive Plan recommends rezoning properties to reflect changing community needs and allow for planned land uses. A total of 606 properties, which the Comprehensive Plan organizes into “Focus Areas”, are proposed to be rezoned to implement the recommendations of the Comprehensive Plan.

Rezoning to new zones

The Plan includes recommendations that properties be rezoned to new zones that had not yet been created at the time of Plan adoption. These recommendations are as follows:

- A new zone that limits uses to residential and office only (the Mayor and Council have directed not to create this zone);
- A new, high-density residential zone, limited to residential uses; and
- A new zone that allows a diverse range of housing types, including duplexes, triplexes, fourplexes, and rowhouses, in addition to single-unit detached dwellings.

In a portion of Planning Area 10 (Montrose and North Farm), the plan recommends that a new, high-density residential zone would be appropriate in the areas currently zoned RMD-25 and that contain existing apartments. A zone that meets this description currently does not exist. Initially, the staff’s proposal was to utilize an existing mixed-use zone to implement this recommendation, as this will be the only location in the city where the new, high-density residential-only zone will be implemented. However, following community engagement and further consideration, staff determined that, to be most consistent with the Comprehensive Plan recommendation, a new, high-density residential zone should be developed and implemented in the location where this recommendation applies.

Rezoning to existing zones

In many instances, the Comprehensive Plan recommends that a property be rezoned to an existing zone. For example, a recommendation may read simply, “Rezone to MXCD [Mixed-Use Corridor District]”. In some of these cases, the Plan provides additional supporting information; in other instances, the recommendation stands on its own. In most of these cases, staff proposes to implement zoning that agrees with the Plan’s recommended zoning. In one case (in Focus Area 1 of Planning Area 10), the staff’s recommendation differs. This is called out in the section below, and an explanation is provided.

One existing zone of note is the RMD-Infill (Residential Medium Density – Infill) zone, which was created in 2021 through the Stonestreet Master Plan process to implement that plan’s recommendation for “a new zone that allows a diverse range of housing types, including duplexes, triplexes, fourplexes, and rowhouses, in addition to single-unit detached dwellings.”

With the Stonestreet Master Plan, several properties in East Rockville near the Rockville Metro Station were rezoned to this district. The Comprehensive Plan recommends expanding this “new zone” to a number of properties that are currently zoned for single-unit detached residential development only. These areas are particularly located near existing Metro stations and planned Bus Rapid Transit (BRT) stops. Additional information related to this zone recommendation is as follows:

- *Recommendation to rezone 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.*

This zone currently allows residential development, including single-unit detached, duplex, triplex, and quadplex. These housing types are referred to as ‘middle’ housing because their density falls between single-unit detached development and mid- to high-rise apartment development (Figure 1). They are also sometimes called ‘missing middle’ housing, as this type of development has been less common since the 1940s.



Figure 5. Missing middle housing types in context

Missing middle housing types are intended to be ‘house-scale’ (i.e., comparable in scale and form with single-unit detached housing), and to fit into existing residential neighborhoods (Figure 2). The zone has height limits that are generally in keeping with those in the city’s single-unit residential zones. By providing property owners the flexibility to develop or redevelop at a slightly greater density, it could provide a spectrum of affordability to address the city’s increasing housing demand.

Current uses and standards for the RMD-Infill can be found in Section 25.11.03-04 of the City Code. Through the ZOR, updates to this zone’s uses and development standards are anticipated

to be recommended so that the zone more effectively addresses Comprehensive Plan goals to increase flexibility to achieve diverse housing.

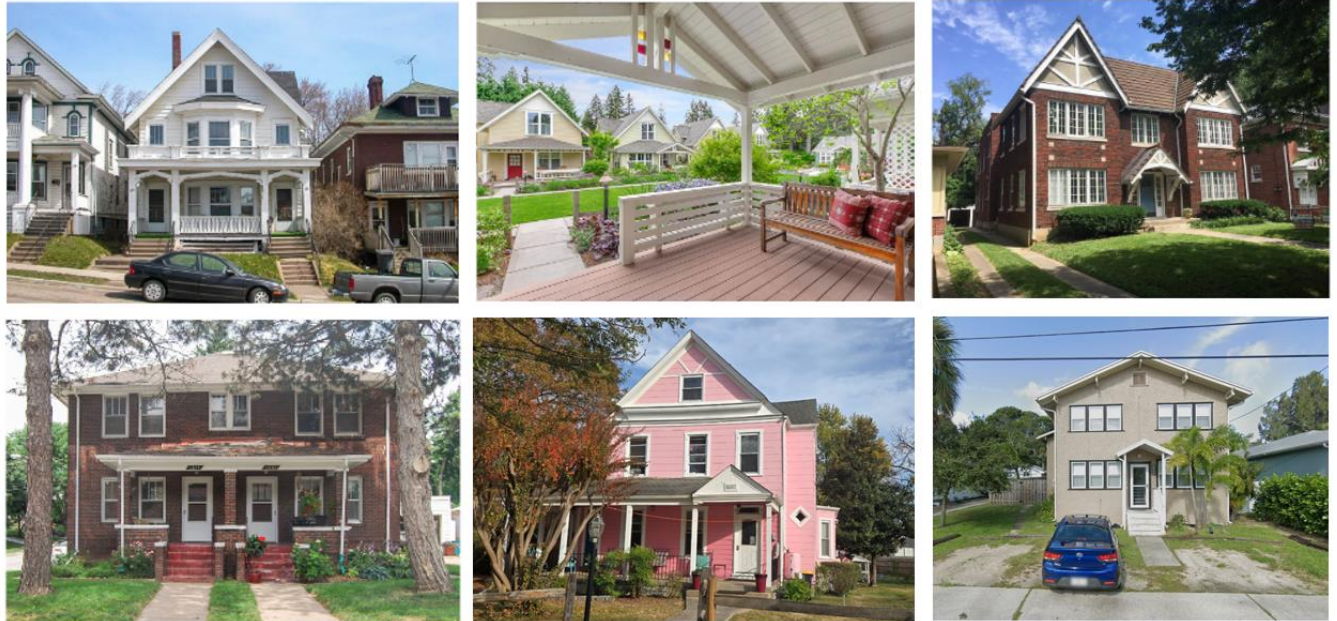


Figure 6. Missing middle housing examples (clockwise from top left: stacked duplex; cottage court; quadplex; quadplex; fiveplex; side-by-side duplex)

Recommended rezonings which are not proposed to be pursued through the CMA

The Comprehensive Plan also includes rezonings which are not proposed to be pursued through the Comprehensive Map Amendment. These generally fall into three categories. They are a) recommended rezonings that already been implemented, either through the Stonestreet Master Plan process or through the application of the floating zone; b) recommended rezonings that will have been superseded by the adoption of the Town Center Master Plan; or c) rezonings which are recommended only if certain conditions were met (typically the development of a BRT station).

Specific Proposed Rezonings Resulting from Comprehensive Plan Recommendations

The locations of proposed rezonings are generally shown below. Specific information related to staff's proposed rezonings resulting from the Comprehensive Plan's recommended rezonings is found in Attachment 2 – Proposed Rezonings to Implement Comprehensive Plan Recommendations.

For a full description of existing and proposed zones within the city, see Attachment 3 above – Descriptions of All Existing and Proposed Zones.

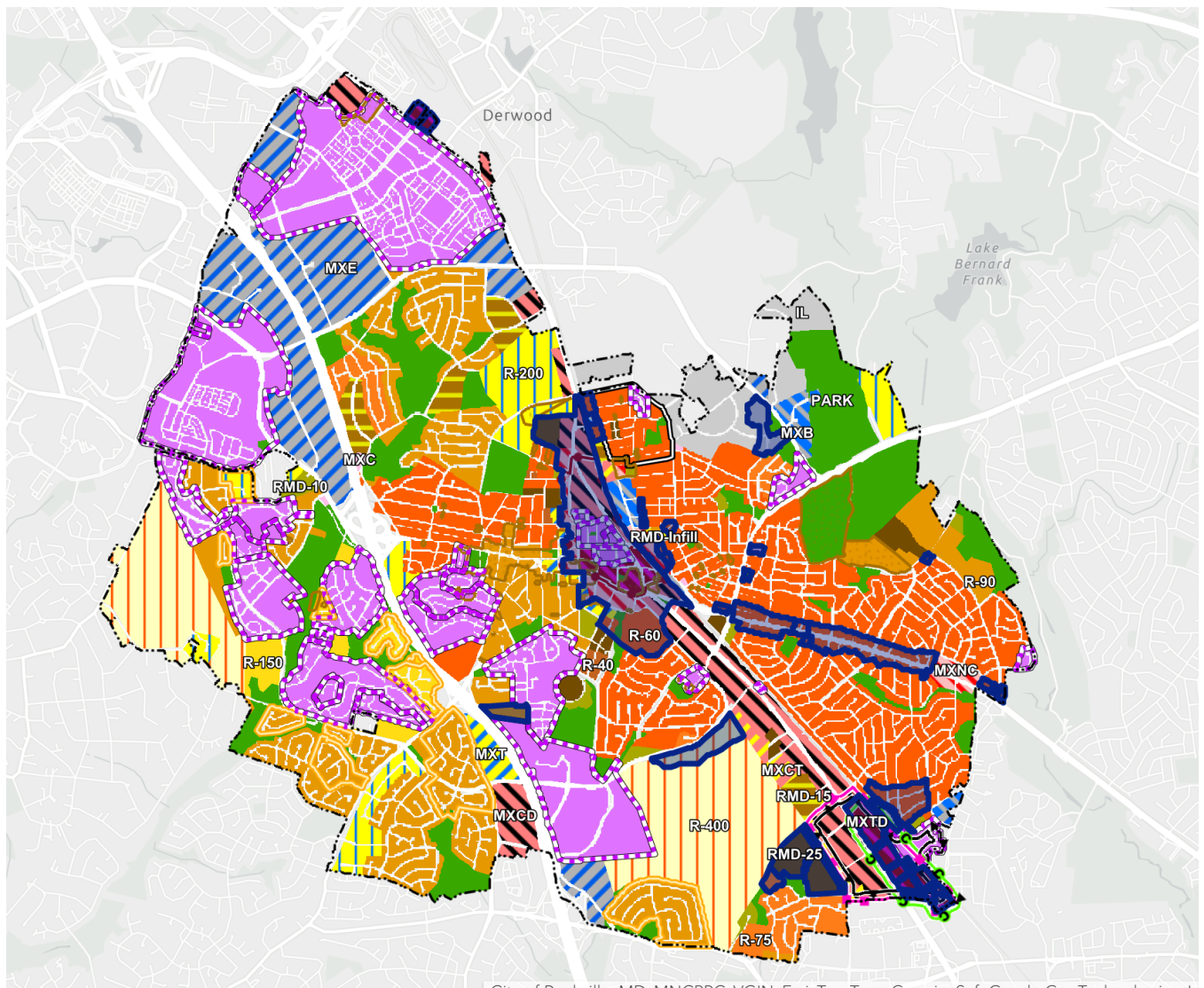


Figure 7. Citywide proposed rezonings resulting from Comprehensive Plan recommendations

During the January 27, 2025, Mayor and Council work session on the Comprehensive Map Amendment, the Mayor and Council requested additional information on select rezonings proposed in the following planning areas:

- Planning Area 3 (Hungerford, New Mark Commons, Lynfield, and Fireside Park)
- Planning Area 4 (West End and Woodley Gardens E-W)
- Planning Area 6 (Lincoln Park)
- Planning Area 8 (Twinbrook and Twinbrook Forest)
- Planning Area 10 (Montrose and North Farm)
- Planning Area 16 (King Farm and Shady Grove)

Requested information related to these rezonings, as well as an overview of the role of Mayor and Council and community feedback in the CMA is found in Attachment 2, Comprehensive Map Amendment Work Session Follow-Up Information.

Jerusalem Mt. Pleasant Methodist Church and the Lincoln Park community continued to express concerns about the Comprehensive Plan's recommendations for rezonings proposed on their properties and in their community (respectively). More information on the proposed rezonings and community input can be found in Attachment 2, Comprehensive Map Amendment Work Session Follow-Up Information.

RECOMMENDATION:

Staff recommends that the Planning Commission discuss the items described above and provide feedback as desired.

Attachments

Community Engagement Summary, January 27 Work Session Followup, Description of Existing and Proposed Zones

Zoning Ordinance Rewrite and Comprehensive Map Amendment: Community Engagement Summary

April 2025



Introduction

The City of Rockville is undertaking a comprehensive rewrite of the city's Zoning Ordinance to modernize this chapter of the city code so that it better accommodates the changing living, working, and recreation trends of the 21st century. Zoning is a system of laws and regulations that local governments use to control how land is used in different areas of the city.

Zoning divides land into different “zones” or “districts,” each with specific rules about what can be built and how the property can be used. For example:

- **Residential zones** allow for individual houses, apartments, and related uses
- **Industrial zones** allow for warehouses, automobile repair, self-storage, etc.
- **Mixed-use zones:** allow a combination of residential and commercial uses (businesses like shops, offices, or restaurants)

Zoning rules also control things like building height, parking requirements, how close buildings can be to the street or to one another, and the processes by which development can be approved. The goal is to organize growth, reduce conflicts between different land uses, and support public health, safety, and community planning.

This Zoning Ordinance Rewrite follows the adoption of the Rockville 2040 Comprehensive Plan (Comprehensive Plan) in 2021. One of the primary goals of the Zoning Ordinance Rewrite is to implement the Comprehensive Plan's land use and zoning goals and policies, and those of supporting plans. In addition to implementing the Comprehensive Plan, along with other goals listed in the Project Objectives portion of this report.

At the same time as the text of the Zoning Ordinance is being updated, the city's zoning map will be comprehensively amended through a Comprehensive Map Amendment (CMA). The rezonings proposed through the CMA were identified and recommended in the Comprehensive Plan and are already adopted policy but have yet to be incorporated into the city's zoning map. The process of updating the Zoning Ordinance and the zoning map, though separate, are running concurrently to one another and are joined as two parts of the same project. As such, this report includes community outreach and engagement for both portions of this project (the Zoning Ordinance Rewrite and the Comprehensive Map Amendment).

Project Phases

The project consists of the following phases and anticipated timelines:

- **Project Kickoff:** Fall 2023

- **Diagnose Phase:** Winter 2023/2024

During this phase, the project team reviewed and identified the issues and strengths of the current Zoning Ordinance and analyzed whether and how the Zoning Ordinance is aligned with goals and policies of the Comprehensive Plan.

- **Calibrate Phase:** Summer 2024 – Winter 2024/2025

Using guidance provided by the Comprehensive Plan along with community input, this phase identified and proposed effective base standards of the updated Zoning Ordinance and solved for issues identified in in the Diagnose phase.

- **Drafting Phase:** Winter 2024/2025 – Fall 2025

Following on the proposed new standards, this phase develops a user-friendly, concise, and well-written Zoning Ordinance, as well as an updated zoning map.

- **Adoption Phase:** Winter 2025/2026 – Spring 2026

The adoption phase will consist of facilitated review by the Planning Commission and Mayor and Council, public hearings, and ultimately adoption of the updated Zoning Ordinance and map amendment.

Project Objectives

The following objectives have been identified for the ZOR and CMA project:

- Implement many of the recommended land use actions identified in the Rockville 2040 Comprehensive Plan, including implementing the Plan's zoning recommendations.
- Accomplish goals from the city's ongoing FAST Initiative, making the development review and permitting process Faster, Accountable, Smarter and Transparent.
- Incorporate planning and zoning best practices that have become common in the field of urban planning and in other similarly situated communities;
- Incorporate the city's commitment to equity, resilience, and sustainability, as described in the 2021 Mayor and Council social justice resolution and the 2022 Climate Action Plan.
- Ensure compliance with current federal and state regulations.
- Create a modern ordinance that can accommodate the changing living, working, and lifestyles of the 21st century.

- Create a user-friendly, accessible, and well-organized document that provides appropriate graphics and information to aid in its understanding.

Methodology and Process for Getting Feedback

The initial community engagement that forms the basis for the ZOR and CMA took place several years ago, during the Rockville 2040 Comprehensive Plan process. Throughout the Comprehensive Plan process, dozens of community meetings, workshops and charettes were held to identify the community's vision for Rockville's future. Extensive community engagement efforts for the Comprehensive Plan started in 2015 and continued over the course of six years. The outcome of these meetings are the policies in the Comprehensive Plan, adopted by the Mayor and Council in August 2021, which formalize Rockville's dedication to bringing the community's vision to life. Many of the changes to the text of the Zoning Ordinance through the ZOR project are based on this shared community vision, along with other policy guidance adopted by the Mayor and Council, including the Climate Action Plan, Pedestrian and Bikeways Master Plans, and the Mayor and Council's Social Justice Resolution. Other changes to the Zoning Ordinance through the ZOR are a result of national best practices, clarifying language, fixing identified issues and nonconformities, or reorganizing the code for ease of use.

In addition to changes to the text of the Ordinance, the project will also change the city's zoning map through a Comprehensive Map Amendment. The proposed zoning changes (or "rezonings") result directly from the specific land use and zoning recommendations called for within the Comprehensive Plan and the Town Center Master Plan.

Building on initial community engagement exercises from the Comprehensive Plan, Community Planning and Development Services staff developed a targeted engagement plan to ensure the community is aware of the ZOR and CMA project, what changes the project may present, and opportunities for community members to learn more and provide feedback. A summary of the methodology used during the five project phases are detailed in this section.

Engage Rockville Website

A [project page](#) on the Engage Rockville website has been the main tool for spreading information on this project. The Engage Rockville page was published in September 2024 and consists of several key features and widgets:

- **Project Timeline:** A visual representation of project process and timeline.
- **Key Dates:** Information about upcoming meetings and project deadlines.
- **Project Documents:** Links to key documents involved in or produced throughout the project.

- **Project Resources:** Links to background information on zoning and related city initiatives.
- **Frequently Asked Questions:** A series of common questions about zoning and the project as a whole.
- **News Feed:** A series of short articles providing project updates and opportunities for feedback.
- **Survey:** A short survey was posted in fall 2024 to gauge the public's background knowledge on this project, and as an opportunity to express interest in participating in a focus group or other event to stay engaged with the project. This survey was advertised through Rockville Reports and social media, as well as during all public meetings.

Engage Rockville also has the ability for users to “subscribe” to receive periodic updates via email. As of April 2025, the ZOR and CMA project had a total of 168 subscribers on Engage Rockville. Subscribers have received up to four emails with updates on the project delivered directly to their inbox, depending on when they subscribed.

Public Workshops

Two public workshops were held in October 2024 to kick off the public-facing portion of the project and educate the community on what to expect as the project progresses. At these workshops, the project team introduced the project and provided background information, laid out the project timeline, shared project milestones and progress to date, introduced the Engage Rockville page and hosted a question-and-answer session for meeting attendees. The workshop held on October 17 was held virtually via Webex. The workshop on October 22 was held in person, at Rockville City Hall. Approximately 20 people attended these meetings.

Focus Groups

To identify any issues with the current Zoning Ordinance, it was important to hear firsthand from users to understand their experience. To do this, city staff hosted a total of 12 focus groups over six months with different stakeholder groups. These focus groups were intentionally curated to remain small to facilitate discussion amongst participants. Many of the participants in the focus groups opted in to additional engagement with the project via the survey tool on Engage Rockville referenced above in the Engage Rockville Website portion of this report. Most of the focus group participants represented themselves, their interests and their lived experiences, while some focus groups were primarily attended by individuals representing an organization they work for. Table 1 lists the focus groups hosted in this phase of the project.

Table 1: Focus Group Meetings and Attendees

Focus Group	Meeting Date	Number of Attendees
Twinbrook Library Conversation Club	October 21, 2025	8
Rockville Urbanists Group	November 8, 2024	7
Commercial Property Owners and Brokers	November 18, 2024	5
Disability Community	November 18, 2024	4
Homeowners	November 19, 2024	5
Renters	December 2, 2024	2
Open Invitation*	December 3, 2024	7
	December 10, 2024	4
	December 12, 2024	7
Design Professionals/Developers	March 3, 2025	9
Land Use Attorneys	March 5, 2025	10
Affordable Housing Organizations	April 4, 2025	4
Infill Housing Builders	April 4-8, 2025	3

* Three “open invitation” focus groups were hosted in December 2024. Offers to attend an open invitation focus group were extended to all those who expressed interest (through the public survey or otherwise) in attending a focus group, but who had not attended an earlier focus groups. All open invitation focus group attendees were individuals who rented or owned homes within the City of Rockville.

Property Owner Meetings

Approximately 600 properties are recommended for rezoning in the Comprehensive Plan and proposed to be implemented through the Comprehensive Map Amendment. Because these recommended rezonings have been the city’s adopted policy since 2021, many property owners are aware of the Comprehensive Plan’s recommendations to change their property’s zoning district to meet the Plan’s vision. Other property owners either were not living in the city during the Comprehensive Plan process from 2015 – 2021, or may not have participated in that effort, so may not be aware of the proposed rezonings. As a result, extra effort was given to ensure the owners of these properties are aware of the ZOR and CMA project, its timeline, and the potential implications for their properties.

In October 2024, a mailing was sent to owners of all properties recommended for rezoning in the Comprehensive Plan, as well as all properties within 100 feet of a property recommended for rezoning. (The August 2024 memo updating Mayor and Council on the project committed staff to informing property owners and adjacent property owners, but staff ultimately decided to exceed this.) This resulted in approximately 1,100 letters being mailed to Rockville residents and businesses. The letter informed property owners of the project and invited them to attend one of three meetings targeted to those whose properties are proposed to be rezoned. The property owner meetings took place on November 12, November 13, and November 14, 2024, and were scheduled at different times of the day to accommodate different

schedules. A total of 69 people attended these meetings. At the meetings, an overview of the project was shared, then zoning recommendations from the Comprehensive Plan for each planning area were presented. The meeting concluded with an opportunity for attendees to ask questions and provide feedback to staff.

Mayor and Council express a desire that staff notify a wider audience of the proposed rezonings in the future. Following a May 5, 2025, work session with Mayor and Council, staff plans to host another meeting with community members related to the proposed rezonings and will send a new mailing to property owners at a slightly greater distance from the proposed rezonings. Additionally, this meeting will also be advertised more broadly via social media, Rockville Reports, and through an e-blast to Engage Rockville project page subscribers. Staff anticipate the next mailing to affected property owners and their neighbors will take place in Summer 2025.

Neighborhood Association and Multifamily Residential Communities

In addition to outreach to individual property owners, the city also ensured that neighborhood associations such as homeowner's associations, condominium boards, and civic associations were aware of the project and proposed rezonings either within or adjacent to their neighborhoods.

In October 2024, Community Planning and Development Service staff sent an email to leadership of all Rockville neighborhood associations that have rezonings proposed within or adjacent to their association boundaries, as well many rental communities recommended for rezoning or adjacent to land proposed for rezoning. This email introduced the project, offered an opportunity to meet with city staff to discuss the project in more depth, and encouraged communities to follow along by subscribing to the Engage Rockville page. Some neighborhood associations and residential communities took staff up on this offer, while others declined the opportunity.

Table 2 provides a complete list of the neighborhood associations and residential communities contacted in Fall 2024. Table 3 lists the neighborhood association that expressed interest in meeting with staff, along with the date of their meeting(s) with staff.

Table 2: Neighborhood Associations and Residential Communities Contacted in October 2024

Neighborhood Association / Residential Community
Beall's Grant Apartments
Bethany House Apartments
Burgundy Knolls Neighborhood Alliance
Cambridge Walk I Homeowners Association
Cambridge Walk II Homeowners Association
Congressional Towers
David Scull Courts / Rockville Housing Enterprises
East Rockville Civic Association

Heritage House Apartments
Heritage Park Co-Op
Hungerford Civic Association
Residences at Congressional Village
King Farm Citizens Assembly
Lincoln Park Civic Association
Montrose Civic Association
New Mark Commons Homeowners Association
Preserve/Protect West End
Rockcrest Courts Community Association
Rollins Park Apartments
The Forest Apartments
Twinbrook Citizens Association
West End Citizens Association
Woodley Gardens Civic Association
Wootton Oaks Homeowners Association

Table 3: Neighborhood Association Meetings

Neighborhood Association/Group	Meeting Date
East Rockville Civic Association	June 11, 2024
Lincoln Park Civic Association	October 12, 2024 April 12, 2025
Twinbrook Community Association	October 15, 2024
West End Civic Association	November 14, 2024
Montrose Civic Association	December 10, 2024 April 30, 2025 (planned)
Jerusalem Mt. Pleasant Methodist Church	March 6, 2025
Hungerford Civic Association	April 26, 2025 (planned)

In February 2025, a follow up email was sent to all neighborhood associations listed in Table 2 to ensure they are tracking the project and aware of proposed rezonings in or adjacent to their neighborhood association boundaries. As a courtesy, primary contacts for these neighborhood associations were sent confirmation emails to subscribe to project updates through Engage Rockville. Many of the neighborhood associations who had not yet responded to staff emails were contacted via phone to ensure they were aware of the effort.

The February 2025 distribution list was also widened, incorporating rental communities identified by Mayor and Council at a January 27, 2025, work session (some of which also received emails in October 2024, as listed in Table 4). In addition to emails, these residential communities were also contacted by staff via phone to explain the project, and fliers were provided to these communities to be placed in mail areas, community rooms, on bulletin boards or other places where residents tend to

gather. Table 4 lists the additional residential communities who were engaged by city staff about the project.

Table 4: Residential Communities for Targeted Additional Outreach

Residential Community
Bethany House Congressional Towers David Scull Courts Rollins Park The Flats at Shady Grove The Stories

As the project continues, staff will continue coordinating with interested neighborhood associations and other residential communities to provide them with updates and recommendations of the project. The next round of outreach to these groups is anticipated in Summer 2025.

Boards, Commissions, and Task Forces

As the quasi-judicial body in Rockville tasked with formulating the city’s master plan and making recommendations to the Mayor and Council on map amendments, the Planning Commission is involved in this project. To date the Planning Commission has hosted briefings on the project, which took place on January 10, 2024, October 9, 2024, and December 11, 2024, in addition to regular staff updates. These briefings provided project information ahead of a series of work sessions scheduled to take place between January and September 2025, and the start of the formal review and recommendation period, anticipated in December 2025. All Planning Commission meetings are open to the public and recordings of meetings can be viewed online.

Staff also provided a general briefing to the Environment Commission on November 7, 2024, and a briefing with the Transportation and Mobility Commission is planned for May 27, 2025. Briefings and facilitation of feedback from city boards and commissions will continue as the Zoning Ordinance is developed and released for review.

Summary of Preliminary Feedback

Though a draft of the Zoning Ordinance is not yet complete, staff have gathered insights and feedback on the Zoning Ordinance Rewrite portion of the project through public meetings and focus groups, both with members of the public and ‘heavy code users’ (generally, design professionals, developers and builders, and land use attorneys). Members of the community also shared feedback on the Comprehensive Map Amendment that will rezone properties in alignment with the Comprehensive Plan recommendations through meetings with neighborhood

associations, interested groups, and property owners. Themes identified for each portion of the project are summarized below.

The feedback provided below is based on the community engagement efforts thus far in the process. Therefore, it is subject to change as engagement for this project is ongoing throughout the process. Staff anticipate a revised version of this document to be provided with the full draft of the Zoning Ordinance and zoning map.

Zoning Ordinance Rewrite

During focus groups with members of the community (including homeowners and renters and members of the disability community) and heavy code users (designers, developers and builders, and land use attorneys), individuals provided general and specific guidance on topics related to the rewrite of the text of the Zoning Ordinance.

When considering development generally, residents value walkability and proximity to amenities (including transit, schools, parks, and retail/restaurants) and want to see the local business community supported through the Zoning Ordinance. Many residents want to see the City support development generally, specifically citing support for density and transit-oriented development and noting that Rockville's height requirements around metro are lower than Montgomery County as a whole. Many like the development that is currently happening, and some expressed that development is happening too slowly. Some participants encouraged the City to think broadly about people who don't yet live in Rockville when rewriting the Zoning Ordinance. There is a perception that zoning can be overly restrictive, and there is a need for flexibility within the ordinance to achieve housing and economic development goals. Some individuals expressed concerns about potential increases in traffic and parking (including some who thought that parking enforcement should be heightened), while others thought the City has too much parking and parking requirements are too high, citing concerns about its impact on walkability, rental prices, and building costs.

When considering diverse housing types, residents generally liked the look of 'missing middle' housing types (duplexes, triplexes, quadplexes, and cottage courts). They expressed that City plans should encourage small, affordable housing and think that, depending on the size and architecture, missing middle housing types could fit into many Rockville neighborhoods; however, some questioned if these types of housing would be one's 'forever' home, while others expressed concerns about parking, particularly that residents did not want to see too much parking on residential lots. Renters desire to continue living in Rockville but are concerned about affordability and see missing middle housing options as a possible pathway to homeownership. However, some renters noted that not all renters want to eventually become homeowners,

Some perceive that conflicting or complicated requirements have led to difficulties in enforcing regulations and suggest creating clearer requirements and simpler

processes. Some recommend that greater consistency with Montgomery County's regulations would be useful. Some suggest utilizing more color, diagrams, and tables in the Ordinance.

Comprehensive Map Amendment

The rezonings proposed to be implemented through the Comprehensive Map Amendment are adopted policy, either in the Comprehensive Plan or the Town Center Master Plan. During meetings with community members (generally neighborhood associations meetings and property owner meetings), individuals asked questions and provided thoughts on the rezonings. Community input provided during these meetings may also have an impact on future City projects, and City staff will continue to coordinate with communities throughout Summer 2025.

Many community members support the Comprehensive Plan's recommended rezonings to support housing goals, transit, and walkability; while others expressed concerns about issues perceived to be exacerbated by the Comprehensive Plan's recommended rezonings, particularly related to traffic, property taxes, property investors, pedestrian infrastructure, new residents moving to the city, changes in neighborhood 'character', loss of green space, and the implementation of zones with higher building height maximums. There was concern raised about the potential consequences of the proposed rezonings, including whether rezoning a given property would obligate the redevelopment of that property or otherwise force the owner to make changes. (Staff reassured community members that any redevelopment would be voluntary, that a rezoning would allow changes if desired but not require them.)

One concern voiced at many community meetings related to equity. Individuals questioned why more of the recommended rezonings from single-unit detached to RMD-Infill (which allows a diverse range of 'missing middle' types, including duplexes, triplexes, fourplexes, townhouses) were proposed east of MD-355, and whether additional rezonings in areas west of MD-355 would be proposed.

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

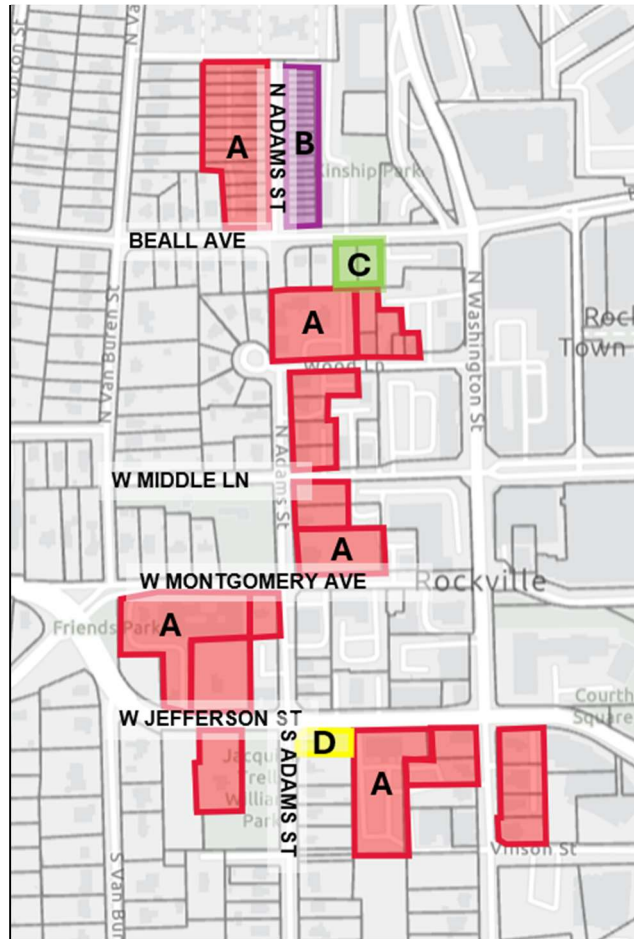
Prior to the January 27, 2025, work session, staff had contacted all neighborhood associations where rezonings were proposed within or adjacent to the association's boundaries. During the January work session, Mayor and Council requested that staff make special efforts to contact the communities. Following 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)



- 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.

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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)**

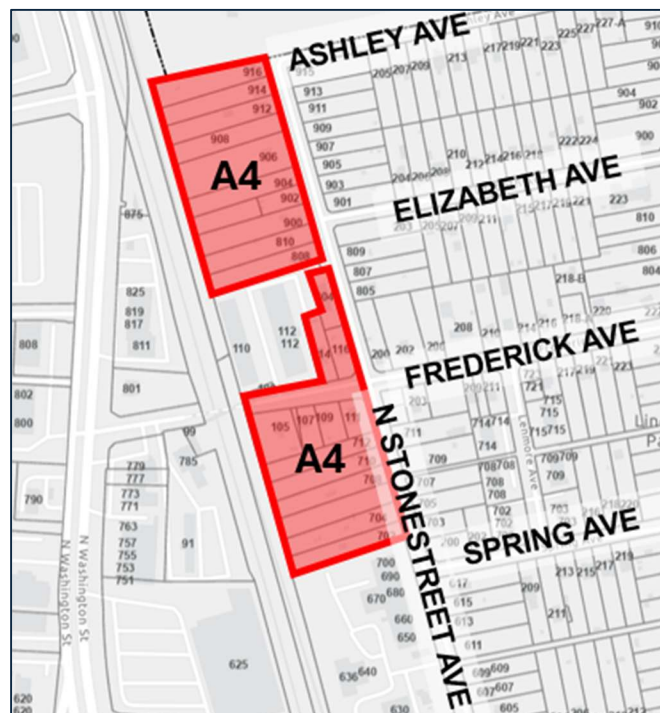
At the January 27 work session, Mayor and Council requested more information on the proposed rezoning of property owned by Jerusalem Mt. Pleasant United Methodist Church. The Comprehensive Plan includes the following rationale regarding this rezoning:

“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:

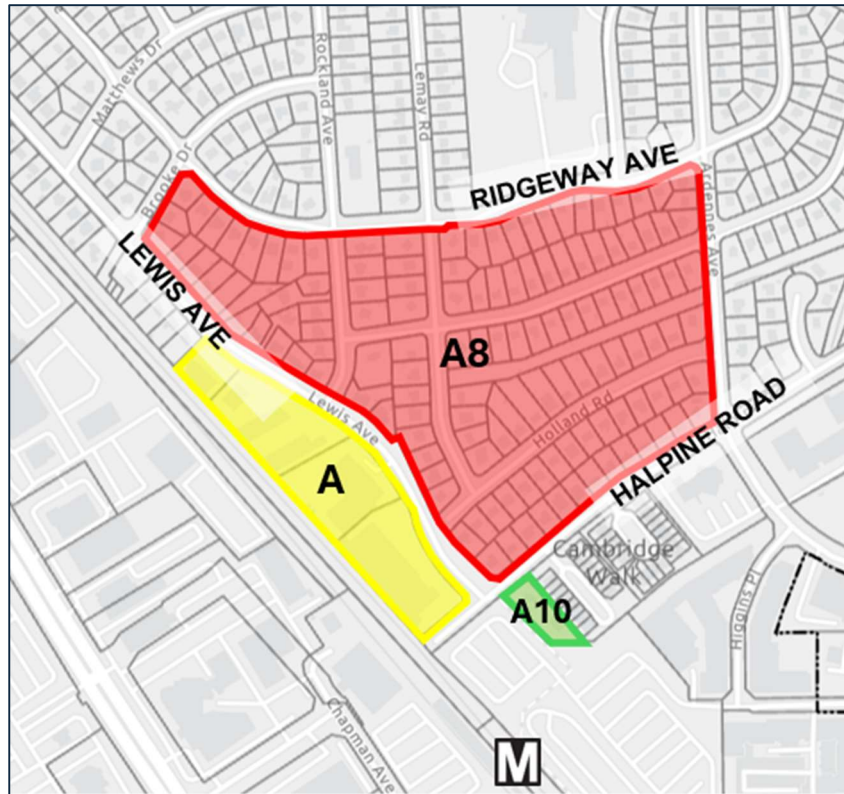
- A pedestrian connection along the north side of Frederick Ave. from N Stonestreet Ave. to Westmore Ave.; and curb extensions at Lenmore Ave.
- A complete streets design of N Stonestreet Ave. from Lincoln Ave. to Park Rd.

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)

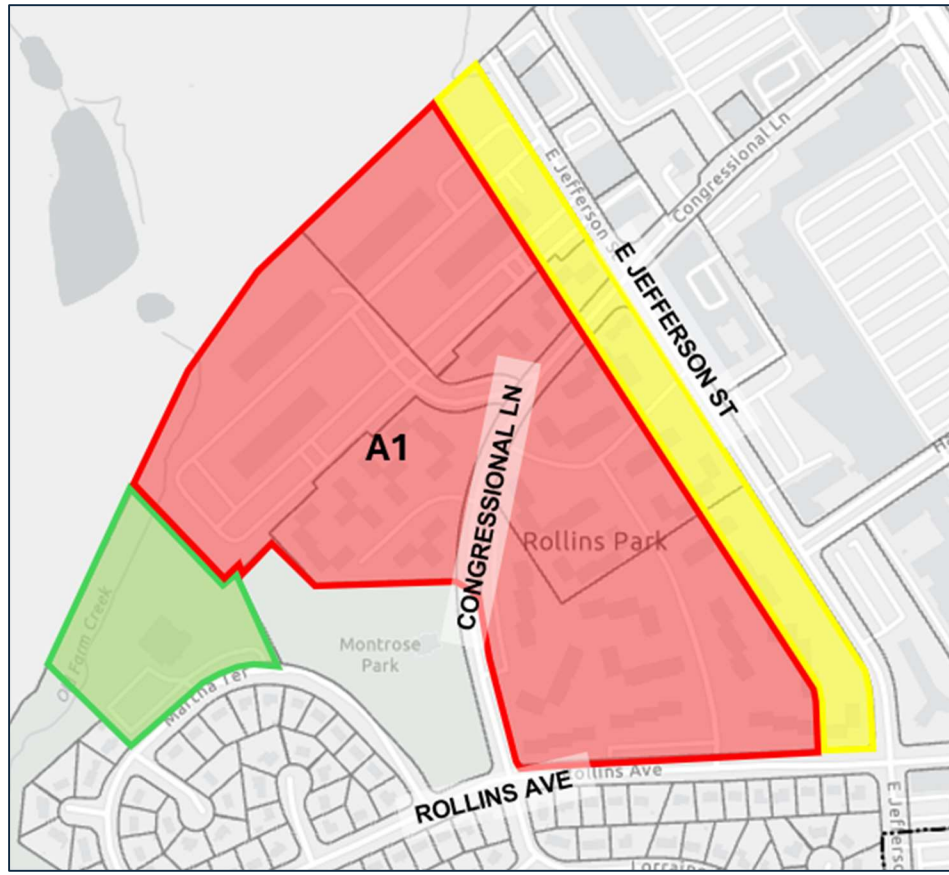


Focus Area: A (This area is not identified in the Comprehensive Plan as a Focus Area; staff assigned letter 'A' to areas outlined in yellow)

- 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

Descriptions of Existing and Proposed Zones

This document provides brief descriptions of Rockville's existing and proposed Euclidean zoning districts. Additional information for zones as they currently exist can be found in the city's Zoning Ordinance at library.municode.com/md/Rockville.

Existing Zones

Industrial, Heavy (IH): Higher impact industrial zone. Max. base height of 70'.

Industrial, Light (IL): Lower impact industrial zone allowing live-work units. Max. base height of 40'.

Mixed-Use Transit District (MXTD): Intended for use in areas near Metro stations, it allows for high-density development of retail, office, and residential uses consistent with the recommendations of the Plan. Max. base heights of 120'.

Mixed-Use Employment (MXE): Intended for areas that are either currently developed or are recommended for development primarily for office, light industrial, industrial park, and similar employment-generating uses, this zone also allows for medium to high density development of office, retail, and residential uses. A mix of office and residential uses, including live/work units, is encouraged. Max. base height of 120'.

Mixed-Use Corridor District (MXCD): Intended for areas along major highway corridors outside of the Mixed Use Transit District Zone areas, it allows for medium density development of retail, office, and residential uses. Because of the nature of highway corridor areas, the zone provides flexibility in the siting of buildings relative to major roadways and other site requirements to accommodate service drives and required parking. Max. base height of 75'.

Mixed-Use Corridor Transition (MXCT): Intended for areas that are located between areas currently developed or recommended for development as medium to high-intensity development and areas developed or recommended for residential development or parks within residentially zoned areas. This zone allows for medium density development of residential and office uses, as well as neighborhood-serving retail and service uses. Max. base height of 75'.

Mixed-Use Business (MXB): Intended for areas that are either currently developed or recommended for development primarily for retail sales, neighborhood services, home improvement services, and compatible residential development in areas convenient to both higher-density commercial zones and single-unit detached residential uses. This zone allows for a range of densities as determined by the applicable master plan and permits retail, service, office, and residential uses. Max. base height of 55'.

Mixed-Use Neighborhood Commercial (MXNC): Intended for sites that are either currently developed or recommended for development primarily for local retail and service uses in areas either within or in close proximity to single unit detached residential uses. This zone allows for low to moderate density development of retail, service, office, and residential uses. This zone is not intended to provide for major employment, so office uses are limited. Max. base height of 45' to 65'.

Mixed-Use Transition (MXT): Intended for areas that are located between moderate or high-density development and single-unit detached residential neighborhoods. This zone allows for development of low density multi-unit, attached and townhouse residential development, and may include other neighborhood-serving uses. Max. base height of 35'.

Mixed-Use Commercial (MXC): Intended for sites that are either currently developed or recommended for development primarily for local retail and service uses in areas either within or in close proximity to single-unit detached residential uses. This zone allows for low density development of retail, service, office, and residential uses. This zone is not intended to provide for major employment, so office uses are limited. Max. base height of 30'.

Park (PARK): A zone placed on all city parks and recreation areas to provide for open space, recreational, and other compatible uses.

Residential-400: Allows single unit detached dwellings with a 40,000 square feet minimum lot area. Max. base height of 40’.

Residential-200: Allows single unit detached dwellings with a 20,000 square feet minimum lot area. Max. base height of 40’.

Residential-150: Allows single unit detached dwellings with a 15,000 square feet minimum lot area. Max. base height of 40’.

Residential-90: Allows single unit detached dwellings with a 9,000 square feet minimum lot area. Max. base height of 35’.

Residential-75: Allows single unit detached dwellings with a 7,500 square feet minimum lot area. Max. base height of 35’.

Residential-60: Allows single unit detached dwellings with a 6,000 (or 5,000) square feet minimum lot area. Max. base height of 35’.

Residential-40: Allows single unit detached and duplex dwellings with a 4,000 square feet minimum lot area. Max. base height of 35’.

RMD (Residential Medium Density)-Infill: Allow a diverse range of housing types, including duplexes, multiplexes (up to four units), and townhouses, in addition to single-unit detached dwellings. Proposed to allow cottage courts. Max. base height proposed to be 30’ for cottage court dwellings, 35’ for duplexes and triplexes, and 40’ for fourplexes.

RMD-10: 20,000 square feet minimum tract area; Allows single-unit detached, semi-detached, townhouses, two-unit, and multiple-unit residential dwellings up to 10 dwelling units/acre. Max. base height of 35’.

RMD-15: 1-acre minimum tract area; Allows detached, attached, two-unit, and multiple-unit residential dwellings up to 15 dwelling units/acre. Max. base height of 40’.

RMD-25: 2-acre minimum tract area; Allows detached, attached, two-unit, and multiple-unit residential dwellings up to 25 dwelling units/acre. Max. base height of 75’.

Proposed Zones

- A new, high-density residential zone, limited to residential uses, is appropriate for the remainder of the site to permit new investment and upgrades, though it should not result in resident displacement. Max. base height proposed to be 75’.
- A new zone to allow only residential and office uses, with multi-family residential a conditional use on properties with existing residential structures to avoid demolition of existing historic structures. Proposed to be called the Mixed Use Residential-Office (“MXRO”) zone. Max. base height of 35’.
- A new ‘family’ of MXTD zones (see description above), to be called the MXTD-85, MXTD-200, and MXTD-235. Max. base heights proposed to be 85’, 200’, and 235’, respectively.