

**Zoning Ordinance Rewrite
Digest of Public Commentary
March 24, 2026**

Comments Regarding the Zoning Ordinance Rewrite

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Holly Simmons

From: Bunny Miu [REDACTED]
Sent: Monday, April 21, 2025 4:48 PM
To: Mahoney, Emilie (Van Hollen); michael.mckay@senate.state.md.us; mayorcouncil; Jenny Snapp; Holly Simmons
Cc: [REDACTED] Amy Ward; Mousy Brown
Subject: proposal of new bill to remove the restrictions on the number of unrelated occupants permitted to live together in a single family house in Rental Properties in Rockville and Montgomery County
Attachments: new bill to remove the restrictions on the number of unrelated occupants permitted to live in city of rockville and montgomery county.pdf

WARNING - External email. Exercise caution.

Dear Sir/madam,

We are writing to respectfully request that the City of Rockville and Montgomery county consider introducing a new policy bill of amending its residential occupancy regulations to remove barriers and restrictions on the number of unrelated occupants permitted to live together in a single family house in Rental Properties in Rockville and Montgomery County, and allow up to eight tenants (based on total sqft of the house) in a single rental property, as long as parking is not an issue.

Attached please see our proposal in the PDF document. We would love to hear back from you.

Thank you!

Proposal of introduction a new policy bill to remove barriers and restrictions on the number of unrelated occupants permitted to live together in a single family house in Rental Properties in Rockville and Montgomery County

Dear Sir/madam,

We are writing to respectfully request that the City of Rockville and Montgomery county consider introducing a new policy bill of amending its residential occupancy regulations to remove barriers and restrictions on the number of unrelated occupants permitted to live together in a single family house in Rental Properties in Rockville and Montgomery County, and allow up to eight tenants (based on total sqft of the house) in a single rental property, as long as parking is not an issue.

This change would reflect the evolving needs of our community. Many single residents—including students, and working professionals—are seeking more flexible and affordable housing options. Allowing up to eight tenants would help address housing affordability and availability without compromising neighborhood integrity.

Importantly, Howard County and all the other counties in Maryland have already updated their regulations to allow up to eight unrelated tenants per property. This model demonstrates that such policies can be implemented responsibly, with appropriate oversight to ensure compliance with safety, zoning, and health codes.

Rockville and housing in montgomery county has an opportunity to follow suit by modernizing its housing policies to:

- Support diverse living arrangements
- Increased housing availability: raising the occupancy limit could allow more people to live in existing housing units, potentially easing a shortage of available rental properties
- Lower housing costs for the hard working professionals: If the demand for rental units is high and the supply is limited, higher occupancy limits could put downward pressure on rent prices.
- Align with regional trends in housing policy

Thank you for your time and consideration. We would welcome the opportunity to discuss this further or support any efforts to review and update the current ordinance.

Holly Simmons

Subject: RE: Zoning Ordinance Re-write & Height Transitions

From: Ryan P. Murphy [REDACTED]
Sent: Friday, May 2, 2025 9:34 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Cc: Jim Wasilak <jwasilak@rockvillemd.gov>; CMO <CMO@rockvillemd.gov>
Subject: Zoning Ordinance Re-write & Height Transitions

WARNING - External email. Exercise caution.

Dear Mayor & Council,

I'm writing today because of my concern regarding a proposal to apply height transition requirements to properties in the new MXT or new MXRO zones adjacent to the "Core" town center planning area. Firstly, I do not see a need for a new zone restricting the potential MXRO properties from commercial uses, reducing potential options for property owners and potential amenities for Town Center residents. More importantly, if the transition height requirements were applied to these properties, it could have a substantial impact on the ability to build housing on the nearby properties.

In general, I do not believe height transition requirements are necessary at all (aesthetic concerns like "sightlines" and "shade" are not a reason to waste valuable space which could be used to provide people homes - and [shade is a good thing!](#)). However, I think the current proposal recommended by city staff (10 ft setback over 2 stories, another 10 ft setback over 85 ft) would be an improvement over the existing requirements, which "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".

However, expanding the application of even these improved requirements to properties which have office or commercial uses would undermine some of the great work done by the council and city staff on planning for the future of Town Center. As an illustrative example, if the properties on the West side of Washington St. between Jefferson and Martin's Lane had the proposed height transition requirements applied to them, it could force the "Core" planning area on the East side of this stretch to lose approximately 1,000,000 sqft of potential living space (yes, one million - I break down the math below**). That could be 1,000 apartments! Under the existing layback slope requirements the impact could be much larger.

In summary, I am strongly opposed to any efforts to weaken the approved Town Center Master Plan by forcing transition requirements for properties that are not even currently residential, to appease folks looking for any excuse to lessen potential (much-needed) density in Town Center.

Thank you,
Ryan P. Murphy
107 Virginia Ave
Rockville, MD 20850
[REDACTED]

**Washington between Jefferson and Martin's Lane is about 2,500 feet long, with an allowable base height of 200 ft (300 with bonus height). If this was all developed at an average of 250 ft tall, and we assume each story is 10 ft, this could become 25 story buildings. Under the proposed new transition height rules:

- The first two stories would be unaffected.

- The next 6 stories would have to be set back by 10 ft, for a lost potential space of $10 \times 2,500 \times 6 = 150,000$ sqft
- The next 17 stories would have to be set back by 20 ft, for a lost potential space of $20 \times 2,500 \times 17 = 850,000$ sqft
- The total lost potential from this block alone is $150,000 + 850,000 = 1,000,000$ sqft.

Holly Simmons

From: Mike Stein [REDACTED]
Sent: Monday, June 23, 2025 9:01 PM
To: Holly Simmons; Katie Gerbes
Cc: Jim Wasilak; mayorcouncil
Subject: Thank you - Zoning Presentation

WARNING - External email. Exercise caution.

Dear Holly and Katie,

I wanted to reach out and thank you again for your excellent presentation to the Twinbrook Community last week about Rockville's zoning update project. I thought you both did an excellent job highlighting the important changes and presenting in a clear and concise manner. Your examples, in particular, helped the community understand the proposals and alleviate many concerns. Your interactions with the community were respectful, kind, and your expertise came through. Thank you again.

Best,

Mike Stein
Twinbrook resident and Treasurer, Twinbrook Community Association

Holly Simmons

From: Sean Cullinane [REDACTED]
Sent: Wednesday, July 2, 2025 2:04 PM
To: zoning
Subject: Zoning Regulations and Policies

WARNING - External email. Exercise caution.

Good afternoon,

I attended the rezoning meeting on 6/26. The meeting was incredibly well run, organized, and full of valuable information. Thank you to everyone who planned and spoke during it. I got a lot out of it.

I am excited to see Rockville is updating the zoning laws and policies. Adding more options to building duplexes, triplexes, and quads is a great use of existing land that easily adds more housing options for people like myself. I was also happy to see that a number of flat surface parking lots will have options for construction if a developer chooses to do something new with the land.

However, I want to advocate for more parks and green spaces. The DC area has an almost automatic response to add more housing or multi-use structures when the area needs dedicated land for grass and trees. With climate change becoming a bigger and more critical threat, more intense stormwater management, and basic health, Rockville would benefit from dedicating more area to parks and wild growth.

Driving along almost any major roadway, strip malls go on for miles. Furthermore, many experts believe the housing shortage is a temporary issue that will not be a problem as baby boomers move into care centers and their homes go on the market. Although this will take a few years, it is important to keep in mind when deciding what to build with available land. It would be a waste to address a problem that may only last for 10 years, and then we have hundreds of empty homes, apartments, and condos. The longer term benefit would have been parks and bicycle pathways.

Thanks a lot for taking comments from the public.

Sean Cullinane

From: Ryan Murphy [REDACTED]
Sent: Wednesday, August 6, 2025 9:05 AM
To: Holly Simmons <hsimmons@rockvillemd.gov>
Cc: Katie Gerbes <kgerbes@rockvillemd.gov>
Subject: Re: Invitation: Join a Rockville Zoning Ordinance Focus Group

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Hi Holly and Katie,

Apologies if this has been discussed and I missed it, but as part of the zoning ordinance rewrite, has there been any effort to revisit minimum lot sizes in the code?

There has been a lot of literature regarding how having minimum lot sizes too high can drive housing unaffordability.

https://open.substack.com/pub/populationnews/p/how-minimum-lot-sizes-shape-cities-home-prices?r=dinhs&utm_medium=ios

<https://cayimby.org/blog/lot-sizes-when-the-bare-minimum-is-way-too-much/>

<https://www.strongtowns.org/journal/2024/12/10/how-minimum-lot-size-requirements-maximize-the-housing-crisis>

<https://aier.org/article/want-starter-homes-cut-minimum-lot-sizes/>

Some cities have been taking action on this. Austin, for example, reduced last year from 5,750 to 1,800 feet.

<https://www.texastribune.org/2024/05/16/austin-lot-size-housing-affordability/>

Houston lowered from 5,000 to 1,400 feet.

<https://bipartisanpolicy.org/blog/reducing-minimum-lot-sizes-in-houston-texas/>

Pittsburgh just did something similar: <https://archive.ph/Y9d2c>

I know any action on this front depends on there being an appetite for change from the mayor and council, but if this is something they'd be willing to consider, the ZOR process seems like the appropriate time to do it.

Thanks,

Ryan Murphy

Holly Simmons

From: Sheila Bashiri <sbashiri@rockvillemd.gov>
Sent: Sunday, September 28, 2025 1:23 PM
To: Katie Gerbes
Cc: Holly Simmons; Jim Wasilak
Subject: FW: Retain community-initiated historic nominations in the Zoning Ordinance Rewrite

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

*Regards,
Sheila*



Sheila Bashiri
Preservation Planner
Community Planning & Development Services
P. 240-314-8236
www.rockvillemd.gov



New Online Application Process

On July 1, 2025, Rockville began accepting all development review applications online through MGO Connect (MGOC). The system features a customer dashboard that allows for online payment and convenient tracking of projects. Since the system is live, we will no longer accept email applications for any development review applications such as site plans, project plans, plats, special exceptions, variances, historic preservation, and others. All applications will be made through MGOC. If you haven't previously registered, please create a **free account** at <https://www.mgoconnect.org/cp/info-account>.

How was your experience with us? Take a quick survey and let us know - <https://www.surveymonkey.com/r/JD9CWXC>

From: Max van Balgooy [REDACTED]
Sent: Saturday, September 27, 2025 2:11 PM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Cc: Peerless Rockville Info <info@peerlessrockville.org>; Sheila Bashiri <sbashiri@rockvillemd.gov>; Eileen McGuckian [REDACTED]
Subject: Retain community-initiated historic nominations in the Zoning Ordinance Rewrite

WARNING - External email. Exercise caution.

Dear Mayor Ashton and Members of the Council,

I'm writing regarding the Zoning Ordinance Rewrite (ZOR) work session on Sept. 29, which lists **Historic Preservation** among the discussion topics. I'm concerned about any change that would **limit or condition historic-designation nominations to property owners alone** (or effectively give owners a veto). Please **reject** such a change and retain avenues for **community-, staff-, and commission-initiated nominations** within the ordinance.

Why this matters:

- **Neighborhood character is a public good.** Historic resources shape the identity, cohesion, and economic appeal of our neighborhoods. If only owners can initiate, significant places may never be considered—especially under redevelopment pressure.
- **Equity and inclusion.** Many stories—particularly of underrepresented communities—come to light through neighbors, historians, and civic groups. Closing off third-party nominations risks silencing those voices.
- **Proactive, not reactive.** Allowing staff, HDC, and community nominations lets the City identify and evaluate resources **before** they're altered or demolished—saving time, money, and heritage.
- **Consistency with Rockville's goals.** ZOR aims to align with Rockville 2040 and the City's commitments to resilience and social equity. Preservation is a core tool for both.

What I urge you to do:

1. **Continue to maintain multiple nomination paths** (property owner, staff, HDC, community organizations, and residents).
2. **Continue to require a fair, evidence-based review** for any properly filed nomination, irrespective of who files it.
3. **Continue to offer owners strong engagement and due process** (notice, hearings, clear criteria) **without granting a unilateral veto** at the nomination stage.
4. **Continue to publish clear criteria and timelines** so all parties understand the process and expectations.
5. **Continue to pair preservation with incentives** (technical assistance, small grants, tax credits information) to help owners steward designated properties.

This balanced approach respects property rights **and** preserves Rockville's shared heritage. Please keep the door open for the community to help identify what is significant—once these places are gone, we can't get them back.

Thank you for your consideration and for your work on the ZOR.

Sincerely,

Max A. van Balgooy

313 Twinbrook Parkway, Rockville

Reference: ZOR Work Session agenda lists “Historic Preservation” among remaining topics for Council direction.

--

October 4, 2025

Mayor and Council
City of Rockville
Via email

Re: Zoning Ordinance Rewrite (Historic Preservation)

Dear Mayor and Council,

I am an appointed Historic District Commissioner for the City of Rockville, and while these comments arise from my knowledge of preservation issues and experience serving on the Historic District Commission (HDC) for the past three years, I am writing this letter as an individual and resident of the City of Rockville. The views expressed in this letter are entirely my own.

I strongly support reviewing and updating the portions of the Zoning Ordinance that are related to historic preservation, the HDC, and the property review processes. I agree with most of the recommendations, but would like to explicitly provide my views on all of the suggested changes, and express concern about some of what has been put forward. I will address the changes in the order they are presented in the slides in the agenda book for the October 6th meeting (starting on page 161).

[Certificate.of.Approval.\(COA\)](#)

The recommendation to expedite COAs for work considered minor will streamline the process of approval. The definition of “minor” work must be clearly defined, and the process by which staff make such assessments needs to be transparent. The ordinance should require that staff report all administrative decisions to the HDC for review.

The recommendation to extend the expiration period of a COA to 5 years is a much needed improvement that will reduce unnecessary work for property owners, city staff, and the HDC.

[Local.Designation;Process.and.Consent](#)

While on the surface this may look anti-democratic, limiting who is able to file a nomination application to the property owner, HDC, and Mayor and Council will be beneficial to the openness of the process. The current situation, in which anyone can file a nomination application, is potentially open to misuse. Even with such a restriction, there would be nothing to stop members of the public or organizations from recommending to the HDC that they initiate the process. So there would still be a route for members of the public to make recommendations.

I am very concerned, however, about the recommendation regarding owner consent for designation. There is significant debate nationally on this matter, and the rules on this vary by municipality. As far as I understand it from my research, there is no accepted widespread view that owners should have the ability to prevent designation of their property. It is an area of ongoing debate. In fact, the National Trust for Historic Preservation explicitly advises against requiring owner consent. While I am sympathetic to the concerns of not putting undue restrictions and financial burdens on property owners, in the case of historic preservation there is a lot of misinformation about the impact of designation.

Allowing owners control over whether or not a property is designated would be a significant barrier to a coherent approach to historic preservation in our 250 year old city. The most recent example of a notable property that has been through this process in Rockville, the Farmer's Banking and Trust Building at 4 Courthouse Square, would not have been designated because the owner did not consent to the designation, despite widespread interest in the community and agreement by the HDC, the planning commission, and Mayor and Council that it is one of the best remaining historic buildings in downtown Rockville.

Instead of giving an owner the power of consent, a robust ordinance should provide a clear process and ensure the owner is an informed participant throughout the designation process. The ordinance should set out a process by which the owner is formally contacted by the city's legal representatives, and then has a period in which to register their view. If an owner actively opposes the designation, this should be taken into account by the HDC and Mayor and Council when they make their recommendation and decision, but an individual owner should not be able to block historic designation. Giving individual owners veto power would shift the balance away from the community in ways that could potentially harm the city's efforts to preserve historically significant properties.

Delisting

A process for delisting properties and structures will be beneficial for the coherence of the historic districts in our city, and is an important addition to the code. It should be made clear in the code that this process exists only to deal with structures that no longer contribute or retain their historic status, not as a means to remove resources that an owner has decided they do not want to be listed. Requiring that Mayor and Council initiate an application will prevent misuse of the procedure, but there should also be review by the HDC of all structures to be delisted.

Demolition.by.neglect

I strongly support this recommendation to add provisions expressly forbidding and providing a mechanism to enforce the violation of demolition by neglect. This will greatly improve the ability of the city to protect important historical structures.

Evaluation.of.Significance.(EOS)

The HDC should continue to be asked to review all proposed demolitions of structures, regardless of age or historic status. Once a building is demolished there is no going back, and keeping this high level of scrutiny on all proposed demolitions is important to prevent anything from slipping through the cracks.

Additionally asking the HDC to review all demolitions provides the commissioners with an overview of how the city is changing, which is a vital part of understanding the history of our neighborhoods and communities and thus doing the work that the commission is tasked with. While I have no doubt that the staff would exercise care in reviewing these applications and bring any that were potentially questionable to the commission, I don't see the need to remove this work from the purview of the appointed body.

In FY24 the HDC conducted 3 EOS reviews, so these represent only a small fraction of the work of the commission. From the point of view of a commissioner, there is little need to reduce the workload of HDC volunteers. The number of applications of all types in any given month is never so great as to create an undue burden on the commissioners.

That concludes my comments on the proposed changes. I want to thank Mayor and Council for your time. I also want to thank the city staff that have put a lot of time and thought into getting us this far in the process. I look forward to the next steps in bringing this important facet of Rockville's zoning ordinance up to date so that it continues to serve the needs of our city and helps the citizens of Rockville to preserve the history that we all value.

Sincerely,

Seth Denbo
1535 Baylor Avenue
Rockville, MD 20850

Holly Simmons

From: Kominers, William [REDACTED]
Sent: Monday, October 6, 2025 11:16 AM
To: Jim Wasilak; Holly Simmons
Cc: [REDACTED] Jeff Mihelich; Nicholas Dumais; Robert Dawson
Subject: 1470 Rockville Pike -- Zoning Recommendation
Attachments: RPR ZOR Ltr 10.6.25.pdf

WARNING - External email. Exercise caution.

Dear Jim and Holly,

Attached is a letter sent jointly by Steve VanGrack and me, to follow up my conversation with Holly last Monday about the positive recommendation made for rezoning of 1470 Rockville Pike to the MXTD-200 Zone, and the problem that the corresponding recommendation, to prohibit drive-throughs in the MXTD zones, will then create for the cannabis dispensary drive-through that is planned for the property at 1470 Rockville Pike.

We look forward to an opportunity to discuss these issues with City Staff.

Thank you.

Bill Kominers

William Kominers, Attorney
Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814

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October 6, 2025

Via Electronic Mail

Mr. James Wasilak
Ms. Holly Simmons
Community Planning and Development Services
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Re: Zoning Ordinance Rewrite – 1470 Rockville Pike

Dear Ms. Simmons and Mr. Wasilak:

This letter is written on behalf of our mutual client, RPR, LLC (“RPR”), owner of the property at 1470 Rockville Pike (the “Property”). The Property is currently zoned MXCD and is improved with a former bank building that includes an area for drive-through service. RPR plans to convert the building to a cannabis dispensary, with drive-through service, to implement the provisions of text amendment TXT 2025 – 00270, adopted on June 9, 2025, as Ordinance No. 10–25.

In reviewing the Staff Report for the planned September 29, 2025, worksession on the Zoning Ordinance Rewrite, we believe there is an unintended consequence of the Staff’s otherwise-positive recommendation related to the proposed zoning for the Property. We bring this matter to your attention to explain the adverse effect, and to suggest some alternative means to avoid the unintended consequence, while simultaneously supporting the City’s goals.

The Staff Report proposes to rezone the Property to the MXTD – 200 Zone (see Attachment 1, an excerpt from the Staff Report, pages 288 and 290). RPR supports the proposed rezoning, but subject to an essential caveat.

The caveat arises because the same Staff Report suggests that in the MXTD zone, two uses should be prohibited – gas stations and drive-throughs. Prohibition of drive-throughs is naturally a matter of grave concern to RPR, as they are proceeding to revitalize the vacant bank building into a cannabis dispensary, including modification of the existing drive-through service. The RPR project is a

direct response to TXT 2025–00270, which created a new use for the City: “cannabis dispensary with drive-through dispensing services,” permitted as a Conditional Use in the MXTD and MXCD zones (among others). The Staff Report proposal to prohibit drive-throughs in the MXTD zones, represents a direct reversal and contradiction of the Mayor and Council decision of only four months ago, to allow the identical drive-through use for cannabis dispensaries.

The cannabis dispensary drive-through use in the new MXTD Zone would become nonconforming under the Staff proposal. This impairs the ability to modify or expand the use, rendering the business unable to respond to future commercial success. Nonconforming uses often also have challenges in securing financing or refinancing.

As was noted in the discussion of TXT 2025–00270, the General Assembly has specifically authorized cannabis dispensaries to operate with drive-through service. The Mayor and Council followed that lead with the Text Amendment, setting up cannabis dispensaries with drive-through as a separately identified use, with its own Conditional Use standards, more extensive than those applicable to a simple dispensary alone. (See Sections 25.13.04.g and h.)

The Staff's recommendation appears to inadvertently undermine and override the Mayor and Council's specific action about how cannabis dispensaries can operate in the City. But that decision belongs with the Mayor and Council.

To try to reconcile the Staff's goal of limiting drive-throughs with the Mayor and Council actions on TXT 2025-0027, we offer three suggestions that could be integrated into the new Zoning Ordinance text to avoid this unhappy result.

1. Preserve the status quo and the good faith efforts of businesses by making existing or pending applications for drive-throughs treated as conforming. Only prohibit the drive-through uses prospectively – those seeking to arise after the effective date of the new Zoning Ordinance.

2. Pending applications or approved site plans or construction permits would be allowed to complete all of the necessary steps to occupancy, and then be deemed conforming going forward.

3. Pending applications or approved site plans or construction permits only for cannabis dispensary drive-throughs, would be allowed to complete the necessary steps toward occupancy, and then be deemed conforming going forward. (This approach would facilitate the state law that allows the cannabis dispensaries to operate as drive-through service and would be consistent with the recent action of the City to support those businesses.)

Any of the three methods above would help effectuate the intent of the prior text amendment on cannabis dispensaries, while also addressing the Staff's concerns to restrict new drive-through facilities.

Once you have had a chance to review these concerns and potential solutions, we would like to meet with you to discuss this matter. We certainly hope that we can find a pathway to address Staff's goals, while also maintaining the intent of the Mayor and Council action on the cannabis dispensary use.

Thank you for your consideration of our comments.

Very truly yours,

STEVE VANGRACK LAW, P.C.

LERCH, EARLY & BREWER, CHTD.

Steven VanGrack/wk

William Kominers

Steven VanGrack
110 N. Washington Street
Suite 300
Rockville, MD 20850

William Kominers
7600 Wisconsin Avenue
Suite 700
Bethesda, MD 20814

Enclosure

cc: RPR, LLC
Mr. Jeff Mihelich
Robert E. Dawson, Esquire
Nicholas Dumais, Esquire

Neighborhood Conservation Plans

The Zoning Ordinance currently contains provisions related to special “neighborhood conservation plans,” through which neighborhood conservation zoning districts can be established. Neighborhood conservation plans can be initiated in one of two ways: 1.) The Mayor and Council identify areas for designation through a master plan process; or 2.) local property owners may petition the Mayor and Council to initiate a neighborhood conservation district study.⁶ The “neighborhood conservation plan” concept was introduced into the Zoning Ordinance in 2009. While the city has many master plans, the Lincoln Park Neighborhood Conservation Plan is the only example of a neighborhood conservation plan within the city.

The ZOR recommends that the concept of “neighborhood conservation plans” be eliminated from the Zoning Ordinance. Eliminating neighborhood conservation plans will not impact the Lincoln Park Neighborhood Conservation District Zone, which will continue to exist in its current form unless it is proposed to be amended, in which case it can be amended through a standard zoning text amendment or sectional map amendment. Master plans, including neighborhood or area plans that address specific areas of the city, will still be undertaken through the master planning process, and rezonings or other changes to the zoning map can continue to occur through sectional and comprehensive map amendments; however, these initiatives would be based solely upon the priorities and timing of the Mayor and Council and aligned with the broader priorities for the city as established in the Comprehensive Plan.

Comprehensive Map Amendment

At their May 5, 2025 work session, the Mayor and Council supported the new MXTD-235 zone, one of a ‘family’ of three Mixed-Use Transit District zones being created to implement the recommendations of the 2025 *Town Center Master Plan*, being applied to the MXTD properties near the Twinbrook and Shady Grove metro stations to ensure that these properties are positioned to be similarly competitive to those in Town Center and transit-oriented properties in Montgomery County. This recommendation implements 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.”

Following the May 5 work session the owners of 1460 and 1488 Rockville Pike, properties currently zoned MXCD (Mixed-Use Corridor District; maximum height of 75 feet), sent a letter to the Chief of Zoning (see Attachment 1 – 1460 and 1488 Rockville Pike Comment) expressing support for the proposed rezonings described above and “request[ing] the City expand on its initial recommendations for the South Pike area in the CMA to include additional properties to the north and west, which will ensure that market-responsive zoning is in place for the continued revitalization of this important section of Rockville Pike.” Specifically, they request that the City

⁶ Purpose and procedures related to neighborhood conservation districts and neighborhood conservation plans are outlined in Sec. 25.14.02.

consider rezoning properties within $\frac{3}{4}$ miles of the Twinbrook Metro Station to the new MXTD-200 (the MXTD zone that corresponds with the Town Center Master Plan's Core Character Area).

Upon further analysis, staff agrees with the basis for the request, finding that such a rezoning would provide a transition similar to the one planned for Town Center while also supporting Comprehensive Plan goals related to transit-oriented development; however, staff's recommendation differs slightly from the request of the property owner. Instead of rezoning all properties within $\frac{3}{4}$ mile of the metro station to the north and west, staff recommends rezoning the properties currently zoned MXCD that are generally within $\frac{1}{2}$ mile of the Twinbrook Metro, shown red in Figure 2 below, which corresponds with the South Pike context and development pattern. Properties shown in blue are currently zoned MXTD and are proposed to be rezoned MXTD-235, as supported by the Mayor and Council at the May 5, 2025, work session. A transition to lower-density properties to the west will be afforded by the MXCT (Mixed Use Corridor Transition) Zone along East Jefferson Street.

Figure 2. Properties Proposed to be Rezoned to MXTD-200 (in red; Previously supported rezoning to MXTD-235 shown in blue)



Historic Preservation

In 2023, the Historic District Commission (HDC) and subsequently the Mayor and Council, endorsed the 2023-2033 Historic Preservation Work Plan (HPWP) as an internal document designed to update and modernize Rockville’s preservation program. This document laid out 40 work items across six different themes. Work Item A within the HPWP called for making updates to the Zoning Ordinance to address the following:

- Streamline and clean up existing code;
- Prepare a zoning text amendment regarding the local designation process and local designation criteria;
- Prepare a zoning text amendment regarding administrative Certificate of Approvals;
- Develop a new section on delisting procedures;
- Prepare a zoning text amendment on parties of interest and required owner consent; and
- Prepare a zoning text amendment regarding demolition by neglect.

Since the HPWP was endorsed two years ago, the Zoning Ordinance Rewrite project has been flagged as the primary vehicle to make these updates.

The following bullet points outline the issues with our current code regarding historic preservation that are flagged in the HPWP, followed by the staff’s proposed revisions to solve these issues.

- *Issue:* Historic preservation regulations are currently located within several different articles of the Zoning Ordinance, Chapter 25. As a result, there are many cross-references



October 27, 2025

VIA ELECTRONIC MAIL

Mr. James Wasilak
Ms. Holly Simmons
Community Planning and Development Services
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850

Re: Zoning Ordinance Rewrite – Planned Development Zones

Dear Mr. Wasilak and Ms. Simmons:

This letter requests that as a part of the Zoning Ordinance Rewrite, the City retain the existing Planned Development (“PD”) Zones and those provisions of the current Zoning Ordinance that address the standards for, operations of, and process for amendments to, those Planned Development Zones. In addition, this letter supports the changes proposed in the amendment process for existing Planned Development projects, to help facilitate their evolution. Please include this letter in the Record of the Zoning Ordinance Rewrite.

Background

Many parts of the City have been shaped by planned developments. The specific zones listed in Sections 25.14.08 through 25.14.34 are testament to the effect that planned developments have produced. Each project had unique characteristics that the planned development process allowed to mold to the needs.

For projects in what became the Planned Development Zones in 2009, the specific approval Resolutions, in conjunction with the then-applicable Zoning Ordinance, functioned like an individualized, special purpose zoning ordinance, designed to accommodate the unique needs and character of each project. While originating as Special Development Procedures under Article XII of the former

Zoning Ordinance, primarily for residential projects¹ (which have been effectively built out), the later planned developments have encompassed commercial and mixed-use developments (Comprehensive Planned Development, or CPD, Preliminary Development Plan, or PDP, and I-3 Optional, etc.). Many of these later projects continue to evolve enroute to full completion. Because of their expected lengthy duration for implementation, they must necessarily accommodate changing external conditions. The provisions written into the current Zoning Ordinance are designed to allow these planned development projects to maintain their individual, specific approval standards, but also provide for making changes when sought.

Planned Development Zones – General

During the creation of the current Zoning Ordinance, a great deal of effort and careful drafting went into the provisions governing planned developments. Each project was given its own zoning category (Sections 25.14.08 - 25.14.34), so as to tailor the provisions of its approval documents and any future changes, in a way that could be narrowly focused on the particular project, without affecting other planned developments or the remainder of that Zoning Ordinance. This approach should be continued in the new Zoning Ordinance Rewrite.

To protect and continue the orderly implementation of the Planned Developments, the new Zoning Ordinance should retain the general (Section 25.14.07), and the individualized Planned Development Zones provisions (Sections 25.14.08 – 25.14.34), the Planned Development Governing Documents definition (Section 25.03.02), the development standards (Section 25.14.07.d.) and the Adequate Public Facilities provisions (Section 25.20.04). The amendment provisions of Section 25.14.07.e. should also be retained, but these should be modified to reflect the revised and simplified planned development amendment process proposed in the Staff Memo for the August 4, 2025, worksession. The simplified process proposed will speed up the currently protracted amendment process that fatigues all the participants. The current amendment process operates as a deterrent, in time and cost, to evolution of the planned developments. The reasoning for retention of each of the referenced provisions is set forth below.

¹ Special Development Procedures for residential development included: Variable lot size development; Cluster Development; Planned Residential Unit Development (PRU); and Residential Townhouse Development (RTH). See Section 25-487 of former Zoning Ordinance.

Development Standards

The permutations of development standards for the planned developments are addressed in Section 25.14.07.d. (Copy attached as Exhibit 1.) These were thoughtfully developed during last Rewrite to address the three actions that could be used (together or separately) to implement the planned development approvals. These include: (i) the development standards in the original planned development approval Resolution (including elements/standards existing in the Zoning Ordinance at that time); (ii) the equivalent zone standards, that could be added in the event of amendments to a planned development; and (iii) a method for waiving the use of the equivalent zone standards, where applying them would not fit with the character of the existing project.

This three-part approach still makes sense, and retains continuity of treatment over time for the planned developments. That continuity, and consistency of rules over time, is of critical importance for the planned developments, especially those that are principally commercial or mixed use. Their implementation usually occurs over an extended period, but includes many upfront costs and commitments – all of which are based on the assumption of achieving the designed and approved development result, or its equivalent.

Planned Development Governing Documents

Retention of the Planned Development Governing Documents definition is another critical element of the planned development approvals. (Copy attached as Exhibit 2.) Through the planned development approval process, modifications of the standards of the Zoning Ordinance could be made. But, any standards in the Ordinance that were not being changed, did not need to be restated in the planned development approval resolutions – they just continued to apply from the vantage point of the then-current Zoning Ordinance. Thus, the Zoning Ordinance became an integral component of each planned development approval. To maintain the content of each planned development approval resolution, the Zoning Ordinance provisions that were left unchanged must be incorporated by reference, as they were de facto at the time. This incorporation is accomplished through the definition of the Planned Development Governing Documents in Section 25.03.02.

Amendments

The amendment provisions of Section 25.14.07.e. are integral to the continued implementation and evolution of the planned developments. (Copy attached as Exhibit 3.) This Section sets forth the three important elements governing the amendment process: (i) the triggers for an amendment; (ii) the process to follow for approval of an amendment; and (iii) the protections for those areas of the planned development that are not being amended.

Defining actions that trigger the need for an amendment is helpful by creating an objective starting point for consideration. Both the City and an applicant benefit by having a known set of parameters that create the need for an amendment. They also provide safe harbors that minimize conflict. Outside of the specific criteria, there is an escape valve, if needed, through an opportunity for the Planning Commission to determine that a proposed change is a substantial deviation from the approval, even though not rising to the level of the enumerated triggers.

The current process for amendments uses the process for approval of a Project Plan under the existing Ordinance. That process is very time-consuming and expensive. If modified by the Rewrite for Project Plans generally, that process should flow down to adjust this amendment process as well. Changes to the Project Plan process are being proposed as a part of the Rewrite.

This Section also puts limitations on amendments causing changes beyond their intended scope. That protection reduces the risk of amendments affecting other parts of the Planned Development without the Applicant's intent, and therefore encourages use of amendments, when appropriate. The Ordinance limits amendments to the area or substance proposed in the application, thus preventing an amendment from unintentionally spreading to other parts of the project or being used as a collateral attack on the underlying planned development approval. The amendment can only be expanded to other areas of the planned development with the Applicant's consent. This limitation removes the fear factor of risking other parts of the planned development being drawn into the amendment and then impacted or impaired – *i.e.*, that proposing to amend something in one place will open Pandora's Box and allow changes affecting another. This limitation, and its corresponding protection, is important to maintain the long-term investment-backed expectation of the property owner and the underlying planned development approval.

These amendment provisions were carefully negotiated in the 2009 Rewrite, and should be retained in the new Rewrite.

Adequate Public Facilities

Section 25.20.04, regarding Adequate Public Facilities ("APF") approvals for each planned development must also be retained. (Copy attached as Exhibit 4.) This provision establishes the APF duration under which previously approved planned developments have been operating, and provides protection during the intended time horizon for their implementation.

Most of the approved planned developments that remain active within their APF validity period, have made significant public infrastructure improvements designed to accommodate their impacts. To the extent that the planned development has not been built out, the public has had the benefit of the improvements since their construction. If instead, the uses in the planned development have changed, such that infrastructure impacts (mostly traffic) have decreased, then the public benefits from the excess capacity that will now remain available. In either case, the planned development has fulfilled the infrastructure expectation obligation of its approval, and should be protected, as the current APF provision does.

Summary

For all the foregoing reasons, the existing provisions governing the existing planned development zones, as well as the individualized zones themselves, and the related APF provisions, should be retained for inclusion in the new Rewrite. The only exception being that the simplifying modifications to the Project Plan approval process, that are applicable to the Planned Development amendment process, should also be included as an overall change.

Please contact me if you have any questions about these issues.

Very truly yours,

LERCH, EARLY & BREWER, CHTD.

William Kominers

By:

William Kominers
7600 Wisconsin Avenue, Suite 700
Bethesda, MD 20814



Enclosures

cc: Christopher M. Ruhlen, Esquire

EXHIBIT 1.

ZONING ORDINANCE

§ 25.14.07

- (b) PD-FG—Falls Grove;
 - (c) PD-UR—Upper Rock;
 - (d) PD-TO—Tower Oaks;
 - (e) PD-KSI—KSI Apartments;
 - (f) PD-TC—Twinbrook Commons;
 - (g) PD-RCI—Rockville Center, Inc.; and
 - (h) PD-TS—Town Square.
3. *Principally commercial development.* The following are principally commercial developments in the City:
- (a) PD-SG—Shady Grove;
 - (b) PD-MC—Metro Center; and
 - (c) PD-CB—Champion Billiards.
- d. *Development standards.*
1. *General policy.* The planned developments located in the planned development zones were approved by resolution of the Mayor and Council or action by the Planning Commission as a unified, coherent design. In some instances the development standards of the underlying zone applied to some aspects of the development project but were not restated in the Mayor and Council or Planning Commission development project approval. In addition, a number of the planned development projects are subject to annexation agreements or development agreements with the City that have specific terms for how the development will proceed. All of these documents constitute the planned development governing documents as defined in section 25.03.02.
 2. *Approved development standards.* The development standards (including, but not limited to, those standards for building heights, setbacks, lot coverage, lot sizes, density, and open space) set forth in the planned development governing documents apply to the following:
 - (a) Completed planned development projects;
 - (b) Undeveloped or partially completed individual sites within a planned development;
 - (c) Replacement in kind of any completed portion of a planned development project. Such replacement does not have to duplicate the footprint of the replaced portion of the project.
 3. *Equivalent zone development standards.*
 - (a) Except as provided in subsection 25.14.07.d.4., the development standards of the equivalent zone designation for a planned development zone apply:
 - (i) In the absence in the planned development governing documents of specific development standards related to minimum setbacks, maximum building height, lot coverage or lot dimensions;

- (ii) To that portion of an approved planned development for which an amendment to the planned development governing documents is sought;
- (iii) To the redevelopment of any portion of a planned development with new development that is not in substantial compliance with the planned development governing documents.
- (b) The development standards for the equivalent zone will supersede the development standards contained in the planned development governing documents for only that portion of the planned development subject to the amendment or redevelopment.
- (c) Street frontage. Record lots for each dwelling unit, if provided, must front on a public street, private street, or a common open space.
- 4. *Waiver of equivalent zone standards.* The Approving Authority may waive the application of one (1) or more of the development standards of the designated equivalent zone upon a finding that the applicant has shown good cause as to why the development standard should not apply to any portion of the planned development project. In determining whether the burden of establishing good cause has been met, the Approving Authority must consider the following:
 - (a) Whether the development standard of the equivalent zone is compatible with the completed portions of the planned development;
 - (b) Whether applying the development standard of the equivalent zone is consistent with good planning and design principles;
 - (c) Whether applying the development standard of the equivalent zone is reasonable and practically feasible. The cost of applying the standard may, but does not necessarily, demonstrate that applying the development standards of the equivalent zone is reasonable or practically feasible; and
 - (d) Such other factor as the Approving Authority reasonably deems appropriate.
- e. *Amendment of a planned development.*
 - 1. *Required, general.* The following are planned development amendments subject to the equivalent zone development standards and will require approval of an amendment to the planned development governing documents by the Mayor and Council.
 - (a) Any increase in the intensity of the development (dwelling units, gross square footage, etc.) beyond what is authorized in the planned development governing documents;
 - (b) Any increase in building heights beyond what is authorized in the planned development governing documents;
 - (c) Addition of new uses not approved in the planned development governing documents;
 - (d) A major relocation of public streets;

EXHIBIT 2.

ZONING ORDINANCE

§ 25.03.02

Permitted use. See "Use, permitted."

Person means an individual, association, firm, partnership, corporation, or government agency, not including the City.

Person with a disability means a person who is determined by a qualified medical authority to have physical or mental impairments that:

1. Are expected to be long continued and of indefinite duration;
2. Substantially impede the ability to live independently; and
3. Are of such a nature that the ability to live independently could be improved by more suitable housing conditions.

Personal living quarters means a permanent residential unit with incomplete kitchen or bathroom facilities, occupied by no more than two (2) persons in each such unit, and located within a larger structure that contains at least five (5) such units, plus a residential unit for an on-site manager.

Personal care facility means a commercial facility providing services such as a barber shop, beauty salon, massage therapy, cosmetology, and similar uses. Items separately regulated in this chapter are not included in this definition.

Personal services office means offices directly serving the public, such as real estate office; travel agency; investment broker; insurance sales; and similar uses. Items separately regulated in this chapter are not included in this definition.

Pet grooming means a facility, other than a veterinary hospital, used for the grooming of household pets for profit, and not including overnight boarding.

Petitioner. See "Applicant."

Philanthropic institution. See "Charitable or philanthropic institution."

Pipe stem lot means a lot that does not meet the required frontage at the normal minimum front setback line, due to being configured with a narrow panhandle or pipe stem, which panhandle or pipe stem provides vehicular and pedestrian access to a street, with the bulk of the property lying to the rear of one (1) or more lots.

Plan means the policies, statements, goals, and interrelated plans for private and public land use, transportation, and community facilities documented in texts and maps which constitute the guide for the City's future development. For the purposes of this definition, the word "plan" shall include general plan, master plan, neighborhood plans, and the like as adopted in accordance with the applicable provisions of State law. "Plan" does not include the term "project plan" as defined elsewhere in this article.

Planned development governing documents mean the collection of documents that establish the density, use, development standards, and special provisions that guide the



build-out of a planned development located in any of the planned development zones contained in article 14 of this chapter. Those documents include one or more of the following:

1. Any resolution of approval by the Mayor and Council and any subsequent amendment thereto including any attachments;
2. Any preliminary development plan approval by the Planning Commission and any subsequent amendment thereto including any attachments;
3. Any annexation agreement or other development agreement;
4. The provisions of this chapter applicable to the particular planned development prior to March 16, 2009 and not inconsistent with the resolution of approval or the approved preliminary development plan, or the annexation agreement or other development agreement.

Plat means a plotted map, chart or plan; or a map of a legally recorded subdivision showing the boundaries and locations of the lot or lots recorded thereon.

1. *Plat, ownership.* See "Ownership plat."
2. *Plat, final record* means 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.

Porch means a roofed, open area attached to or part of a building, and with direct access to and from the building.

Portable sign. See "Sign, portable."

Pre-existing grade means the height of the ground prior to construction or earth moving by human means as of March 16, 2009.

Preliminary report means an initial report prepared by the Planning Commission providing recommendations on appropriate zoning classifications for properties being annexed into the City.

Premises means a lot, a building, or part of a building, including any appurtenances.

Private club means an incorporated or unincorporated association for civic, social, cultural, religious, literary, political, recreational, or like activities, operated for the benefits of its members and not open to the general public.

Prohibited use. See "Use, prohibited."

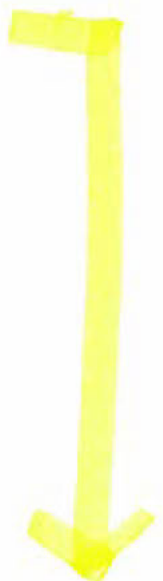
Project plan means a conceptual plan of development for a major project proposal as determined under the provisions of section 25.07.02 that must be approved by the Mayor and Council and may encompass multiple buildings or multiple uses, and which may include a phasing plan for completion of the development over time.

EXHIBIT 3.

§ 25.14.07

ROCKVILLE CITY CODE

- (ii) To that portion of an approved planned development for which an amendment to the planned development governing documents is sought;
 - (iii) To the redevelopment of any portion of a planned development with new development that is not in substantial compliance with the planned development governing documents.
 - (b) The development standards for the equivalent zone will supersede the development standards contained in the planned development governing documents for only that portion of the planned development subject to the amendment or redevelopment.
 - (c) Street frontage. Record lots for each dwelling unit, if provided, must front on a public street, private street, or a common open space.
4. *Waiver of equivalent zone standards.* The Approving Authority may waive the application of one (1) or more of the development standards of the designated equivalent zone upon a finding that the applicant has shown good cause as to why the development standard should not apply to any portion of the planned development project. In determining whether the burden of establishing good cause has been met, the Approving Authority must consider the following:
- (a) Whether the development standard of the equivalent zone is compatible with the completed portions of the planned development;
 - (b) Whether applying the development standard of the equivalent zone is consistent with good planning and design principles;
 - (c) Whether applying the development standard of the equivalent zone is reasonable and practically feasible. The cost of applying the standard may, but does not necessarily, demonstrate that applying the development standards of the equivalent zone is reasonable or practically feasible; and
 - (d) Such other factor as the Approving Authority reasonably deems appropriate.
- e. Amendment of a planned development.*
1. *Required, general.* The following are planned development amendments subject to the equivalent zone development standards and will require approval of an amendment to the planned development governing documents by the Mayor and Council.
- (a) Any increase in the intensity of the development (dwelling units, gross square footage, etc.) beyond what is authorized in the planned development governing documents;
 - (b) Any increase in building heights beyond what is authorized in the planned development governing documents;
 - (c) Addition of new uses not approved in the planned development governing documents;
 - (d) A major relocation of public streets;



- (e) A material reduction in the cumulative amount of public or private open space; and
 - (f) Such other proposed change in the project that the Planning Commission determines to be of such significance as to be a substantial deviation from the planned development governing documents and therefore require an amendment to the planned development governing documents.
2. *Procedure.* Any proposal to amend the planned development governing documents requires the filing of a project plan amendment application with the Chief of Planning. Such application must comply, and will be processed in accordance, with the requirements for a project plan as set forth in article 7 of this chapter.
 3. *Limitations.* Amendments to a the planned development governing documents for a planned development shall be limited to the substance or area encompassed by the amendment application and may not affect other aspects of the approved planned development project without the consent of the applicant or its successor. Nothing, however, shall preclude the Mayor and Council from considering all aspects or areas of the approved planned development in determining whether or not the requested amendment is appropriate.

f. *Site plan required.* An approved planned development must be implemented through approval of one or more site plans in accordance with the requirements for a level 2 site plan as set forth in article 7.

(Ord. No. 29-09, § 14, 10-26-09; Ord. No. 16-10, § 5, 9-13-10; Ord. No. 7-11, § 14, 6-6-11)

Sec. 25.14.08. PD-RS (Rockshire).

a. *Exploratory application approved.* The PD-RS zone is regulated in accordance with the exploratory application approved by the Mayor and Council by Resolution No. 21-66 on March 7, 1966, as may be amended.

b. *Designated equivalent zones.*

1. Designated equivalent zone (commercial development areas only): Mixed-Use Neighborhood Center (MXC).
2. Designated equivalent residential zones:
 - (a) Single unit residential detached areas: R-60.
 - (b) Single unit residential attached areas: RMD-10.

Sec. 25.14.09. PD-FM (Fallsmead).

a. *Planned residential unit approved.* The PD-FM zone is regulated in accordance with the exploratory application approved by the Mayor and Council by Resolution No. 2-66 on January 3, 1966, as may be amended.

b. *Designated equivalent zone.* Designated equivalent residential zone: R-60.

EXHIBIT 4.

§ 25.20.03

ROCKVILLE CITY CODE

- B. Completion of infrastructure required to serve the next stage of the amended development schedule.
 - (iii) No additional development beyond the amount approved in the determination of adequate public facilities may be proposed or approved.
 - (iv) No additional public improvements or other conditions beyond those required for the original project approval may be required.
- 5. *Extension not automatic.* Compliance with the conditions of this section 25.20.03, including instances where the applicant has completed all conditions imposed at the time of development approval to meet adequate public facilities requirements, does not require the Approving Authority to extend the validity period of a finding of adequate public facilities.
- 6. *Reevaluation and reaffirmation.* After the expiration of a determination of adequate public facilities, reaffirmation of the adequacy of the public facilities to serve the project may be granted by the original Approving Authority based on an analysis of the impact of the net remaining development on the public facilities, consistent with the adequate public facilities standards. The analysis shall apply credits for infrastructure that has been provided in conjunction with the development. If the analysis indicates that existing and programmed public facilities will be overburdened, mitigation of said impacts shall be required as a condition of reaffirmation.
 - c. Notwithstanding the above, the adequate public facilities determination for water and sewer service is confirmed prior to the issuance of a building permit.
(Ord. No. 29-09, § 19, 10-26-09; Ord. No. 16-19, 7-8-19)

Sec. 25.20.04. Applicability to previously approved planned development.

a. *[Validity periods.]* Any planned development identified in section 25.14.07 of this chapter is deemed to satisfy the adequate public facilities standards for the following validity periods:

1. The number of years specified in the original approval, if explicitly stated; or
2. If the original approval does not specify the number of years that public facilities are deemed adequate, the validity period ends twenty-five (25) years from November 1, 2005.

b. *Extension.* The Mayor and Council may approve one (1) five-year extension to implement the approved development when the applicant demonstrates that either:

1. Development of the project has proceeded with due diligence but that factors beyond the control of the developer, such as economic conditions or change in governmental regulations, have precluded development of the project within the approved time frame; or
2. The project is substantially complete, provided that all infrastructure required by the conditions of the approved exploratory application, concept plan, or preliminary

development plan have been constructed, bonded, or payments for construction have been made. Internal infrastructure improvements required only to serve the unconstructed portions of the project do not need to be completed.

c. *Expiration.* If the adequate public facility determination expires, the unconstructed portion of the development must satisfy the relevant public facilities standards, with credit for provided facilities, prior to approval of subsequent detailed applications, use permits, or final record plats.

d. Notwithstanding the above, the adequate public facilities determination for water and sewer service is confirmed prior to the issuance of a building permit.
(Ord. No. 16-19, 7-8-19)

ARTICLE 21. PLATS AND SUBDIVISION REGULATIONS*

Sec. 25.21.01. Plats.

- a. There are two (2) types of plats:
 1. Final record plats which are either:
 - (a) Subdivision plats (when there is an assemblage or division of land); or
 - (b) Recordation of an existing single unit detached residential lot; and
 2. Ownership plats.
- b. Recordation required for development.
 1. Every structure must be erected and located on a record lot.
 2. Except as provided in this chapter, there cannot be more than one (1) single unit detached residential dwelling on one (1) lot.

(Ord. No. 8-14, § 1, 4-21-14)

Sec. 25.21.02. Final record plats.

a. *Subdivision plats.* Subdivision is the process of assembling or dividing land. Final record plats are the illustrated system of mapping and identifying lots within densely populated areas into a single mapping system.

*State law reference—Subdivision control, Anno. Code of Md. Art. 66B, § 5.01 et seq.

Judy Penny

From: Max van Balgooy [REDACTED]
Sent: Monday, November 24, 2025 10:32 PM
To: mayorcouncil
Cc: Peerless Rockville Info; History
Subject: Comment on Restricting Historic Nomination Eligibility in Article 11, Draft Zoning Code

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING - External email. Exercise caution.

Mayor and Council
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Re: Public Comment on Proposed Changes to Historic Designation Nomination Eligibility

Dear Mayor and Councilmembers,

I am writing to comment on the proposed revisions to Article 11 of the draft Zoning Ordinance, specifically the provisions related to **who may nominate a property for historic designation**. After closely reviewing the draft ordinance, particularly pages **335** and **643** of the December 1, 2025 agenda packet, I am very concerned that **community members, residents, or other interested parties will NO longer be able to submit a nomination**.

I appreciate the City's efforts to modernize and strengthen its historic preservation framework, and many components of the draft ordinance—such as expanded administrative approvals and demolition-by-neglect provisions—are clear improvements. However, restricting nominations so that only the property owner, the Historic District Commission, or the Mayor and Council may initiate designation raises significant concerns.

1. Limiting nomination eligibility is inconsistent with how historic preservation is intended to function under Maryland law.

The Maryland Land Use Article (formerly Article 66D) envisions **historic preservation as a public responsibility**, not a private one. The state enabling legislation does not limit who may bring forward a nomination, and in practice **most Maryland municipalities allow multiple entities to initiate consideration of historically significant properties**.

Recognizing potential resources should be open to the broader community because **historic value is shared**, even when legal ownership is private.

2. Restricting nominations reduces the City’s ability to identify and protect historic resources.

Community members, neighborhood associations, and local historians often identify:

- early 20th-century subdivisions
- mid-century architecture
- sites associated with underrepresented communities
- landscapes or structures whose significance is not widely known

If only owners or City bodies may nominate properties, Rockville risks missing properties that merit evaluation—but whose owners may not yet be aware of their significance, may fear regulatory consequences, or may be preparing redevelopment plans.

3. The change may have unintended consequences for equity, community engagement, and early intervention.

Many important Rockville stories—particularly those linked to African American history, immigrant communities, women’s history, and working-class neighborhoods—have been brought forward by residents rather than property owners. Restricting nominations closes an avenue that has historically allowed these stories to surface.

Additionally, third-party nominations can be crucial to:

- **preventing demolition** of significant properties,
- **alerting the City** to late-emerging historical evidence,
- **supporting earlier dialogue** with owners, often leading to collaborative preservation outcomes.

4. Recommendation

For these reasons, I urge the Mayor and Council to **restore the ability of Rockville residents, community groups, and other members of the public to nominate properties for historic designation.**

Maintaining multiple nomination pathways does not predetermine an outcome. The draft ordinance already includes strong due-process protections—notice, public hearings, application of clear designation criteria, and review by the Historic District Commission and Mayor and Council. These safeguards ensure a fair, transparent process regardless of who initiates it.

Rockville’s history belongs to the entire community. Maintaining broad access to the nomination process supports transparency, civic participation, and the City’s long-term commitment to preserving the character and stories that define our community.

Thank you for your consideration and for your continued work on this important part of the zoning rewrite.

Sincerely,

Max A. van Balgooy
313 Twinbrook Parkway, Rockville, MD



Holly Simmons

From: Jeff Mihelich
Sent: Tuesday, November 25, 2025 3:20 PM
To: Craig Simoneau; Jim Wasilak; Holly Simmons; Katie Gerbes
Subject: FW: Rockville Draft Zoning Ordinance Regarding Article 11: Historic Preservation

Follow Up Flag: Follow up
Flag Status: Flagged

FYI and thanks.



Rise Together

Jeff Mihelich – ICMA-CM

City Manager

City Manager's Office

P. 240-314-8102

www.rockvillemd.gov



From: Mary van Balgooy

Sent: Tuesday, November 25, 2025 2:23 PM

To: mayorcouncil

<mayorcouncil@rockvillemd.gov>;
Executive Director

History <History@rockvillemd.gov>

Subject: Rockville Draft Zoning Ordinance Regarding Article 11: Historic Preservation

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Mayor and Council

City of Rockville

111 Maryland Avenue

Rockville, MD 20850

Re: Public Comment on Proposed Changes to Historic Designation Nomination Eligibility

Dear Mayor and Councilmembers:

I am writing to add my comments to those submitted by Max van Balgooy regarding the proposed revisions to Article 11 of the draft Zoning Ordinance. I do so as a former Executive Director of Peerless Rockville (not speaking on behalf of Peerless), the current President of the Twinbrook Community Association (not speaking on behalf of TCA), and as a longtime Rockville resident who has worked in historic preservation at the local, state, and national levels for more than twenty years.

While I appreciate the City’s efforts to modernize its preservation ordinance, I am deeply concerned that the proposed restriction on who may nominate a property for historic designation will significantly weaken Rockville’s ability to recognize and protect meaningful places. Under the current ordinance, “*any person may nominate*” a property for designation. Eliminating this long-standing avenue for community participation removes a key mechanism that has shaped Rockville’s preservation efforts for decades.

Despite being directly affected, Twinbrook residents were never engaged in discussions about these proposed changes.

City staff presented portions of the zoning rewrite to the Twinbrook Community Association twice at our meetings; however, the proposed changes to historic designation eligibility were **not** discussed. As a result, residents, many living in homes now more than fifty years old, were unaware that a major shift in preservation policy was under consideration.

This lack of engagement is particularly concerning because Twinbrook is one of Rockville’s most historically significant neighborhoods and would be directly impacted by these revisions. More broadly, these proposed changes do not appear to have been presented to other neighborhood associations or resident groups. A decision that fundamentally alters how the City evaluates and protects historic resources should not emerge from such a narrow set of conversations.

Twinbrook’s origins underscore why community involvement is essential. Platted on October 18, 1946, the neighborhood was developed by four builders on nearly 200 acres of former farmland to provide modest, affordable housing for returning World War II veterans. The early Cape Cod–style homes—many with unfinished upper levels designed for future expansion—reflect the aspirations and challenges of the postwar era. Twinbrook was annexed into the City in 1949, making it one of Rockville’s earliest and most influential postwar subdivisions.

Peerless Rockville has studied and interpreted Twinbrook’s history extensively, including through its *Twinbrook Tours* brochures, which highlight:

- Three original model homes on Twinbrook Parkway, still largely unaltered on the exterior;
- The former Twinbrook sales office and the “Anniversary Home” on Veirs Mill Road that are tied directly to the development’s creation;
- Historic plans, marketing materials, and building documents preserved in Peerless Rockville’s collections.

These resources demonstrate the architectural, cultural, and social significance of Twinbrook. Yet under the proposed ordinance, Peerless Rockville, TCA, and residents would have no ability to initiate preservation review for any of these properties.

Residents increasingly value history, not just architecture.

Many Twinbrook residents have expressed interest in nominating homes not because they were designed by notable architects, but because of their association with the neighborhood’s origins and

with the families who shaped this community. The social history of a home—its stories, its long-term residents, its role in the neighborhood—is often as important as its architectural integrity.

Community-initiated nominations have been essential in surfacing these values. A recent example on Scott Avenue where neighbors sought guidance from me on how to preserve a house with deep cultural associations demonstrates this. Under the proposed ordinance, those residents would have no path to bring that forward.

Restricting nominations contradicts the City’s stated goal of proactive preservation.

During my years at Peerless Rockville, I frequently heard the same refrain from those opposing designation:

“It’s not architect-designed,” “It’s too modest,” “It’s not historically significant enough.”

These assumptions often discouraged owners from considering designation and overshadowed the truth that everyday buildings collectively tell Rockville’s story.

Even today, many residents who might pursue designation simply do not know how. My own neighbor across the street has asked about the process because they could not find clear information. Meanwhile, the City’s messaging tends to emphasize tax credits. These are important, but far from the main reason people choose to preserve their homes. The pride of stewardship, the sense of contributing to community identity, and the responsibility of protecting history for future generations rarely receive equal emphasis.

Restricting nominations sends a message that the City prefers fewer opportunities and not more to evaluate its historic assets.

Creating a delisting process introduces a troubling precedent.

Introducing a delisting mechanism risks destabilizing the City’s preservation framework. Once properties can be removed from the register, preservation decisions can become more vulnerable to redevelopment pressures rather than grounded in genuine reassessment of significance. Rockville must move cautiously before adopting any process that weakens the stability of existing districts or landmarks.

Recommendation

Therefore, I respectfully urge the Mayor and Council to restore the ability of Rockville residents, community organizations, and neighborhood associations to nominate properties for historic designation. Maintaining this long-standing pathway does not predetermine outcomes—the ordinance already provides clear criteria, public hearings, and multiple layers of review. But without a public nomination option, many historically important properties will simply never come before the City.

Rockville's heritage belongs to everyone who lives here. Preserving an open nomination process supports civic engagement, encourages early identification of significant places, and strengthens our shared investment in the City's character and history.

Thank you.

Mary A. van Balgooy
313 Twinbrook Pkwy, Rockville, MD
[REDACTED]

Judy Penny

From: Lauren Hanna [REDACTED]
Sent: Thursday, November 27, 2025 3:20 PM
To: mayorcouncil
Subject: Subject: Request for Mayor and Council to Adopt the Montgomery Country's 2003/2004 Deer Fencing Amendment/ Zoning Text Amendment (ZTA) 03-12

WARNING - External email. Exercise caution.

Rockville Mayor and Council
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Dear Mayor Ashton and Members of the Council,

I am writing to respectfully urge the City of Rockville to adopt the proposed **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003.**

Our community is experiencing significant challenges due to the ongoing overpopulation of deer, and homeowners are increasingly struggling to protect their properties, landscaping, and safety.

In recent years, the deer population has grown to a level that is no longer compatible with a healthy suburban environment. Homeowners throughout Rockville are facing substantial damage to gardens, shrubs, and trees—damage that is often costly to repair or impossible to reverse. Beyond property loss, these issues raise broader concerns, including an increased risk of Lyme disease.

A thoughtfully crafted deer fencing amendment would give homeowners a much-needed tool to protect their properties while still aligning with the City's aesthetic standards and commitment to environmental stewardship. For many residents, effective fencing is the only practical and humane method to deter deer and preserve the natural landscape we all value.

By adopting this amendment, Rockville would be acknowledging the real, everyday challenges faced by residents and providing a reasonable, responsible solution.

Thank you for your consideration of this important matter. I appreciate the Council's ongoing efforts to maintain Rockville as a safe, beautiful, and thriving community, and I strongly encourage you to approve the deer fencing amendment.

Sincerely,
Lauren Hanna
408 Great Falls Road, Rockville, MD 20850
[REDACTED]

Judy Penny

From: Donna Sprague [REDACTED]
Sent: Friday, November 28, 2025 3:18 PM
To: mayorcouncil; History
Subject: Support for Deer Fencing Amendment

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Mayor and Council and Members of the Rockville HDC,

My name is Donna Sprague and I have been a resident of Rockville for nearly 20 years. Like many in the West End and throughout Rockville, I care deeply about the historic character of the neighborhood.

It has come to my attention that the City and HDC have cited the homeowners at 419 W. Montgomery for adding deer mesh to protect their property from deer. I don't know how much time City Staff or HDC spend in the neighborhoods, but this property in particular is a Rockville gem, in large part due to the care the homeowners have taken to create a truly gorgeous landscape and certified wildlife habitat that is admired by so many in the community, and that adds significantly to the beauty of the neighborhood. As with so many frustrated homeowners in Rockville, they have also spent thousands to replace plantings ravaged by deer, and to try to keep the deer off their property. The deer mesh they have added to their fence takes nothing away from the historic character of the house, is very inconspicuous, and -- unlike the result of erecting a tall stockade fence -- allows passersby to enjoy the views of their outstanding backyard gardens.

The City has wrestled unsuccessfully over many years with the explosion of the deer population, to the dismay of many homeowners -- myself included -- who have seen their time and money spent on landscaping go down the drain, while their worries about the health threats to themselves, their pets, and their children increase. Since there is no easy solution and clearly zero likelihood of reducing the number of deer, the diseases they carry, or their destruction of property, the City should support allowing homeowners -- at their own expense -- to erect barriers to protect themselves and their property. The City does not need to create new legislation from scratch, since Montgomery County already adopted a deer fencing amendment in 2003 to allow all other County homeowners outside the Rockville City limits to protect their health and property by following specific regulations on deer fencing.

To address the City's lack of current guidelines on deer fencing, I urge the Mayor and Council to adopt the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12**. City residents support practical solutions to real problems, solutions that are responsive to their concerns. The deer debate that has raged for so long in Rockville has been over how to safely, effectively, and humanely reduce the number of deer. Clearly there is no easy answer there. But punishing homeowners and preventing them from protecting their property and health helps no

one. The decision to adopt this Amendment should be an easy one, demonstrating that you are responsive to the concerns of your citizens.

Thank you,

Donna Sprague

300 Great Falls Road

Rockville, MD 20850

Judy Penny

From: ellen gagnon [REDACTED]
Sent: Saturday, November 29, 2025 1:48 PM
To: mayorcouncil
Subject: Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

Follow Up Flag: Follow up
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Dear Mayor and Council Members,

My name is Ellen Gagnon I have been a Resident of Rockville for almost 28 years. When many of you stopped by my house and wanted to put a sign out front, the first question I asked was what are your deer plans? This is an opportunity to take a step forward.

Rockville homeowners have been faced with tremendous deer pressure over the last many years. I would like the Mayor and Council to consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage and serious health risks due to the exposure to deer ticks and Lyme disease.

Ellen Gagnon

314 West Montgomery Ave
[REDACTED]

Judy Penny

From: Dawn lype [REDACTED]
Sent: Saturday, November 29, 2025 5:30 PM
To: mayorcouncil
Subject: support for deer fencing amendment

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Mayor and Council Members,

My name is Dawn lype. I have been a resident of Rockville for almost 20 years.

I would like the Mayor and Council to consider instituting a policy similar to **Montgomery County's Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12** that was adopted in 2003. Rockville homeowners have been dealing with the explosion of the deer population in recent years. Currently the City of Rockville has no guidelines around deer fencing, despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage and serious health risks due to exposure to deer ticks and Lyme disease. Allowing mesh deer fences (which are barely visible) up to 8 feet tall in residential areas is a common sense approach to protect our property.

I strongly urge you to take up this issue as soon as possible.

Dawn lype
1066 Grand Oak Way, Rockville, MD 20852
[REDACTED]

Judy Penny

From: Douglas Lunenfeld [REDACTED]
Sent: Saturday, November 29, 2025 2:31 PM
To: mayorcouncil
Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

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City of Rockville Mayor and Council

Rockville City Hall
111 Maryland Ave.
Rockville, MD 20850

Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

Dear City of Rockville Mayor and Council Members,

My name is Douglas Lunenfeld. I have been a Resident of Rockville for over 23 years and a lifelong resident of Montgomery County. In addition, I served for 20 years on the Rockville Landlord Tenant Commission most of those years as Chairman and I am a licensed real estate broker active in the Rockville market as well as an attorney.

As I am sure this comes as no surprise to the Mayor and Council as each of you are residents of Rockville but Rockville homeowners have been faced with a tremendous deer population increase over the last many years which is not just a local issue and is present throughout Montgomery County and Maryland. It has come to my attention that Rockville's fence guidelines do not take into account reasonable exceptions or adequate provisions for what out residents deem as necessary deer restricting barriers that seem to fall into the fencing category. I strongly encourage the Mayor and Council to take what I believe is a hardly disputable common sense action to proceed with considering and ultimately adopting an approach to authorizing appropriate deer fencing consistent with the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing which results in lumping such barrier materials in the general definition of fencing. This action is needed now as urgent as there is overwhelming demand and support from the citizens of Rockville for relief to prevent the ongoing and severe property damage and prevent serious health risks due to the

exposure to deer ticks and Lyme disease. Montgomery County took this measure up in 2003 and while I respect that Rockville acts independent on things of this nature, it is hard to see how Rockville would not see its way to proceeding in the same and consistent manner as Montgomery County has done to address this issue.

To be clear, I support any resident that uses deer barrier material in their yard given the balancing of the intent to avoid high fencing under typical fencing guidelines is not compromised with deer barrier material as it is hardly visible to the eye and yet it is extremely effective in deterring deer which promotes both public safety as well as protection of property.

I appreciate your consideration on this matter and I expect this is overwhelmingly something the residents of Rockville would gladly support. I ask that you simply canvas your neighbors and you will see this is something that is easily supported and well past due to address. Also, from a real estate perspective, the deer barrier material typically used does not present a negative to the market value of homes or the condition of the neighborhood as it is barely visible to the public. In fact, I would argue that it supports the market value and condition of the area as it shows the pride of protecting one's gardening and lawn while also promoting a public health purpose as well.

Douglas Lunenfeld

727 Anderson Avenue, Rockville, MD 20850

[REDACTED]

--

Thanks,

Doug Lunenfeld

[REDACTED]

Judy Penny

From: Katharine Beckerle [REDACTED]
Sent: Sunday, November 30, 2025 6:41 PM
To: mayorcouncil
Subject: Fwd: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

WARNING - External email. Exercise caution.

Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

Dear Mayor and Council Members,

My name is Kate Beckerle and my husband, and I have been proud Rockville residents for over 30 years.

For far too long Rockville homeowners have been faced with tremendous deer incursion. I would like the Mayor and Council to consider adopting the **Montgomery County's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage as well as serious health risks due to the exposure to deer ticks and Lyme disease as more deer are forced to migrate into heavier populated areas.

We are not seeking to change the current Rockville fence zoning, but rather requesting an additive to current fence laws that would provide homeowners with a non-invasive commonsense additional layer of protection to lessen the negative health impacts as well as help mitigate costly damage to property that so many Rockville residents increasingly find themselves due to no fault of their own.

I encourage the Mayor and Council to consider the adoption of this amendment thus allowing residents of Rockville to utilize reasonable and discreet remedies that have been afforded to Montgomery County property owners for over 22 years.

Respectfully,

Kate & David Beckerle

5 Starlight Court

Rockville, MD 20854

[REDACTED]

Judy Penny

From: Gary Cole [REDACTED]
Sent: Sunday, November 30, 2025 6:35 PM
To: mayorcouncil
Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

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Dear Mayor and Council Members,

My name is Gary Cole. I have been a Resident of Rockville for all 60 years of my life and have lived in four different homes in Woodley Gardens during this time.

Rockville homeowners have been faced with tremendous deer pressure over the last many years. Over the last several years, my wife and I have lost a considerable amount of our landscaping plants to the deers. I would like the Mayor and Council to consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage and serious health risks due to the exposure to deer ticks and Lyme disease. I would like to be able to protect my property and the landscaping that my wife and I invest in which benefits the beauty of Woodley Gardens (and home values and property taxes—i.e. income for the city). At the moment however, it is unclear to me and my wife what is allowed and what is not. Please adopt Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12.

Thank you for your time and your consideration.

Gary M. Cole
2 Hawthorn Court
Rockville, MD 20850
[REDACTED]

Judy Penny

From: Peter Cole [REDACTED]
Sent: Sunday, November 30, 2025 5:11 PM
To: mayorcouncil
Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

Follow Up Flag: Follow up
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Mayor and Council

Rockville City Hall
111 Maryland Ave.
Rockville, MD 20850

Dear Mayor and Council Members,

My name is Peter Cole and my family first moved to Rockville in 1963.

Rockville homeowners have been faced with tremendous deer pressure over the last many years. I would like the Mayor and Council to consider adopting **Montgomery Country's 2003/2004 Deer Fencing amendment/Zoning Text Amendment (ZTA) 03-12** that was adopted in 2003. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage and serious health risks due to the exposure to deer ticks and Lyme disease.

Please consider adopting this measure.

Kind regards,

Peter Cole

402 Anderson Ave.

Rockville, MD 20850

Judy Penny

From: Larry Giammo [REDACTED]
Sent: Sunday, November 30, 2025 2:59 PM
To: mayorcouncil
Subject: please adopt deer fencing zoning text amendment

Follow Up Flag: Follow up
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Mayor and Council,

I am writing to ask you to, at a minimum, adopt Montgomery County's Deer Fencing Zoning Text Amendment (adopted by Montgomery County over 20 years ago). With apparently nothing being done to control the exploding out-of-control deer population in Rockville, Rockville's residents are suffering a) significant property damage wrought by deer on landscaping, and b) deleterious health impacts resulting from the ticks carried by the same deer. Rockville's residents at least deserve the opportunity to protect their own properties from deer and their own health from the ticks carried by deer.

As I expect you appreciate, landscaping can significantly enhance a property's appearance and, as a result, a property's value. Plants, their planting, and their care are not insignificant investments. As it stands now, with so many deer roaming Rockville, literally everything that's not behind a tall fence is being consumed by deer. Many residents have suffered hundreds, if not thousands, of dollars of damage to landscaping. And, the overall impact on homeowners' property values – from not being able to maintain any meaningful landscaping – across all of the City, certainly totals into the millions of dollars.

At our home, it's not at all unusual for us to have as many as 10 to 12 deer at a time in, or within sight of, our front yard. What little we've planted in our front yard has basically been obliterated by deer. And, we've purposefully not planted anything else – there's literally no point, since we can be sure whatever we would plant would get destroyed by deer.

As for the health impacts of deer, as a community, we're already too well acquainted with Lyme disease, which is transmitted by ticks that spend an integral part of their life cycle on deer. And, there are additional tick-borne diseases carried by deer in Rockville to be concerned about. For example, bites the Lone Star tick, which feeds on white-tail deer throughout the mid-Atlantic now, can induce what's known as "alpha-gal syndrome" that results in being highly allergic to red meat. Overall, I have to wonder how anyone in City government can feel complacent every time they hear of a Rockville resident who has suffered from a tick-borne illness.

So, back to why I'm writing. Please adopt Montgomery County's Deer Fencing Zoning Text Amendment (adopted by Montgomery County over 20 years ago). AND, if/when you do, please be sure that deer fencing can be installed on all sides of corner lots, including any side yard that faces a street. Owners of corner lots deserve no less an opportunity to protect their properties and their health than other homeowners.

Larry

Larry Giammo

124 Monument St, Rockville, MD 20850
[REDACTED]

Judy Penny

From: [REDACTED]
Sent: Sunday, November 30, 2025 8:57 PM
To: mayorcouncil
Subject: Deer Fence Amendment

WARNING - External email. Exercise caution.

Mayor and Council
Rockville City Hall
111 Maryland Ave.
Rockville, MD 20850

Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 (sometimes referred to as part of ZTA 03-14 in early discussions)

Dear Mayor and Council Members,

My name is Erin Mahony. I have been a Resident of Rockville for almost 24 years.

On behalf of myself and my husband, John Barker, I am writing to ask that Mayor and Council consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003.**

Despite the urgent need to address the City's significant deer problem and the overwhelming demand from the citizens for relief, Rockville does not conduct its own deer management program but instead refers homeowners to Montgomery County for guidance. Such guidance includes the use of deer fences.

Currently, the City of Rockville has no guidelines around deer fencing and instead treats deer fencing as regular fencing subject to the same setback requirements. Rockville zoning allows 8' fences in side and rear yards, however, this does not apply to corner lots wherein the side yard along the cross street becomes a second "front" yard subject to a 4' height limitation. Furthermore, it is my understanding that for these purposes the City measures the side "front" yard from the side lot line to the *furthest* rear point of the building, contrary to the zoning code section 25.0302 that defines the "front" yard as the open space between the lot line and the *nearest* line of the building or any enclosed portion thereof. The depth of such yard is the *shortest horizontal distance between the front lot line and the nearest point of the building.* This 4' height restriction in the second "front" yard, improperly measured from the side lot line to the *furthest* point of the building rather than the closest point of the building as required by 25.03.02, severely limits corner lots from any practical ability to control deer entering the yard.

In 2003 Montgomery County amended its zoning to exempt deer fences from general yard requirements allowing for 8' deer fencing on all lots, including corner lots, provided the deer fencing meets certain requirements. I would ask the City of Rockville to do the same. This amendment would offer owners of corner lots the same tools as all other lot owners to address the overwhelming

deer population and protect their property from damage and themselves from serious health risks due to the exposure to deer ticks and Lyme disease.

Please consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003.**

Thank you.

Erin Mahony and John Barker
405 W Montgomery Ave
Rockville, MD 20850

Judy Penny

From: Shannan Cole [REDACTED]
Sent: Sunday, November 30, 2025 6:55 PM
To: mayorcouncil
Subject: Request for Mayor and council to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12

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Dear Mayor and Council Members,

My name is Shannan Turner-Cole. I live in Woodley Gardens.

Rockville homeowners have been faced with tremendous deer pressure over the last many years. Over the last several years, I have lost a considerable amount of our landscaping plants to the deer. I would like the Mayor and Council to consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage and serious health risks due to the exposure to deer ticks and Lyme disease. I am working in my garden all spring and summer would like to be able to protect my property and the gardening I have invested in, which benefits the beauty of Woodley Gardens. I am also very concerned about the deer and the risk of Lyme disease they carry by being in our gardens. At the moment however, it is unclear what is allowed and what is not. I see deer nets along Martins lane covering the complete front yard with no complaints. Please adopt Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12. Having a clear amendment would benefit the entire city.

Shannan Turner-Cole
2 Hawthorn Court
Rockville, MD 20850
[REDACTED]

Judy Penny

From: Todd Loy [REDACTED]
Sent: Monday, December 1, 2025 7:53 AM
To: mayorcouncil
Subject: Request to adopt the Montgomery Country's 2003/2004 Deer Fencing amendment/
Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003.

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Dear Mayor and Council Members,

My name is Todd Loy and I have been a Resident of Rockville for about 8 years.

Rockville homeowners have been faced with tremendous deer pressure over the last many years. I would like the Mayor and Council to consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage and serious health risks due to the exposure to deer ticks and Lyme disease.

Thank you and very respectfully,

Todd

Todd Loy

105 Beall Ave
[REDACTED]

Judy Penny

From: Rebecca Parlakian [REDACTED]
Sent: Monday, December 1, 2025 9:42 AM
To: mayorcouncil
Subject: Deer Fencing Amendment

WARNING - External email. Exercise caution.

Hi there,

We just spoke. I am interested in speaking tonight on the Deer Fence Amendment. I also would like to submit the comments below on this subject.

What time should I arrive? Thanks,
Rebecca Parlakian

Dear Mayor and Council Members,
My name is Rebecca Parlakian. I have been a Resident of Rockville for 27 years.

My home is next to parkland that offers a deer habitat area (Monument Park). At least once a day, a herd of 4 and up to 12 deer graze across my front yard. Our front plantings have been decimated by hungry deer. With no management of the deer population, adult bucks stare back at me while I take out the garbage. Suffice it to say, I am familiar with Rockville's burgeoning deer population issues.

I share my own story to ask you to consider adopting the **Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12 that was adopted in 2003**. Currently the City of Rockville has no guidelines around Deer Fencing despite the urgent need and the overwhelming demand from the citizens for relief from ongoing and severe property damage.

As someone who watches it happen every day, hungry deer destroy every plant in their path. These plantings costs hundreds, and sometimes thousands, of dollars to purchase and plant. A landscaped property is a boon to Rockville. The city's beautiful neighborhoods are one of the reasons it is repeatedly named one of the best places to live in the DC area. Landscaping represents a significant financial investment for homeowners and often represents decades of time and effort—a financial and time investment that can be lost in a matter of days if hungry deer find their way onto your property.

Imagine if Rockville was facing a situation where roaming gangs were destroying thousands of dollars of homeowner property on a regular basis. I imagine City staff would find that concerning and respond urgently. But their position on deer doing the same level of property damage is: *Oh well*.

There is an unspoken contract between government and the governed. We place our trust you to make wise decisions for the best of our community. Currently, we have a situation where the City is actively and knowingly contributing to homeowner damage by taking minimal action to manage the deer

population. Even worse, the City is then *fining homeowners \$1000 a day* for protecting their home (ie, hanging removable deer mesh). This is simply not acceptable. It's time for common sense: **I urge you to consider adopting the Montgomery Country's 2003/2004 Deer Fencing amendment/ Zoning Text Amendment (ZTA) 03-12.** Thank you for your attention.

Rebecca Parlakian

124 Monument Street – Rockville, MD 20850



Judy Penny

From: Jack Thirolf [REDACTED]
Sent: Monday, December 1, 2025 9:33 AM
To: mayorcouncil
Cc: Catherine Frances Peff
Subject: Support for Adopting County's Deer Fencing Standards

WARNING - External email. Exercise caution.

Hello, Mayor Ashton and Councilmembers,

I understand you are considering updating the City's rules for deer fencing by adopting the County's rules adopted back in 2003. We live at 100 Forest Ave in Rockville and are writing to support this action.

Deer are majestic animals; because of severe overpopulation, they're also a major threat to our habitats and ecology. See a good short summary on the regional problem [here](#) from *Audubon Magazine*. Closer to home, the native pollinator gardens the Beall Elementary School PTA helped fundraise for and that the Beall kids planted are almost all eaten up and destroyed due to deer. The native trees that would normally propagate in the forest preserves near Welsh Park, Croydon Creek, or elsewhere in the City are eaten up almost immediately. Without intervention, invasive trees and plants all that will be left in a few decades. The great tomatoes and lettuce we used to grow when I was growing up in Hungerford are now impossible without cages--my father has moved all his produce gardening to the protected enclosure at the Senior Center.

There isn't an easy physical or political solution to this challenge, but allowing residents to put up simple, removable eight-foot high screens is a reasonable and low-risk approach. The City should encourage and make it easy for residents to take good care of their homes and land. This costs the City nothing, comports with the approach from surrounding communities around the County, and will encourage a healthier natural Rockville.

Jack and Catherine Thirolf

Editorial Changes

Edit the text for “plain english” and to make all sentences concise, precise, and decisive:

TERMS to REVIEW and replace ...“thereof”, “be” “set forth” “commence” “in accordance with” “pursuant to” “provisions of” “prior to” “not” “shall” “and/or” “either or” “deemed to be” “so long as” “transmit” “including but not limited to” ”via” “vis a vie” “de novo” “not” “no” “expiration” “deemed” thereof” “render” “thereto” “prescribed” “either/or” “and/or” “shall” “should” “pertains” “subsequent” “incidental”

after the word “including”, delete “but not limited to” (it is defined that way)

delete the plural after the singular (all singular nouns include the plural)

Avoid negative requirements (using “no” or “not”) when it can be replaced with positive statements

“not allowed” = prohibited

“not greater than” = equal to or less than

“not less than”= “at least” or “a minimum of”

Avoid sentences in passive voice...the subject of a sentence should be stated first

Remove double negatives (such as “not inconsistent”) and multiple exceptions in the same sentence.

Use the same phrase when the intent is to say the same thing. Eliminate words that say the same thing in the same sentence.

Put all defined term in the defined terms section instead of referencing other sections of the chapter

In final text, put in hyper-links where there are references to code sections or defined terms are used

Non-policy Substantive changes

- 1- Make the digital Zoning Map the official zoning map
- 2 - Review all purpose statements and at a minimum the use of the terms “aesthetic” and “high quality” are problems. Under Article 8...there are purpose statements but it is used only in one subsection for the purpose of allowing waivers.
- 3 - Review requirements to comply with unspecified Maryland Law (it puts a burden on the reader to figure out what that means). It is unnecessary some places where the zoning code complies with Maryland Law
- 4 - Add a definition of “subordinate”
- 5 - Add in “interpretation” a statement that whenever a law, regulation or guideline is referred to...it includes all amendments to those laws regulations and guidelines... then delete “as amended” after those references in the code
- 6- Determine what terms defined in the zoning code are also defined in the building code and which defined term are more restrictive in the building code. SOLVE THE PROBLEM YOU ARE GIVING READERS.
- 7- In the “Severability” section 25.1.1.7
 - a) add ‘ultra vires’ as a reason courts may strike provisions
 - b) delete the hypothetical on a future amendment (if such an amendment happens, it could then amend the severability section)

Holly Simmons

From: Ryan P. Murphy [REDACTED]
Sent: Thursday, January 22, 2026 9:22 AM
To: Planning Commission
Cc: Jim Wasilak
Subject: 2026 Starter and Silver Homes Act (HB239; SB36)

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING - External email. Exercise caution.

I noticed in the agenda for the 1/28 planning commission meeting a discussion of the changes to Rockville's zoning ordinance that would be required if these bills were to pass (starting on page 14).

These proposals all seem fantastic and would be very positive for housing affordability in Rockville. Can we make these changes in the zoning ordinance regardless of what version of those bills (if any) the state ultimately passes?

Thank you,
Ryan P. Murphy

Holly Simmons

From: Linda Moran
Sent: Friday, January 23, 2026 3:26 PM
To: Holly Simmons
Subject: FW: 2026 Starter and Silver Homes Act (HB239; SB36)



Rise Together

Linda Moran
Associate City Manager
City Manager's Office
P. 240-314-8115
www.rockvillemd.gov




From: Ryan P. Murphy [REDACTED]
Sent: Thursday, January 22, 2026 11:57 AM
To: mayorcouncil <mayorcouncil@rockvillemd.gov>
Subject: Fwd: 2026 Starter and Silver Homes Act (HB239; SB36)

WARNING - External email. Exercise caution.

I noticed in the agenda for the 1/28 planning commission meeting a discussion of the changes to Rockville's zoning ordinance that would be required if these bills were to pass (starting on page 14).

As currently drafted, the bill generally would preempt the City from adopting or enforcing:

1. Any rules or regulations that would establish:
 - Minimum lot sizes greater than 5,000sf for any lot served by public water and sewer on which a single-family home could be located;
 - Minimum square footage or exterior dimension requirements for single-family homes;
 - Lot coverage maximums for single-family homes and any accessory structures;
 - Setbacks for single-family homes and any accessory structures greater than:
 - Front/rear: 10 feet
 - Side: 5 feet
 - Design, architectural, or aesthetic elements for single-family homes;

- 
2. Any rules or regulations that would prohibit the placement of townhouses in single-unit zones (i.e., this would require that townhouses be allowed in all areas in which detached single-family homes are permitted);
 3. Any rules or regulations that would prohibit an improved lot in a single-unit residential zone from being subdivided into three or fewer lots that conform to local law, unless the improved lot was created by subdivision within the preceding three years.

These proposals all seem fantastic and would be very positive for housing affordability in Rockville. What is stopping us from making these changes in the zoning ordinance regardless of what version of those bills (if any) the state ultimately passes?

Thank you,
Ryan P. Murphy



VIA E-MAIL

January 26th, 2026

Jim Wasilak
jwasilak@rockvillemd.gov

City of Rockville Townhouse Ordinance

Dear Jim Wasilak,

I am writing to discuss the language proposed in Section 25.6.3.13 of the new City of Rockville ordinance. As currently written, the language appears to eliminate the ability to provide front-load townhomes within the City of Rockville. Specifically, I have concerns regarding the following two requirements related to front-load townhomes.

First, the ordinance states that a garage may not comprise more than 50 percent of the front façade. For a typical 22-foot-wide front-load townhome with a two-car garage, the garage is approximately 16 feet wide. Under this requirement, such units would need to be at least 32-feet wide to comply. This outcome would interfere with the City's goal of increasing housing supply and would also have a negative impact on affordability.

Second, the ordinance limits driveway widths to no more than 10-feet within eight feet of the curb. To accommodate two parking spaces under this restriction, driveways would need to be approximately 26 feet in length. This would result in excessive impervious area, reduce marketability, increase construction costs, and decrease achievable density within planned developments.

These impacts will hinder the City's ability to achieve its stated objectives of increasing the overall housing supply and expanding access to attainable housing. I appreciate your time reviewing this matter.

Sincerely,

David C. DeMarco

David DeMarco
Pulte Group Vice President, Land Acquisition

Patricia A. Harris, Esq.


January 27, 2026

*Via Electronic Mail*City of Rockville Planning Commission
111 Maryland Avenue
Rockville City Hall
Rockville, MD 20850

Re: City of Rockville (the “City) Zoning Ordinance Rewrite

Dear Commissioner Sun and Members of the Planning Commission:

On behalf of several townhouse developers who are active in the City, we wanted to take this opportunity to identify several provisions of the Draft Zoning Ordinance that will have the unintended consequence of making townhouse development in the City more difficult and as such appear to be contrary to the City’s overall goal of encouraging the development of more residential units within the City.

The first two comments below relate to the proposed restrictions on front-loaded townhouses. We understand the City’s preference for rear-loaded townhouses and in a number of recent cases, Applicants have reduced the number of front-loaded townhouses to respond to Staff’s comments. However, there will inevitably be townhouse projects where the provision of front-loaded units is appropriate and the requirements of the of the Zoning Ordinance should not impose restrictions that result in less desirable, less marketable units in these situations.

1. Section 25.6.3.13 - Restricting Width of Front-Loaded Garages in Town Houses¹

The use standards for front-loaded townhouses set forth in Section 25.6.3.13 provides in part as follows:

“The garage door must not constitute more than 50 percent of the ground-floor facade of the Townhouse.”

Foremost, it is not clear whether this provision is intended to control the linear footage (e.g. in a 24 foot wide townhouse the garage could not exceed 12 feet in width) or whether it pertains to total square footage of the façade of the ground floor. This should be clarified. In addition, it is not clear what objective is being served by this provision. Section 25.6.3.13 provides that all

¹ To the extent that a three unit or four unit stick of units is considered a “multi-plex” use as opposed to a “townhouse” use, the concerns and comments provided extend to Section 25.6.3.11 which imposes the same front-loaded restrictions for multi-plex units.

required site elements must be accommodated on the lot. Thus, the requirement limiting the garage width is not serving any functional requirement and as shown by the attached images, front-loaded townhouses with two car garages can be designed in a tasteful and attractive manner, making the need for additional controls questionable.

A visual inspection of almost any townhouse community containing front-loaded units reveals that it will be virtually impossible to meet this requirement, which has the practical effect of prohibiting front loaded townhouses. Townhouses are constructed in a variety of widths with 16, 20, 22 and 24 feet width being the most common. Most townhouses, which are located in more suburban locations where transit options are more limited, include a two-car garage given the reality that the vast majority of households in townhouse communities own two cars. The typical width of a two car garage door is 16 feet. Thus, to meet this 50 percent requirement, the townhouse would have to be a minimum of 32 feet wide, which is simply unheard of – neither an efficient townhouse plan nor the economics would support such a townhouse configuration. Moreover, the alternative, which is to provide a single-width tandem garage is not practical given that it would require constant shuffling of cars which is undesirable from a market perspective. Even the smaller 16 foot wide townhouses that often only have a single car garage could not meet the requirements of this provision given that the width of a single car garage is at least eight feet.

There are many reasons why front-loaded townhouses are desirable, including that they allow for an outdoor play area at the rear of the unit, which is a desirable feature, especially for young families, which presumably the City wants to attract and accommodate. In addition, there are often site constraints and environmental features present which make rear loaded townhouses simply not feasible or significantly more expensive to provide. For instance, the site could be located adjacent to a wooded area or adjacent to a steep terrain such that the construction of an alley to accommodate the rear loaded townhouses is not possible and/or results in the degradation of environmental features on the site. In addition, rear loaded townhouses result in the construction of more impervious areas (in addition to the public road in front of the row of townhouse units, an alley behind the row must also be constructed). Requiring rear loaded townhouses in these cases adds additional costs to townhouse construction.

The City has made it clear that one of its objectives is to encourage the development of more housing at reasonable costs. The proposed provision requiring that the garage door must not constitute more than 50 percent of the width of the ground floor facade is contrary to the City’s housing goals. For these reasons, we strongly urge the Planning Commission to recommend that this provision be deleted.

2. Section 25.6.3.13 – Width of Driveways

Section 25.6.3.13 provides in part as follows:

Within the first eight feet from the curb, driveways of front-loaded units may be no greater than 10 feet wide.

The typical driveway width for a two car garage is 16 feet. Limiting the width to 10 feet does not accommodate a maneuverable driveway. In the event the City were to adopt the 50 percent garage width requirement discussed above thus forcing tandem garages, there is even more need for room to maneuver vehicles, given the amount of shuffling of vehicles that will occur given the restrictive parking area.

3. Sections 25.7.1.6-1 and 7.1.7-1-- RMD-10 and RMD-25 Rear Yard Requirements

Section 25.7.1.6-1 requires a minimum of a 20 foot rear yard setback in the RMD-10 Zone and Section 25.7.1.7-1 requires a minimum of a 25 foot rear yard setback in the RMD-25 Zone. Both of these zones are intended for medium density residential uses, including townhomes, multi-plex and apartment buildings. Especially as it relates to townhomes and multiplexes (which includes two over two units) a rear yard of 20 feet or 25 feet is excessive and unnecessary and is counter to the efficient layout intended by these medium density zones. By way of comparison, the rear yard requirement in the R-60 and R-75 zones – zones that are intended for single family development and allowing for a maximum density of only 7.26 units per acre and 5.8 units per acre is 20 feet. It is contrary to the intent of these medium density zones to require a 20-foot rear yard setback and it makes it difficult to achieve the intended densities of these zones.

In the spirit of furthering the City's housing objectives by encouraging the development of more needed housing, we suggest that the Planning Commission recommend reducing the rear yard setback to 15 feet, which is more in line with standard townhouse communities.

We appreciate the opportunity to share these suggested recommendations with you and encourage your support of our recommendations.

Very truly yours,



Patricia A. Harris

Attachment





22' and 24' Townhomes

January 28, 2026

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

Subject: Zoning Ordinance Rewrite and Map Amendment Application MAP2026-00126, for the Comprehensive Map Amendment

Dear Chair Sun,

The Maryland Building Industry Association (MBIA) is reaching out in regards to the Zoning Ordinance Rewrite, specifically Section 25.6.3.13 Townhouses. We have concerns regarding the proposed standards for front-loaded townhouses, particularly as they relate to site functionality and streetscape quality. Front-loaded townhouses, where garages face a public street rather than an alley, must accommodate a wide range of required site elements, including wet and dry utilities, street lighting, traffic signals, storm drainage infrastructure, and storm water management facilities.

The language appears to eliminate the ability to provide front load, two car garage townhomes in Rockville. Front-load townhomes within the City of Rockville. We are concerned that limiting garage doors to no more than 50 percent of the ground-floor façade, while well-intentioned, may further constrain design flexibility on narrower lots where driveway access, utility placement, and storm water infrastructure must all be accommodated within a For a typical 22-foot-wide front-load townhome with a two-car garage, the garage is approximately 16 feet wide. Under this requirement, such units would need to be at least 32-feet wide to comply.

Additionally, the requirement that driveways be no greater than ten feet wide within the first eight feet from the curb may create practical difficulties for safe vehicle access and maneuverability, particularly when combined with on-street parking, curbside utilities, and pedestrian infrastructure.

While we understand the City's intent and preference for rear load townhomes, the market continues to dictate toward two car garages where frontload configurations make sense. The options left as written in the ordinance are a one car garage, or a 36 foot wide front load townhome, which is not a common product to accommodate an 18 plus foot garage.

Collectively, these requirements would limit the feasibility of front-loaded townhouse designs, reduce site efficiency, and increase development costs which in turn increases the cost of house.

We respectfully request further evaluation of these standards and consideration of additional flexibility to ensure they can be implemented effectively.

Respectfully,

Griffin Benton
Maryland Building Industry Association



Respondent No: ■

Login: ■

Email: ■

Responded At: ■

Last Seen: ■

IP Address: ■

Q1. What do you see as the biggest strengths of the Staff Draft Zoning Ordinance?

not answered

Q2. Do you have concerns with anything in the Staff Draft Zoning Ordinance? If yes, please describe any specific sections or topics.

not answered

Q3. Is there anything missing from the Staff Draft Zoning Ordinance that you would like to see included?

Yes, As part of the Zoning Ordinance Rewrite, we encourage the City to consider allowing indoor self-service storage as a permitted or conditional use within the MXTD district, limited to adaptive reuse of existing buildings where no exterior modifications are proposed. Given ongoing office vacancy challenges in the Town Center, this type of limited flexibility could support reinvestment and continued activation of existing mixed-use buildings, while remaining consistent with the MXTD district's urban, transit-oriented character. Allowing such a use under clearly defined standards would provide property owners with an additional reuse option without undermining the intent of the zoning district or the Town Center Master Plan.

Q4. Do you have any additional comments or feedback on the Staff Draft Zoning Ordinance you would like to share?

not answered

Q5. How engaged/aware were you of the Zoning Ordinance Rewrite and Comprehensive Map Amendment project prior to the release of the Staff draft materials on December 4, 2025?

Somewhat Engaged - I was generally aware of this project, but didn't know many details.

Q6. How are you interacting with the Staff Draft Zoning Ordinance? Please check all that apply.

I am a Rockville property owner.

Q7. What neighborhood do you reside in?

not answered

Q8. Where is the property you own located?

11 N Washington Street, One Church Street, 20 Courthouse Sq, 1010-1060 Rockville Pike, 1043-1099 Rockville Pike and 701 Dover Rd

Q9. What business do you own? Where is your business located?

not answered

Q10. What firm do you represent?

not answered

Q11. If you selected "other," please explain how you are interacting with the draft Zoning Ordinance.


not answered

Q12. Name (optional)

Jason Pepin

Q13. Email

■

Patricia A. Harris, Esq.


February 2, 2026

Via Electronic Mail

James Wasilak
Chief of Zoning and Planning
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850

Holly Simons
Deputy Zoning Manager
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850
lly Simmons

Re: Zoning Ordinance Rewrite

Dear Jim and Holly:

Following up on my testimony before the Planning Commission last week, I wanted to bring to your attention several other provisions of the draft Zoning Ordinance that appear potential obstacles to either townhouse or multi-family development that I did not have the time to address in my testimony. While we will raise these with the Mayor and Council during the public hearing process, we wanted to share these with you at this time, in order that you have sufficient time to consider potential revisions to address the concerns that we raise.

1. **Townhouse vs. Multiplex (Sections 6.3.11 and 6.3.13)** – Based on the use definitions, it appears that a townhouse is a row of five or more units, while a row of two, three or four units is considered a multiplex use. This appears inconsistent with the intent, especially given that the Use Table and Parking Standards treat the two uses differently. A row of two, three or four horizontally aligned units should not be classified in a more intensive use classification (i.e. multiplex) than a row of five units.
2. **Parking Standards (Section 8.2.5-1)** – The parking standard for a townhouse unit is 1.5 spaces per unit. Given that a townhouse is on an individual lot, the 1.5 spaces per townhouse unit is not practical. We recommend that language be added that the 1.5 spaces per lot and the 1 visitor space per two units be averaged across all townhouse units in a given project.

3. **Setbacks in the Mixed Use zones, abutting nonresidential land (Section 7.3)** – The rear and sideyard setback standards for properties abutting nonresidential land is “none required. 10 foot minimum if provided.” As you may recall, we ran into this issue on several recent townhouse projects as it related to the setbacks within the community. It was determined based on how this issue was addressed on other previously approved projects, that if the Site Plan development table indicated a setback of 0 feet, the applicant had the flexibility to increase that setback and was not required to provide a 10-foot setback. However, during our discussions on these projects, Staff indicated that the new Zoning Ordinance would revise these development standards to eliminate this confusion and accordingly, we recommend that the language “10-foot minimum if provided” be eliminated.
4. **Setbacks in the Mixed Use zones, abutting residential property (Section 7.3)** – All of the mixed use zones, except the MXT and MXC zones, require a 25-foot setback when a property abuts residential property. While we understand the desire for a 25-foot setback when a more intensive residential use type (i.e. townhouses) abuts a single-family detached zone, the setback is not necessary when the residential use type abuts another residential use type of equal or greater intensity (e.g. a townhouse community abutting a townhouse community).
5. **Mixed Use Design Standards (Section 7.3.8(a)(1)A.1 and 2)** – This Section requires a 10-foot setback at the third floor for a building 50 feet in height or more and a 10-foot setback at 85 feet for a building 85 feet in height or more. Requiring a 10-foot setback at the third floor of a 50-foot tall building is overly prescriptive and in many contexts, simply not necessary from an urban design standpoint, particularly if a 20 to 25 foot side and rear setbacks are already required to mixed-use zoned projects abutting residential zones. There are numerous examples throughout the City of modestly sized four-story residential buildings constructed over one or two levels of parking (for an overall height of approximately 65-70 feet) that have no setbacks which are wholly compatible with the surrounding area. Given the relatively small footprint of these buildings, the imposition of a 10-foot setback at 50 feet adversely affects the unit layout and size of the upper story units, not to mention the additional construction costs. We recommend that the City consider increasing the height triggers to 70 feet and 95 feet.

Thank you for the time and attention that you have committed to the Zoning Ordinance Rewrite process and we appreciate your consideration of these comments.

Sincerely,



Patricia A. Harris



Respondent No: [REDACTED]
 Login: [REDACTED]
 Email: [REDACTED]

Responded At: [REDACTED]
 Last Seen: [REDACTED]
 IP Address: [REDACTED]

Q1. What do you see as the biggest strengths of the Staff Draft Zoning Ordinance?

not answered

Q2. Do you have concerns with anything in the Staff Draft Zoning Ordinance? If yes, please describe any specific sections or topics.

The staff proposed a fencing code revision that is intended to adopt Montgomery County deer fencing provisions at the January 28 planning commission meeting. A definition for deer fencing would be beneficial, but the discussion did not clearly justify a prohibition on deer fencing in front yards above 4' tall - a height that is useless to protect against deer as compared with 6.5' or 8'. Homeowners who work with the city to install conservation landscaping/native plants in front yards should not be penalized for protecting such investments. At the very least, an exception could be made for those sections of properties that can be certified as native gardens. More generally, the city's interest should be to balance safety/visibility standards with deer protection needs. It should not use the zoning code to enforce a certain aesthetic that runs counter to other city and county goals such as conservation landscaping or the Rainscapes program.

Q3. Is there anything missing from the Staff Draft Zoning Ordinance that you would like to see included?

not answered

Q4. Do you have any additional comments or feedback on the Staff Draft Zoning Ordinance you would like to share?

not answered

Q5. How engaged/aware were you of the Zoning Ordinance Rewrite and Comprehensive Map Amendment project prior to the release of the Staff draft materials on December 4, 2025?

Somewhat Engaged - I was generally aware of this project, but didn't know many details.

Q6. How are you interacting with the Staff Draft Zoning Ordinance? Please check all that apply.

I am a Rockville resident.
 I am a Rockville property owner.

Q7. What neighborhood do you reside in?

Hungerford Towne

Q8. Where is the property you own located?

15 Bowie Ct

Q9. What business do you own? Where is your business located?

not answered

Q10. What firm do you represent?

not answered

Q11. If you selected "other," please explain how you are interacting with the draft Zoning Ordinance.

not answered

Q12. Name (optional)

not answered

Q13. Email

[REDACTED]

Holly Simmons

From: Jim Wasilak
Sent: Wednesday, February 4, 2026 11:28 AM
To: Planning Commission; Jeff Zyontz
Subject: Fw: Written Testimony for the Planning Commission on Deer Fencing (w/ photo and video)
Attachments: PXL_20250818_171102951.jpg; PXL_20260202_215809368.jpg; Front Yard doorbell Activity or animal seen 2025-07-05 19-18-34.mp4

Commissioners, please see the attached. Jim

From: [REDACTED]
Sent: Tuesday, February 3, 2026 6:08 PM
To: Jim Wasilak <jwasilak@rockvillemd.gov>
Subject: Written Testimony for the Planning Commission on Deer Fencing (w/ photo and video)

WARNING - External email. Exercise caution.

Good Evening Jim,

I am a Hungerford resident with a corner lot (15 Bowie Ct.) and would like to provide written comments on the proposed deer fencing ordinance amendment:

On January 28, the staff proposed to the planning commission a fencing code revision that is intended to mirror Montgomery County's deer fencing provision. A definition for deer fencing like the county's would be beneficial, but the discussion did not clearly justify a prohibition on deer fencing in front yards above 4' tall - a height that is useless to protect against deer as compared with 6.5' or 8'.

Homeowners who work with the city to install conservation landscaping/native plants in front yards should not be penalized for protecting such investments. At the very least, an exception could be made for those sections of properties that can be certified as native gardens. More generally, the city's interest should be to balance safety/visibility standards with deer protection needs. It should not use the zoning code to enforce a certain aesthetic that runs counter to other city and county goals such as conservation landscaping or the Rainscapes program.

The staff did not provide the planning commission with any examples of properties that would be affected by the proposed code change. There are at least a dozen in Hungerford and I have attached a photo of my own property in Hungerford. As a corner lot, my side yard (i.e. side front) has an approved/permitted 4' wood fence and a 7' deer fence behind it that is barely visible from the street corner. My front yard (beyond the house face) includes some 6.5' fencing to protect a native garden patch.

For some light humor relevant to the matter, I also attached a video of a deer being deterred from going through the fencing last Spring. The commission might thus see that this kind of fencing is not an eyesore when done properly and serves to advance other city goals like the use of rain conservation techniques and native landscaping.

Sincerely,
Parke Nicholson
15 Bowie Ct, Rockville

Lowie Ct





Holly Simmons

From: Mark Pierzchala [REDACTED]
Sent: Tuesday, February 3, 2026 6:14 PM
To: mayorcouncil; mayorcouncil
Cc: zoning; Jim Wasilak
Subject: Document refuting statements made against me by Greater Greater Washington in 2023
Attachments: MMP Direct Response to GGW Criticism - Final - Official Release 20260203.pdf

WARNING - External email. Exercise caution.

February 3, 2026

Dear Mayor and Council, City Manager and Office, and Department Heads,

I have cc'd CPDS and Jim Wasilak with the specific intention that the Planning Commission members receive this email.

I have attached a 100-page document that does 3 things. First, it refutes some claims made against me by Greater Greater Washington (GGW) in their 2023 endorsement message. Some of the things they said about me were completely wrong. Additionally, GGW missed out on several important issues that illustrate that I have been a consistent supporter of housing and transit over my 12 years in office. For a few things that they stated correctly about me, I provide some context.

Second, I provide several appendices that give timelines for several difficult housing situations and what it took to surmount them in order to provide housing. I put these timelines together as starts of case studies in case any academics want to write them up.

Third, I start to point out where the proposed APFO modifications would have stopped important housing developments. A very interesting case study is Silverwood (then the Bainbridge, now the Reed). Without key changes to the APFS on 3-2 votes, the Reed would still be an underused lot, an 8-minute walk to the Shady Grove Metro platform.

In the document, I don't question the outcome of the 2023 election, I say nice things about Mayor Monique Ashton and this elected body, but GGW's characterization of me was so misleading, I felt I had to respond.

In the document I state that I will no longer run for City of Rockville office. However, I do state that I might (1) run for County or State office in 2026. If not run for office, then (2) apply for County or State Boards or Commissions. Whether it's (1) or (2), or neither of then, I do not want this characterization of me, with respect to housing and transit, to go uncontested.

In the document, you can see the number of hours and the chronological length of time it took to write this up. It was a massive effort.

In the 2026 ZOR revision, you may have heard that I already addressed the Planning Commission urging them to dump the APFO/APFS. This document starts, and only starts, to explain why.

Yours.

Mark Pierzchala

My Response to Greater Greater Washington's (GGW) 2023 Statements about Me in its 2023 Endorsement Message

Mark Pierzchala – February 3, 2026 

Summary

In 2023, GGW endorsed Monique Ashton for Rockville Mayor over me. She won decisively. My complaint is with GGW, not Mayor Monique Ashton. The endorsement mostly revolved around the provision of an adequate supply of new housing and transit. GGW wrote several paragraphs about both of us.

GGW substantially misrepresented my record on housing and transit.

GGW has a right to endorse candidates according to its own criteria.

However, this document *explicitly calls into question* GGW's endorsement process. GGW must develop and follow stricter endorsement protocols.

It also responds, at length, to GGW's inaccurate and misleading statements about my record on housing and transit. As a Rockville Councilmember, I was a constant voting and vocal supporter of providing more housing and transit including the Corridor Cities Transitway (CCT). This was true in the face of frequent, vehement opposition to controversial projects. Starting with the 2013 election, my support of housing and the CCT hurt me greatly when running for Mayor or Council.

I provide information about several large, controversial issues and projects that should have been considered by GGW. These omissions are egregious in any treatment of Rockville housing. These issues have been turning points in Rockville elections that have historically put anti-housing candidates in office (I am not referring to the present Rockville officeholders, the 2023-2027 term).

GGW must stay away from candidates' demographic characteristics and partisan references in its endorsements. It should focus on its main issues, accurate candidates' histories, stances, and what the candidates want to do. GGW should refrain from detailed discussions of non-endorsed candidates.

I acknowledge GGW's role in turning around the conversation about housing, the past several years. It should recognize those, like me and others, who led the way.

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Executive Summary

Mark Pierzchala's Response to 2023 GGW Criticism

I respond to Greater Greater Washington's (GGW) explicit and implicit criticism of me in the November 2023 election. This response corrects factual errors made in GGW's description of me and my record. There were also errors of omission and contextual issues. Taken together, the GGW endorsement statements constituted a substantial misrepresentation of my record.

Disclaimer on Release

GGW received a pre-release on December 4 and 6, 2025 (the latter for a revised Appendix Z). Other than hired assistance (deliberately outside of Rockville) and my wife, no one else or other organization has seen a prior release of this document. I made a huge effort to be accurate and even handed. I apologize for any errors.

The 2023 Election Result

I lost the 2023 Rockville Mayoral election decisively to Mayor Ashton. This document does not dispute that. I congratulated the Mayor on her election win. I have moved on. My complaint is with GGW, not Monique Ashton.

What I Want to Get from GGW Out of This Response

GGW reform its endorsement process. There are explicit steps mentioned below.

GGW post this response on its website next to its 2023 endorsement posting.

At the top of the 2023 GGW endorsement posting, GGW place a short paragraph referring to this response and its posting (with a link to my statement).

Additional Goals

In addition to correcting statements about me and providing context, I wanted to (1) provide a thorough starting resource should anyone be interested in conducting further research on housing issues in Rockville in the 21st Century. Several interesting case studies could be written, and (2) start to point out, but not completely describe, how proposed 2026 revisions in the Adequate Public Facilities Ordinance (APFO) would have made impossible some key changes in the Adequate Public Facilities Standards (APFS), that were made on 3-2 votes. This is due to the proposed requirement of a super majority. Search for **2026 ZOR**. The Reed apartments near Shady Grove Metro would not have been built under a super majority requirement.

Why Now

I am contemplating returning to the public sector, either running for County or State office, or alternatively, applying for various County or State boards. (I am not planning any more to run for City of Rockville office.) The 2023 GGW candidate endorsements are still online. I cannot have

Mark Pierzchala
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this description continue to misconstrue my record. A mere deletion of the link will not suffice. Someone has archived it, ready to rebroadcast it.

Why I Did Not Respond Earlier

Starting January 2021, I was suddenly thrust into constant and extensive caregiving for 4 older members of my family, and when 3 of them died, as executors of their estates. My heavy caregiving continued through the 2023 Mayoral campaign and beyond. An in-campaign rebuttal to the GGW write-up was not possible, especially given its length.

The breadth and depth of the wrongful GGW criticisms of me were so great, covering so many years, meetings, and events, that the research needed to respond accurately was too extensive to take on until 2024 and 2025, and even in those years. it was difficult to make a sustained effort.

About Monique Ashton

Mayor Monique Ashton is an incredibly smart person. She is also a senior executive in a private company and in other ways has consistently shown her capabilities. She ran a great 2023 campaign. It was a civil campaign. I took no shame in losing to her. She is doing a fine job as Mayor. I would also have done a fine job as Mayor but with different emphases.

About the Current Mayor and Council (2023-2027 Term)

This Mayor and Council adopted a credible Town Center Master Plan (that I made sure was on their plate in the previous term). They have just approved an affordable housing project in the heart of Rockville's Town Center. The body's majority is firmly against counterproductive rent-control legislation that would dissuade developers from building in Rockville. From the standpoint of enabling legislation for the production of housing, I do not have any complaints. They are on track to revise the City's zoning ordinance in 2026. We will see how they do, especially if they are willing to take on the negative effects of the Adequate Public Facilities Ordinance (APFO) when it comes to providing housing.

The Effort it Took to Write This Response

During my 12 years on the Council, I participated in 425 public Mayor and Council meetings with only one missed meeting due to a Sister Cities trip to China. A huge challenge was to sift through all these meetings for selected issues and verbal statements. The starting date was January 25, 2024. The ending date was February 2, 2026. This effort took more than 366 hours of my time (over 9 work weeks), over 25 months. I spent over \$3,000 on paid assistance and software licenses. Further, I had to overcome great resentment to approach this task.

How to Read This Document

It is best to read this on a computer screen; there are many links to support documents.

The Appendices

The appendices support statements in the substantive responses to GGW statements. They portray my votes through constructed issue timelines. Through these, I could:

- Try to make sure that I didn't miss important events.
- Better connect one event to another in chronological order.
- Better illustrate how these issues take several to many meetings, sometimes over different years and Councils terms.
- Portray votes and other events within the correct context.
- Make it easier for further case-study research on housing issues in Rockville.

The appendices are dense. The timelines were tedious to construct. Most appendices contain a link to a Links Document that provides further links. These connect mostly to agenda packets and minutes. The agenda packets give the information that the Mayor and Council acted on. The minutes describe what the Mayor and Council did.

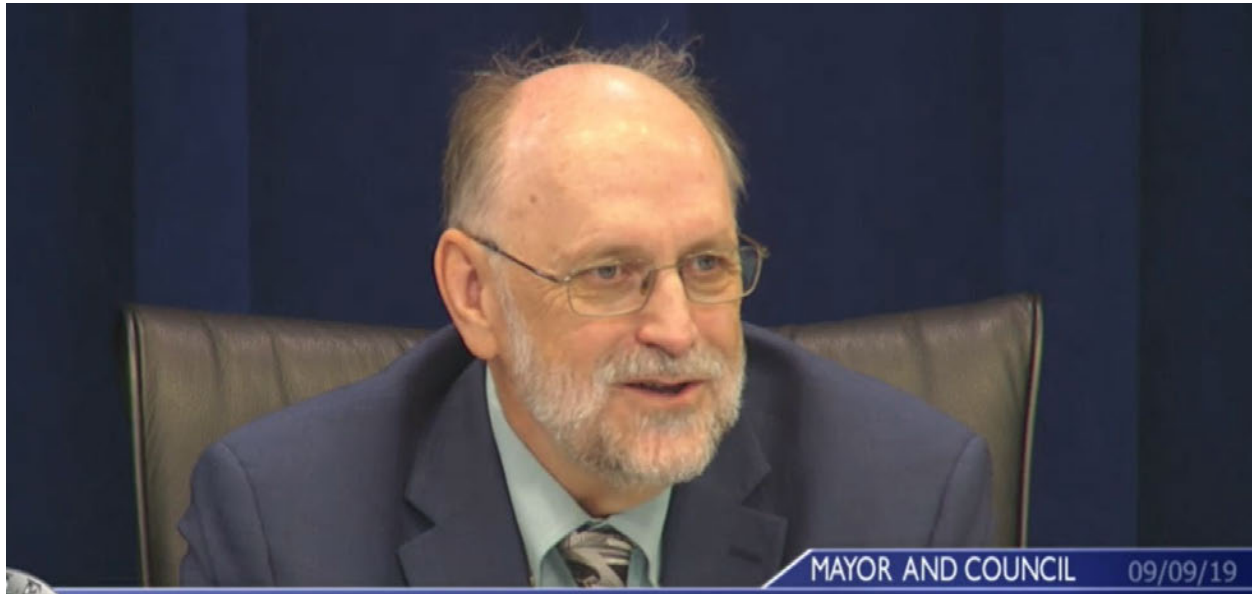
The City's website links to videos to each meeting. I did not duplicate these links.¹

My Persistent and Politically Costly Support for Housing

Before and throughout my 12 years as a Rockville Councilmember, over a more than 14-year span, I was a prominent and consistent advocate and supporter of housing initiatives in Rockville. Because of my overall length of service, no one else can claim the number of initiatives that I supported. During that time, I was blessed to have had some great housing supporters as elected colleagues, enough to approve various projects, many times on narrow votes, and often despite vigorous community opposition.

¹ At the time of this writing, the City's website is in transition. Links to meetings before 2022 have not yet been republished, though this will be done.

Figure 1: CM Mark Pierzchala Critiques Rockville and Montgomery County on Housing



Captured from City of Rockville Video from the Meeting of September 9, 2019

[Mark Pierzchala on Market Rate Housing and APFO September 9, 2019](#) (3 minutes).

My support for housing reform, through votes on specific projects, cost me heavily in my last several elections. For example, in 2013 when I lost to Bridget Newton for Mayor, there were 3 key housing issues and one key transportation issue that contributed to my defeat.

- Support for Silverwood (then Bainbridge, now The Reed) near King Farm
 - Achieved in great part through a modification of the APFS, see Appendix SW.
- Support for Fireside Park apartments near New Mark Commons and the West End.
 - Ugly and extensive opposition.
 - 236 naturally affordable homes were saved, see Appendix FPA.
- Support for Victory Court Senior Housing near the West End.
 - Ugly opposition. The Roman Catholic Archdiocese withdrew its request to Rockville’s Mayor and Council to write a letter of support for the project, and the Archdiocese had to win a court challenge to proceed.
 - See this link for a review of the courts case: [Victory Court Groundbreaking](#), the legal struggle is from 0:40 to 1:05, the court case is briefly mentioned. See Appendix VC.
- Support for the Corridor Cities Transitway through King Farm
 - I came to support this project through King Farm after extensive study, GGW got this one wrong too. See Appendix CCT.

My support of housing developments resulted in accusations that I “was in the hands of developers.” This became such a persistent accusation that I have had to put disclaimers on my campaign materials truthfully stating that I have never taken money from developers.

Mark Pierzchala
February 3, 2026

In sum, the GGW statements about me turned reality on its head through its inaccurate statements about me and my record.

My Personal Evolution on Housing

As councilmember, I took the initiative to deeply explore the complex subject of housing, especially the provision of attainable and affordable housing. This issue was not one of my priorities in my first term as a councilmember starting in November 2009. But even before my first election, on December 15, 2018, I spoke in favor of a controversial affordable housing initiative, Bealls's Grant II near the West End. (There were many comments made in a prior Planning Commission Meeting against, some derogatory. Such representations continued through other venues, positing increased crime, drug dealing, and other impacts.). The GGW description of my stance on that December evening was 180 degrees wrong, see **GGW3** below.

Through many developer proposals, initiatives by Rockville Housing Enterprises (RHE), Montgomery Housing Partnership (MHP), and others, and through the zoning ordinance and master plan amendments and adoptions, public statements, and campaign forums, I became one of the most reliable and outspoken advocates for the provision of housing.

Big Things GGW Missed

These include the APFO/APFS and large controversies.

Adequate Public Facilities Ordinance (APFO) and its Standards (APFS)

An Adequate Public Facilities Ordinance (APFO) seeks to ensure that applicable public infrastructure is in place to accommodate development. In Rockville, the ordinance's numeric targets are stated in the associated Standards (APFS).

It is not possible to understand the difficulties in providing housing in Rockville without explicitly considering the negative impact of the APFO and its implementing APFS. As demonstrated in the extensive **Appendix APF** below, the unintended impacts of the APFO/APFS have been seen in recurring issues resulting in several modifications to the APFO/APFS and ways to get around them. The APFO/APFS stopped one affordable housing project in its tracks, Beall's Grant II, and had to be overcome for other projects. We don't know when developers choose not to undertake a project because of the APFO/APFS. These regulations continue as a political hot-potato.

I initially supported the APFO because it sounded reasonable, but then I studied its impacts, and witnessed its shortcomings as a councilmember through several proposals, and concluded that it not only got in the way of housing but had other negative impacts for Rockville. I have been one of the few who publicly identified that Rockville's APFO/APFS are counterproductive, including for school construction, and have done so continuously. See Appendix APF. In the first part of this appendix, there is a link to the Mayor and Council meeting of September 9, 2019, where I publicly note how the APFO/APFS gets in the way of housing. The last part of Appendix APF has an extensive list of issues with the APFO/APFS.

Controversial Projects

GGW portrayed me as not standing up to anti-housing constituents. Again, this is totally inaccurate. Some projects have sparked large protest, or if not protested before implementation, played a large role in elections after. On these projects, I stood firm and voted or otherwise supported them. The list below is not complete.

1. Beall's Grant II: It was going to add 5 to 8 students to Beall Elementary. "MHP estimated that the proposed development would add 5 students, if built as a mid-rise building, or 8 students if built as a garden apartment complex." (Anselmo, et al., November 1, 2010). The APFO stopped the project. GGW wrongly portrayed my support as opposition. See **GGW3** below. See Appendix APF below.
2. Fireside Park Apartments: There was a large, persistent, and nasty opposition to this project. I was one of 3 votes (3-2) that kept this an affordable neighborhood of 236 units. See Appendix FPA below.
3. Silverwood (a. k. a. Bainbridge, Reed): This was allowed only after legislation changed the terms of the APFS for newly annexed land. Again, I was one of 3 votes (3-2). See Appendix SW below.
4. Twinbrook Quarter: There was mass protest, even if not successful. This one did get an approval 4-0 vote, but protests were large, persistent, and based on the APFO and my very public efforts to eliminate the effects of the APFO on this project hurt me in the 2023 election. See Appendix TQ below.

GGW Reforms for its Endorsements

As Maryland's 2026 State and County elections approach, GWW must revise its endorsement policies and procedures regardless of my individual decision to run for County or State office.

Reconsider Making Statements About Non-Endorsed Candidates

Other endorsers usually do not write about non-endorsed candidates. If GGW continues to describe non-endorsed candidates, including a candidate's perceived shortcomings, GGW should check facts, including contacting the candidate. GGW did not do this in Rockville's 2023 Mayoral race. It's easiest just to not write about non-endorsees.

Refinement of Protocol

GGW uses the questionnaire and other publicly available information such as votes and social media posts in formulating its endorsements. This document shows that GGW did not evaluate all important housing votes in Rockville. The consideration of these votes should be improved.

Truthfully, I just do not see how GGW has the staff resources to track all the meandering processes in all of the polities in the Greater Washington area. There is the District of Columbia, several counties, and numerous municipalities that act on these issues. Part of the reason that I included timelines in the Appendices is to demonstrate how involved these issues can be.

The use of social media is problematic. These are highly biased self-reporting sources. GGW should reconsider using social media as a source.

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GGW used some of its own articles covering Rockville as a source. But these articles did not always get things right and this led to a few of GGW's misstatements about me.

Questionnaire Issues

I have issues with a partisan question and with questionnaire construction.

Partisan Question

Question 21 cited survey responses of members of the Democratic Party. I am an unaffiliated voter. **The inclusion of this question was deeply offensive to me**, and by itself, almost led to me not answering the questionnaire. City of Rockville elections are officially non-partisan. Further, an issue-advocacy organization such as GGW should stay clear of any partisan references, even in partisan elections. While Montgomery County and Rockville have a high percentage of registered Democratic voters, there are numerous unaffiliated, Republican, and smaller party registrants.

My answer accurately pointed to 2 faults. First, the survey sample did not include the entire electorate. Second, such questions do not always faithfully reflect political behavior. To quote myself from the questionnaire:

“The question is in the abstract. When the project is a block away, the Democratic voters descend on City Hall.”

This was my experience before and during my 12 years as council member (over a 14-year span) for several housing projects. Question 21 and my answers are displayed in Figure 2.

Figure 2: Question 21 from the GGW 2023 City of Rockville Questionnaire and My Response

Last summer, Data for Progress asked Montgomery County residents the following: *According to the Planning Board, the population of Montgomery County is expected to [grow by more than 200,000 residents over the next 30 years](#). To accommodate this increase in population, would you support the construction of new homes, including duplexes, townhomes, and/or apartments, in your own neighborhood?*

MoCo voters support more homes in their neighborhood

In July 2022, Data for Progress asked likely Democratic voters in Montgomery County if they support the construction of new homes, including duplexes, townhomes, and/or apartments, in their own neighborhood? Most people said they did, particularly people under 45, those with college degrees, and renters.

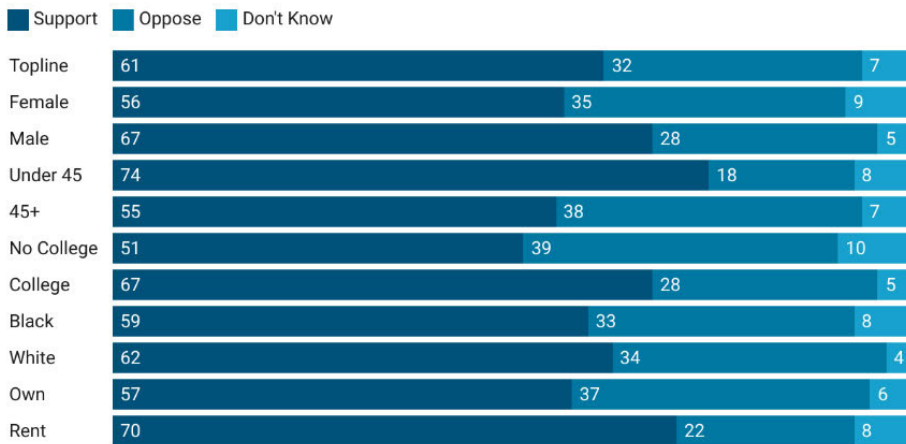


Chart: Dan Reed for Greater Greater Washington • Source: Data for Progress • Created with Datawrapper

* 21. In your own words, could you describe what this data means for the City as it makes decisions in the future?

These data mean nothing. I'm a survey statistician. The fact that these are likely Democratic voters eliminates many voters. The questions are in the abstract. When the project is a block away, the Democratic voters descend on City Hall.

Questionnaire Construction Issues

The housing issue cannot be adequately explored solely through a questionnaire that consists primarily of dropdown choices with little other possibility to explain a candidate's position.

GGW should hire a questionnaire development expert to revise its questionnaires.

1. Some of the questions and response choices were not well formed. Especially, some specific listed response possibilities did not list all viable alternatives.
2. 'Other specify' responses would have solved any issue with unlisted alternatives.
3. 'Please explain' responses would also have improved the questionnaire.
4. The questionnaire did not allow space for the candidate's history on the issue.
5. The questionnaire included questions specifically about GGW's proposals and left little to no room for alternative measures to achieve the same outcome.

Substantive Responses to GGW's Statements

My direct responses to each GGW statement allow me to point out inaccuracies (and accuracies), omissions, and contextual issues as they arose in the endorsement. First, I address the statements about me, then the statements about Ashton. GGW text as pulled from its website are in boxes.

GGW Statements about Mark Pierzchala (MMP)

The GGW statements in boxes are followed by my responses.

GGW1: Pierzchala does not Support Single-Family Rezoning

What about Mark Pierzchala?

We wanted to consider Pierzchala, [who we endorsed over Ashton in 2019](#). His [questionnaire](#) said he'd like to build more than 20,000 homes in Rockville by 2040, twice the city's current goal, by "zoning for denser housing."

But where? He supported building more homes near Metro and in community nodes, but not in areas zoned only for single-family homes.

- MMP: Correct and GGW offers false hope with this solution.

1. It is correct that I do not support rezoning the single-family homes zones.
2. There is plenty of room for 20,000 new homes in Rockville². The single-family zones are not necessary for this number and are an inefficient way to achieve housing³.
3. I have supported maintaining or adding new housing next to and near single-family zones at great political cost. Major controversies are covered in the appendices.
4. See a discussion on this issue in Appendix SF.

GGW2: Pierzchala Sides With People Who Didn't Want Things Near Them

And during his five terms on the City Council, Pierzchala has sided with people who didn't want things near them.

- MMP: Totally and absolutely incorrect over several controversial issues.

There are many examples where I supported housing in Rockville including on extraordinarily contested projects. Following are some of the most contested projects. Each is further explained in appendices below.

1. Beall's Grant II – see GGW 3 below.
2. National Lutheran Home (Appendix NLH)

² There are many small-to-large shopping centers near our transit station to supply a huge number of units. Additionally, in Rockville, two long streets are ripe for redevelopment. These Research Boulevard and Piccard Drive. These contain a number of unused or underused last-century office buildings that will not ever be used this way again. Both of these streets carry County buses, the frequency of which can be increased.

³ This is inefficient because of pace of changing over single-family plots to provide enough housing to make a difference. Also, this puts much new housing out of range of public transport.

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3. Victory Court Senior Affordable Housing (Appendix VC)
4. Fireside Park Apartments – over several years (Appendix FPA)
5. Silverwood (then the Bainbridge, now The Reed) Apartments near Shady Grove Metro (Appendix SW)
6. Twinbrook Quarter (Appendix TQ)

While serving as the President of the College Gardens Civic Association from 2004 to 2008⁴, I consulted internally with neighbors during several formal meetings, and the neighborhood agreed that College Plaza should be **upzoned** as a Mixed-Use Corridor District. See Appendix MPDU.

1. I convinced the neighborhood that upzoning would be the best way to ensure that the plaza would redevelop. This is something the College Gardens neighborhood had wanted for many years.
2. As a result of this advocacy, Mayor and Council upzoned College Plaza to a Mixed-Use Transit Corridor.
3. I was in open agreement with Combined Properties, the corporate owner of College Plaza to achieve this upzoning.

GGW3: Pierzchala Opposed Affordable Housing in an Affluent Neighborhood

He [won his first election in 2009](#)⁵ after [opposing an affordable housing development](#) in the city's affluent, historic West End.

- MMP: Totally incorrect – view: [Meeting of December 15, 2008 at 1:04:58](#).

1. I came out strongly in support of the original Beall's Grant II. The GGW statement is factually wrong; the direct opposite of what I said. From the tape, I quote myself (1:04:58 start):

“Mayor Hoffmann, Councilmembers Gajewski, Marcuccio, Robbins, and Britton. I find this whole episode very sad. This is now a political issue, not a policy issue. With members of Mayor and Council tripping over themselves [to] act as mediators, between 2 sides, one notes that there is a City election in 2009. I'm sure that some people are taking down names and keeping scores, such is local democracy. There's been a lot of posturing, [garbled], and going through the motions. My observation and my opinion is that there's no middle ground where the 2 sides can come together and that a 9-month delay will not result in a compromise. Thus, it is up to Mayor and Council to make a choice. I find 2 plausible objections to Beall's Grant II. One is the application of the Adequate Public Facilities Ordinance. This is a legal issue properly handled by the courts. I agree with Councilmember Britton that the law, . . . , that the written law can be

⁴ On November 5, 2025, I was again elected to be the College Gardens Civic Association President.

⁵ This GGW actually states that I supported mixed-used development. The preceding paragraph was loosely worded and indicates that I was an anti-change candidate, but then correctly states that I supported mixed-used development.

interpreted in various ways and that it's anyone's guess how this will turn out. If the APFO is not properly applied, then I agree that the project should not go ahead. The other reason is the size of the building. But yet, the building fits its zone, both in the current ordinance and the one you just adopted. What does it mean to have a zoning ordinance if it is not supported by City Staff, the Planning Commission, and the Mayor and Council? Montgomery Housing Partnership has done nothing wrong. Procedures were followed. WECA (West End Citizen Association) was involved. *I urge approval of the letter now* (emphasis added). There are many more positives than negatives to Beall's Grant II. The City needs workforce housing, and it needs to accommodate a number of people. And Montgomery Housing Partnership is the kind of developer who wants to create this kind of housing. The best predictor of the kinds of residents that will reside in Beall's Grant II are the residents that reside in Beall's Grant I. There is no problem here. What will the neighborhood get besides an admittedly large building? Just more good neighbors.”⁶

2. It was West End residents that stopped this project with a lawsuit. The court disagreed with the City Staff interpretations of the APFO. [Maryland Court of Special Appeals, John Enseldo, et al.](#)
3. This is an example of GGW including information outside the questionnaire, which is according to its protocol. Not only did GGW get it wrong, but it was also a 15-year-old Citizen Forum (as it was called then) comment, almost 11 months before I first took office and 15 years before the 2023 Mayoral election. How far back should GGW go?

GGW4: Pierzchala Opposed Building 7 Townhomes on the Site of Chestnut Lodge

When neighbors opposed plans to turn a [former mental hospital](#) into housing before [it mysteriously burned down](#), he [opposed plans to build just seven townhouses](#) on the site.

- MMP: Correct but it lacks the historical context.

1. The neighbors may have opposed the housing plans before the fire. I spoke after the fire. I had little to do with Chestnut Lodge before I was first elected except to participate twice in Peerless Rockville workgroups to clean up Frieda's Cottage.
2. I provided the motion and one of three votes to shut this proposal down. This vote surprised all of my elected colleagues. There would have been 7 high-end, and expensive, town homes with no affordable units. See Appendix CL.

⁶ Subsequent to this testimony, during the period of time when the issue of the correct application of the APFO was with the courts, some residents of the West End (including eventual Councilmember and Mayor Bridget Donnell Newton) and MHP hashed out a redesign of the Beall's Grant II building. It was a compromise: shorter, fewer units, and better looking. On one hand, I have heard it portrayed as a 'Plan B' that would take effect if the APFO challenge was rejected. Later, Newton now elected, in a Mayor and Council meeting (unknown date), referred to a document that MHP refused to sign; I have no idea what the contents of this document were. Nevertheless, the initial uprising, primarily from the West End, was vociferous. The court ruling against MHP would have worked against even the compromise. An online article (6/25/2012): [Agreement reached over Beall's Grant II | Archives | somdnews.com](#)

GGW5: Pierzchala Opposed the County's 7 Locks Road Proposal

He's also sided with residents who don't want [a school bus parking lot](#) and a [county mental health facility](#) near them.

- MMP: Correct on the bus depot – incorrect on the ‘mental health facility’.

I believe this refers to the County proposal for the County's 7-Locks Road property.

1. I did object to the school **bus depot**. The proposal was not just a bus parking lot as GGW misstated; a bus depot is much more active and noisier than a bus parking lot. A bus depot at that location would have overwhelmed the road network with little or no ability to expand that network. This is in an area where there is ongoing residential development following the large Park Potomac development on 7-Locks Road. There is already a traffic mess in this area, and the school bus depot would have worsened it.
2. **I did not object** to the ‘County Mental Health Facility’ which GGW mischaracterizes with that name. Montgomery County calls it a **Diversion Center**. During a meeting at the County Executive Building (July 20, 2023) with neighborhood residents present, I did not object to that facility. Instead, I encouraged the neighborhood to get what they could out of it. This did not go over well.⁷

GGW6: Pierzchala opposes Bus or Bike Lanes Taking Space from Cars

His transportation platform was disappointing as well. “Every time I can take a trip by bike or by walking, I do so, without exception,” wrote Pierzchala, who's [biked every street in Rockville four times](#). But he doesn't support building bus or bike lanes on city streets if it takes away space from cars.

- MMP: This statement is inaccurate.

1. My biking and walking in Rockville have been extensive. I keep track of these things. For example: From January 2011 through November 2025:
 - a. I made over 4,500 biking trips, all but a handful in Rockville.
 - b. I made over 4,500 walking trips, about 95% in Rockville.
2. I have supported many projects to add bus lanes and sharrows to City roads. I have been one of the most avid and knowledgeable advocates for realistic and far-reaching Bicycle Master Plans.
3. I do not support sole use of car lanes by bicycles on state highways such as State Highway 355, which I believe is just asking for trouble.
4. I voted for the traffic rerouting in Town Center that did indeed remove car lanes and add bike lanes. The same is true for Maryland Avenue.
5. By the time GGW came out with their criticism of me, I had biked every street in Rockville 7 or 8 times; truthfully I have lost count. I did this every few years, including once since the 2023 election.

⁷ I tried to find the tape of this public meeting but did not succeed.

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6. I also walked **every** street in Rockville. See Appendix CW: CityWalk below.
7. All my ‘all-Rockville’ trips, biking or walking, involved thorough documentation, planning, and record keeping. If I miss a street, I go back and get it.

GGW7: Pierzchala Opposed the Corridor Cities Transitway (CCT)

In 2011, he even voted to move the proposed Corridor Cities Transitway [from a street in his neighborhood designed for the rapid transit line](#) because neighbors complained.

- MMP: Wrong; I supported the CCT through King Farm including a vote in 2021.

1. This GGW statement has me living in King Farm. I have lived in College Gardens since 1996 when we moved to Rockville from Virginia.
2. It was Mayor Bridget Newton who convinced the County to move the route. This effort was without my knowledge; it had not been approved by the Council.
3. → A straw vote taken on July 12, 2021 at 5:04:47 showed Mayor Newton and Councilmembers Feinberg and Ashton in support of the realignment of the CCT along Shady Grove Road with Councilmembers Pierzchala and Myles supporting the initial alignment along King Farm Boulevard through King Farm.
4. In 2011, we voted to study the issue, not to move the proposed route.
5. Over the years, I came to support the CCT through King Farm. I’m not sure why the endorsement writeup refers only to 2011.
6. Possibly, as of October 18, 2021, the Corridor Forward Plan may replace the CCT, but retain aspects of it.
7. Please see Appendix CCT below for a more complete response to this claim.

GGW8: Who Pierzchala Listens to when Making Decisions

When asked whose feedback he’d consider first when making a decision, Pierzchala said people at a civic association meeting, who are typically older and wealthier than the community as a whole, but he wouldn’t hear comments from door-knocking in an apartment complex.

- MMP: I stand up to the influential on contested projects. I do speak with them.

1. Like it or not, a few of the Civic Associations and Homeowners Associations are extremely influential in the City. This is true both for elections and the stances people take on controversial issues. If you want to change minds you have to deal with these associations. Their meetings do give a chance to debate the issues and to present other points of view, which I have done.
2. As head of the College Gardens Civic Association, I convinced my neighborhood to have Mayor and Council **upzone** College Gardens Plaza. We (the neighborhood under my leadership) worked with Combined Properties to accomplish this.
3. When James Hedrick, Chair of Rockville Housing Enterprises came to the College Gardens Civic Association (CGCA) to present on the RHE acquisition of Scarborough Square, part of the neighborhood (October 12, 2022), he made a short presentation. The reaction from the College Gardens Civic Association attendees was applause. Before the meeting, I made known to the CGCA that I was in support of this acquisition.

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4. I don't knock in apartment buildings because the apartment owners do not want me (or any candidate) to. They typically prohibit door knocking in the apartments, and this extends to dropping literature at the doors. The residents want their privacy and are startled and not happy when strangers knock on their doors.
5. I lived in rental apartments for about 15 years total, including 9 years in Crystal City. (The fact that I lived in a Crystal City apartment for such a time has been held against me as a candidate.)
6. From late 2022 to April 2024, I was a co-lessee with my mother in a Town Center apartment building (her primary residence, not mine). These 14 months gave me additional, more recent, insights into apartment living in Rockville, including dealing with rent increases and renewals.

GGW9: Pierzchala Dismissed Poll Results of Democrats

He dismissed [poll results from Data for Progress](#) that showed most Montgomery County Democrats support building more types of homes in their neighborhood. "These data mean nothing. I'm a survey statistician," he replied.

- MMP: GGW should not have had this question at all.

See above: GGW Reform for its Endorsements | Questionnaire Issues | Partisan Question. To briefly reiterate, (1) it was a partisan question, (2) the polling universe did not reflect the entire electorate, and (3) the polling result does not reflect voter behavior for specific projects.

GGW Statements about Monique Ashton

I list the comments about Monique Ashton because of what they left unsaid about me. I do not question the veracity of the statements about Ashton. But if these are good statements to make about her, they should be good statements about me when they also apply to me.

GGW10: 90 Percent of Housing Produced through Market-Rate Production

"Approximately 90 percent of housing in Rockville was produced through market-rate production," she wrote. "Therefore we need to continue to foster sufficient market-rate housing development and collaborations with affordable housing developers who can...provide housing affordable for the wide range of those who live in Rockville."

- MMP: I stated this from the dais several times often using 'vast majority'.

1. This statement from Ashton is absolutely correct. It also repeats what I have publicly said from the dais several times. See Table Z on the last page.
2. Please see Appendix APF for a link to a meeting (and quoted text) where I mention that most housing is provided by the private sector, one of many such statements.

GGW11: Where to Put New Homes

What does that look like? Ashton supports building up to 15,000 homes by 2040, 50% more than the city's current goal of 10,000. She would put those homes in a variety of places, including

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near the Red Line and in “Community Nodes,” which is what the city’s [Comprehensive Plan](#) calls small-scale, neighborhood main streets (like Veirs Mill Road near Twinbrook Parkway, for example).

- MMP: My similar response was negatively panned.

As far as this statement goes, there is little or no difference between the 2 of us. But you’re not going to get many units from the Community Nodes.

GGW12: Ashton Would Allow More Types of Homes

She also supports the Comp Plan’s recommendation to allow more types of homes, like duplexes and small apartment buildings, in places where you can only build single-family homes today, a crucial opportunity to build more affordable homes in a city where the [median home price is over \\$600,000](#).

- MMP: I protected affordable homes from demolition and supported fourplexes.

1. During the Master Plan process in 2019 – 2023, I was the one who ensured that the Dawson Avenue Apartments in the West End would remain as fourplexes instead of being rezoned to single-family zoning.

Meeting of July 1, 2021, around 2:21:44. There was a back-and-forth discussion after I objected to rezoning these lots as single-family zoning. This rezoning to single-family housing did not take place.

2. When the East Rockville Community Guidelines were formulated, I initially supported sixplexes, but moved fourplexes due to the required additional provision of parking on a constrained site, an issue brought up by Ashton. This was unanimous.
3. I have been very supportive of building housing next to single family zones. This has cost me in election after election. Examples include Fireside Park Apartments (Appendix FPA), the Silverwood project (Appendix SW) and Beall’s Grant II (GGW 3 above).

GGW13: Ashton was Liaison to Rockville Housing Enterprises (RHE)

In her time on the Council, Ashton has taken an all-of-the-above approach to creating more permanently affordable homes. She’s the council’s liaison to Rockville Housing Enterprises, the city’s public housing authority, which has expanded its portfolio by 31 percent over the past four years.

- MMP: I was RHE liaison before Ashton and widened its holdings 145% in 2012.

I was liaison to RHE 2015-2019. In 2012, my support for Fireside Park Apartments expanded the RHE portfolio by 145% despite vociferous community opposition. See Appendix FPA.

1. In 2012, I voted for Fireside Park Apartments retention as naturally affordable housing as a Councilmember. The vote was 3-2. This was a hot issue for several months.
2. After serving as RHE liaison from 2015 to 2019, I turned it over to Monique Ashton. During my time as liaison, I supported the RHE efforts to refinance Fireside Park

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Apartments. This refinancing had to occur during a long government shutdown which led to many bureaucratic delays. It also had to overcome a fire at the apartments and a subsequent plan to include fire sprinklers in the plan.

3. The Mayor and Council vote to refinance Fireside Park Apartments was 4-1.
4. The Mayor and Council vote to contribute to the refurbishment of Fireside Park Apartments was 3-2.

GGW14: Ashton Increased the City's Inclusionary Zoning (MPDUs for Multi-family)

Ashton also championed increasing the city's inclusionary zoning requirements from 12.5 to 15 percent. (She also politely let us know we'd gotten that wrong in our questionnaire!)

- MMP: This was marginal, the Highway 355 transit corridor already had this.

Many multifamily residential zones already had this, including all those near transit stations.

1. The City's zoning already included 15% for the vast majority of multifamily housing. It did not include this for zones far away from Metro or not along major corridors.
2. Whether such an increase results in more units is debatable since there can be an offsetting reluctance for developers to build due to increased cost.
3. See Appendix MPDU.

GGW15: Ashton Supports Density Bonuses

She's also supported density bonuses for developers who provide public amenities, including building more permanently affordable units than required.

- MMP: I led the way in previous terms especially for Twinbrook Quarter.

1. The prime example in Rockville for this is Twinbrook Quarter, an initiative that I led.
2. See Appendix TQ: Twinbrook Quarter.
3. I led the effort to define and approve the concept of a Champion Project in the Rockville Pike Plan, which is the prime example in a master plan.

GGW16: Ashton is Walking Across the City

Ashton's shown a commitment to sustainable transportation as well. "I walk all across the City to be able to be available to residents and to ensure that we are looking at equity across the City," she wrote.

- MMP: I walked every street in Rockville and more in 2014 – 2015.

See Appendix RCS about my Rockville CityWalk.

1. It is GGW that brought up this comparison. It is I who must set the record straight.
2. Monique Ashton continues to walk City Streets. That's a great and worthy endeavor for Rockville's Mayor. Mayor Newton also walked many streets during her terms. However,

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I walked **every** Rockville street in 2014 and 2015. As far as I know, no one else has done this. It's an enormous effort and takes a great deal of record keeping to do so properly.

GGW17: Ashton Supports Taking Car Space to Make Room for Bus and Bike Lanes

She'd support taking space from cars to make room for bus and bike lanes, giving people safer, more reliable travel options.

- MMP: Same here for me and over several terms.

1. See my response above, GGW 6, points 2 through 4.

GGW18: Ashton Supports More Automated Traffic Enforcement

Ashton also supports more automated traffic enforcement, like red light cameras and speed cameras, to discourage reckless driving and [reducing the need for police traffic stops](#), which can escalate into deadly confrontations, especially for people of color.

- MMP: I brought this up several times to financially support Vision Zero.

1. I agree with Ashton's reasoning here, which broadened the discussion.
2. I brought it up during budget sessions and so did Councilmember Feinberg. Throughout budget and Vision Zero discussions, all five of the elected vocally supported this one way or another. Here is a sample for me:

Meeting of December 12, 2022 at 3:12:34

"I'm all in favor of increasing the speed camera and red light cameras as a source of funding to the extent allowed by the state. And to the extent that is now allowed by our new contract. That wasn't possible a year or two ago, but, um, can't remember which one of those funds can only be used for public safety. But that's a good source for, uh, you know, vision Zero funding. I, I, uh, the thing about Vision Zero, it's, it, even though we often talk about infrastructure, it's not all infrastructure. It's, it's how people behave and how they act. A lot of it, um, you know, you know, I'm aware of, um, people don't like these cameras. On the other hand, they do modify behavior and they have in the past provided quite a bit of funding for capital projects and especially for some of the projects we already wanna see for Vision Zero."

3. See also, Appendix Z.

GGW19: Conflating Race, Gender and POV – Hearing from a Wide Range of People

If elected, Ashton would be the first person of color (her parents are Latinx and West Indian) to lead Rockville in its 200+ year history, and just one of four women. She brings a perspective that's been missing in this majority-minority city, and is open to hearing from a wide range of its

residents, listing online surveys and door-knocking in apartment complexes as the kind of public input she'd weigh in making a decision.

- MMP: It is wrong to conflate demographic diversity with political diversity. Additionally, I co-chaired Rockville Summits 2011 and 2012.

This statement demeans both Ashton and me. At the time this endorsement message was released, Ashton had 4 years of elected experience and I had 12 years. GGW should have **accurately** referred to our records in its endorsements.

1. Monique Ashton and I are smart, capable, and professionally accomplished. The GGW endorsement should be based solely on:
 - a. Our policy history including votes, stances, and initiatives.
 - b. Our policy statements in a better-constructed questionnaire
 - c. Who we have associated with politically including in our campaigns
2. In a political climate that has not been supportive of housing, GGW should want **political diversity**. I have provided political diversity on the Council especially in support of providing adequate housing.
3. In my first term, I co-chaired the **Rockville Summits** that brought together residents, business, non-profits, education, and governments to define a way forward for Rockville. This was a wonderful process that defined realistic ways forward. This can be viewed as a **diversity of sectors** that you need to move things along in a City. See Appendix RS.
4. Ashton is the sixth female Mayor of Rockville.
5. See Appendix Demo for alternative ways to slice and dice (or cherry pick) the genders and years of service of the elected officials, including their neighborhoods.

Appendices I – Non-Project Topics

These 4 appendices cover issues that are not about specific projects. These elaborate on items in the direct responses above Appendix APF, a long one, concerns the APFO/APFS. The APFO/APFS is a global issue that impacted several projects.

Appendix CW: Mark Pierzchala’s Rockville CityWalk

This appendix responds to GGW’s comparison of my biking with Ashton’s walking (GGW6).

I walked **every** street in Rockville and more, from June 8, 2014, through April 6, 2015. This included 519 miles in 205 trips over 265 hours. I took over 31,500 photos. Figure RCW1 shows a hand-marked progress map of Rockville after I walked every Rockville Street.

Figure RCW1: Map of Rockville Showing Phase I of Pierzchala’s Rockville CityWalk



Picture by Mark Pierzchala, January 22, 2015

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In addition to walking every street in Rockville, I walked every street in College Gardens and King Farm twice (March 2015, to get better pictures). I also walked some streets in Gaithersburg and County roadways near Rockville. Additionally, I walked every Rockville Park and recreation ground, and every public-school campus. There is no reason that GGW would have known about this effort. Had GGW fact checked, they would have found out.

An overall document that describes the effort is the link below. This was originally given to Peerless Rockville in 2015 or 2016. The link follows.

[2015 Article written to Peerless Rockville about Mark's CityWalk](#)

[Further links to documents that supported Mark's CityWalk](#)

Appendix Demo: Gender and Neighborhood of Mayors

This appendix is in response to the GGW use of demographic characteristics in its endorsement of Ashton (see GGW 19 above and immediately below).

Any conclusions about the genders of Rockville elected officials should be qualified by terms and dates. Figure Demo1 below is of a display in the City Hall lobby. It gives names and years of service for the Council. I include the GGW text once more:

GGW 19: If elected, Ashton would be the first person of color (her parents are Latinx and West Indian) to lead Rockville in its 200+ year history, and just one of four women. She brings a perspective that's been missing in this majority-minority city, and is open to hearing from a wide range of its residents, listing online surveys and door-knocking in apartment complexes as the kind of public input she'd weigh in making a decision.

GGW did not recognize that Ashton would be Rockville's **sixth** female Mayor. Further, from a policy perspective, GGW should have been looking for political diversity, and not conflate race and gender with point of view.

GGW fails to recognize my own efforts to listen to a wide range of opinions. For example, the **Rockville Summits** co-chaired by CM Britton and myself saw a wonderful representation of participants from sectors: Residents, Business, Government, Non-Profits, and Education. See Appendix RS for a summary of Rockville Summits I and II.

Some Observations on Rockville Elected Demographics and Neighborhood

- Phyllis B Fordham was the first woman councilmember serving 2 terms from 1976 to 1980.
- Viola D Hovespian was the second woman, 1982 – 1984.
- Viola D Hovespian was appointed Mayor in the 1984 to 1986 term. She was Rockville's first woman Mayor.
- About this point, Rockville went from spring to fall elections.
- Viola D Hovespian returned as councilmember 1987 to 1989.

- Rose G Krasnow served 3 terms as councilmember from 1989 to 1995.
- Nina A Weisbroth was elected for 1 term in 1993 and with Krasnow, formed the first body with 2 women.

Figure Demo1: Rockville Elected since 1948

for a complete history of Mayor and Council, visit www.rockvillemd.gov/mayorcouncil.

Picture by Mark Pierzchala, July 21 2025, Rockville City Hall Lobby

Some Observations (continued)

- Rose G Krasnow was elected as the second female Mayor, serving 3 terms from 1995 to 2001.
- Anne M Robbins election in 1999 resulted in the second body with 2 woman.
- In 2001 Susan R Hoffmann was elected to the Council and served with Robbins for 3 terms; Larry Giammo was Mayor these 3 terms.
- 2005 – 2007 was the first majority female elected body with Hoffman, Marcuccio, and Robbins as councilmembers.⁸
- In 2007, Hoffmann was elected as the third female Mayor and Phyllis Marcuccio was elected as councilmember. With Anne M Robbins, this was the second Council that was majority female.
- In 2009, Marcuccio was elected as the fourth female Mayor, with Bridget Donnell Newton in her first term. This body had 3 men and 2 women. This was also my first councilmember term.⁹
- The 2011 – 2013 term saw Marcuccio return as Mayor and John F Hall, Jr. and Tom Moore replace John Britton and Piotr Gajewski. This body also had 3 men and 2 women.

⁸ The display contains an error. Bridget Donnell Newton was not elected as Councilmember until 2009.
⁹ The display contains a second error. From 2009 – 2011 John Britton was on the Council, not John F Hall, Jr.

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Some Observations (Continued)

- The 2013 – 2015 term featured Bridget Donnell Newton as Rockville's fifth female Mayor. I was off the body since I ran for Mayor and lost. This was the first body with 4 women and 1 man. Councilmembers were Moore and Virginia D Onley, Beryl L Feinberg, and Julie Palkovich Carr. The 4 councilmembers ran on a Team Rockville slate with me running for Mayor.
- The 2015 – 2019, the first 4-year term saw Newton return as Mayor. There was 4 women and 1 man on the body. Councilmembers were me, Feinberg, Onley, and Palakovich Carr. In 2018 Palakovich Carr won election as State Delegate, and the Rockville elected body continued with 4 members with a 3-1 gender split.
- The 2019 – 2023 term saw Newton in her third term as Mayor and 3 women and 2 men on Rockville's elected body. The Councilmembers were me, Monique Ashton in her first term, David Myles in his first term, and Feinberg returning. Virginia D. Onley was the first woman of color to run for Mayor, on the Team Rockville Slate.
- The current 2023 term sees Monique Ashton as Rockville's sixth woman Mayor and Councilmembers Zola Shaw, Kate Fulton, Marissa Valerie, Adam Van Grack, Dr. David Myles, and Barry Jackson as councilmembers. The gender split is 4 – 3 female .

Choice of Reference Date

You can prove many things by choosing the reference date. For example, starting with 1995 as the reference point:

- From 1995 through 2023, there were 4 female Mayors and 1 male Mayor.
- From 1995 through 2023, 28 years total, 22 years featured female Mayors. The only exception was Larry Giammo for 6 years in three 2-year terms.
- Ashton's term, by 2027, 32 years from 1995, will give 26 years of women as Mayors.

Mayor's Neighborhood

Since 1995, the Mayors' neighborhoods have been:

- New Mark Commons for Rose G Krasnow
- West End for Larry Giammo
- West End for Susan R Hoffmann
- East Rockville for Phyllis Marcuccio
- West End for Bridget Donnell Newton
- West End for Monique Ashton

Since at least 1995, the West End neighborhood has dominated the Mayoral elections as well as the political dialog. West End influential have been in the forefront of opposition to housing. Hoffmann was a housing supporter and lost her 2009 reelection bid.

Appendix RS: Rockville Summits 2011 and 2012

This appendix is in response to **GGW 19** above about bringing people together and looking for diverse viewpoints. I bring to GGW attention the Rockville Summits that I co-chaired with Councilmember Britton. In Rockville Summit 2012, Councilmember Newton also joined the organizing committee. The Rockville Summit was unique in that it explicitly brought together 5 different sectors of Rockville (residents, business, schools, non-profit, and government) and tried to chart a path where these diverse sectors could work together. Its portfolio was broad; that was the intention. This is how you move a City forward.

I hold this as a premier example of working with residents and other stakeholders. Its hallmark was to explicitly bring together people representing disparate interests and to do so productively.

Councilmember John Britton (served 2005-2009) came up with the original idea in February 2011. I had a related idea concerning economic competitiveness in May 2011. These 2 ideas were merged into Rockville Summit 2011. Britton and I were co-organizers.

For Rockville Summit 2012, Britton and I were still co-coordinators. But since Britton was off the elected body, it was I who worked with City Staff in its high-level coordination. I also wrote the draft proposal for Rockville Summit 2012.

Rockville Summits 2011 and 2012 were explicit efforts to bring together diverse stakeholders from throughout the City in order to bridge differences over a wide range of issues.

Rockville Summit 2011 was a one-day affair. It was held in the Buchanan Room of VisArts in Rockville's Town Square. It featured Dr Stephen S. Fuller of George Mason University as the lead speaker. He was the Director, Center for Regional Analysis in the School of Public Policy.¹⁰ It was followed by a panel discussion of representatives from the following sectors: Residents, Government, Business, Non-Profits, and Education.

In the next Mayor and Council term, Rockville Summit 2012 was authorized on March 5, 2012. This was a follow-up to Rockville 2011 panel. This summit was a multi-month effort featuring six resident and stakeholder committees.

The six 2012 Committees: City Services and Budget, Education and School Capacity, Housing, Job Growth and Residential Workforce, Preserving Rockville's Character, and Transportation and Traffic. The committees were self-organized and self-directed.

There was a check-in workshop in August 2012 where the committees were brought together so that they would be aware of what each was doing. A final gathering of all volunteers was held November 3, 2012 at the F. Scott Fitzgerald Theatre.

- [Rockville Summits 2011 and 2012 Documents](#)

¹⁰ Dr Fuller, at the time of this writing is the head of the Stephen S. Fuller Institute for Research on the Washington Region's Economic Future. This is part of the Center for Regional Analysis at the Schar School of Policy and Government at George Mason University [Professor Emeritus Stephen Fuller | Schar School of Policy and Government at George Mason University](#) (January 22, 2026).

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The findings of these summits were among the source documents used in Rockville's 2040 Comprehensive Master Plan passed in August 2021. On page 3 we see (Figure RS1):

Figure RS1: Results of Rockville Summits as Resource Documents for the 2040 Plan

THE PLANNING PROCESS

The policies in this Comprehensive Plan are the result of extensive community input that was gathered over a multi-year period, a process known as "Rockville 2040." In fact, community input began years before the official kick-off of the comprehensive plan process. Feedback provided by citizen survey results and the work accomplished during the 2011-2012 Rockville Summits, for instance, contributed early on toward the development of a shared community vision for Rockville. These summits included extensive research and discussion on topics related to the Comprehensive Plan, including housing, jobs, transportation, and the preservation of Rockville's unique character.

Source: Rockville Master Plan – Highlights are by Mark Pierzchala

Appendix APF: Adequate Public Facilities

Rockville's APFO/APFS has hindered or stopped housing development primarily due to school capacity issues. To omit the successes in overcoming the APFO/APFS, the tribulations in trying to overcome its restrictions, and the failures that it has caused, is an egregious omission with respect to the production of housing in Rockville.

To this day, Rockville residents strongly support the APFO/APFS. I have publicly tried to turn this around but with very limited success (Champion Projects I proposed being a stellar exception). I have been public in my criticism of the APFO/APFS. The link below shows this.

[Mark Pierzchala on Market Rate Housing and APFO September 9, 2019 \(3 minutes\).](#)
This snippet is quoted below."

Mark Pierzchala quoted from the snippet:

"Well, um, you can have all the housing affordable programs you want, but the vast majority of housing is not provided by government programs or MPDU programs [it's] provided by the private sector. And our county and our city has made it very difficult to provide enough numbers of units, period. Mm-hmm. The adequate public facilities ordinance and the standards that surround it, are counterproductive, they take away resources from building schools, but they really just diminish the number of housing units that are available. If you wanna make affordable housing, provide enough units, let the market solve that problem. And we have a couple places in the city that really could use that density. One being town center, the other Rockville Pike. We have community, we have neighborhoods that don't want development, residential development around them. That's fine. You know, support it where transit is near Twinbrook, near Rockville, Metro Stations, especially those, and if you really wanna, uh, make, you know, this place

attractive, for example, a satellite office of Amazon, for example, if they can't fit everybody into Crystal City, you know, Twinbrook would be a great place for them.

So Rockville, city Town Center. But, you know, we just constrict what can be done. And, and it's not under our control. We have our, our, our APFS and then, um, all of a sudden the Board of Education makes a decision. It surprises us, and we're just about to go in moratorium. But then the County Council, uh, puts in a paper, uh, capacity and all of a sudden it's okay again. And that's just a very uncertain environment for those who provide residential housing. So, I think, um, you know, I think the jobs and the homes, thankfully, are coming together. It takes cars off the road, homes near transit helps take cars off the road. So I, I think, um, you know, we really, if you're gonna talk about housing prices, the governmental programs, MPDU or whatever, um, are not gonna solve it. They can be counterproductive in their own 15% of a building, having to be MPDU means their 85% is very high priced.

And that's <laugh> talk about the missing middle. You know, you, you, you don't get those middle-priced apartments because the 85 has to subsidize the 15. So, so you, I, you know, I'd really love a study in a city about how those MPDU numbers, where they really, um, overall, uh, increase affordable housing. I'm not sure they do. I mean, I think that program to an extent does a good job. But if you, for example, don't allow building to go up, you don't get 15% of whatever that building will produce. But we have for years delayed building projects. We have discouraged building projects. I'm sure there's some building projects that were never realized because of, you know, either APFS or too high requirements for MPDU. So I think that whole housing affordability issue, uh, really needs to be looked at in this city and in the county.”

GGW’s writeup for the 2023 Rockville elections totally sidestepped the role of Rockville’s APFO/APFS in stopping, delaying, or deflecting the building of new housing in the City. Yet, the APFO/APFS continually arise as concerns for many kinds of housing development.

Between January 2009 and July 2019, there were 98 Mayor and Council meetings where the topic of APFO/APFS came up. This could be anything from a citizen comment to a hearing or a discussion or action by Mayor and Council. A large majority of these instances were about school capacity standards. Necessary adjustments were made to the APFO/APFS by then and the issue did not officially come up between July 2019 and December 2023. This means that the APFO/APFS was not an official item at all for Ashton’s 4-year term before her Mayoral election.¹¹ This determination was made by text searches of all minutes between January 2009 and December 2023.¹²

¹¹ In this 2019-2023 term, the Master Plan was discussed extensively and adopted (August 2, 2021). A text search found only 6 mentions of the APFO/APFS in the Master Plan document, about water and sewer.

¹² Minutes earlier in this time span were much more extensive than later. Until sometime in the 2013-2015 term, minutes were narrative minutes. Then they became summary minutes. Also, the minutes used to list people who spoke at Citizen Forum/Community Forum and at hearings, but later this practice was not always used. So, a text search of the minutes on an item tends to turn up more meetings earlier in the span.

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In my later campaigns and terms in office, I continually tried to educate elected colleagues and the voters in general, that the APFO/APFS limited the amount of housing that would be built, and that this would eventually impact their own children. I mentioned this numerous times in my last 2 terms (8 years) in office, from 2015 through 2023.

There are at least 3 examples where the APFO/APFS were the basis for community opposition to housing development.

- Beall's Grant II, a court challenge to this project, based on the APFO/APFS regulations and standards in 2008, stopped the project
- Silverwood (then The Bainbridge and now The Reed) was completed only after a change was made to the APFO for newly annexed land
- Strident and prolonged opposition to the Twinbrook Quarter project in 2018 and 2019 was based on the APFO.

The Adequate Public Facilities Ordinance (APFO) and the implementing Adequate Public Facilities Standards (APFS) became effective November 1, 2005¹³, prior to my first term in office¹⁴ starting in November 2009. The APFO can be amended by Mayor and Council after a public hearing. The APFS can be amended by Mayor and Council without a public hearing, but usually a hearing (or two) is nevertheless held. Links to the current APFO/APFS documents (September 16, 2025) are below:

- (APFO) [ARTICLE 20. - ADEQUATE PUBLIC FACILITIES | Code of Ordinances | Rockville, MD | Municode Library](#)¹⁵
- (APFS) [Adequate Public Facilities Standards](#) as of July 8, 2019, adopted by resolution 10-19.¹⁶

The idea of the APFO/APFS is that certain kinds of development should not be allowed until the public facilities exist to support them. Capacity standards were initially adopted for five criteria: (1) transportation, (2) school capacity, (3) fire/emergency response time, (4) water, and (5) sewer. Anyone of these can stop housing development, but it's been the school capacity issue that has been most contentious in Rockville politics. The fire/emergency response time standard was eventually dropped, see below.

In building the following timeline, I note that while most of the timeline concerns the school standards, there were several other issues that had to be cleaned up over time including establishing common-sense exceptions (senior housing does not generate students), standards should not apply to MCPS projects including portables, the timing of various tests (e.g., at time

¹³ See Anselmo, page 9 of the opinion, for this date.

¹⁴ While I was aware of the impending adoption of the APFO/APFS, I did not regularly attend Mayor and Council meetings until mid-December 2005 and thus was not a witness to most discussions.

¹⁵ I cannot figure out how to follow changes to the APFO on the Municode Library. There used to be a more explicit feature that gave the history of changes to ordinances.

¹⁶ It is impossible to get a record of changes to the APFS from the City's website. As far as I know, the only way to try to determine this is to find brief book pages of meetings where changes to the APFS were contemplated. An email to the City's Department of Planning and Community Development looking for a history of changes to the APFS was not answered.

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of site plan approval, or at time of project plan approval, or at time of permitting), and whose application is in the queue first.

APFO/APFS Timeline from 2009 – 2023

Date	Description
11/30/2009	Minutes: Item 12. Review and Comment on Future Agendas. “Regarding the Adequate Public Facilities Ordinance (APFO), Councilmember Pierzchala asked for clarification as to why this was coming up for discussion. City Manager Ullery explained that there are some items throughout the APFO that need to be made consistent with the terminology in the zoning ordinance.”
12/14/2009	Minutes: Citizen Forum – Giammo and Hall speak about the APFO. Item 16. Old/New Business – “There was also discussion about the need to discuss a review of the Adequate Public Facilities Ordinance (APFO) as well as some other revisions to the Zoning Ordinance. City Attorney Debra Daniel said she might want to discuss this with the Mayor and Council in closed session prior to any action. Mr. Ullery suggested coming back to the Mayor and Council in the New Year with a plan on how to agendize the issue.”
1/11/2010	Minutes: Citizen Forum – Giammo speaks. Item 19. Old/New Business “Councilmember Newton asked if there could be some discussion about former mayor Larry Giammo and former councilmember John Hall's comments about the APFO. City Attorney Debra Daniel said that she had scheduled an Executive Session to discuss this matter with the Mayor and Council on February 22. Councilmember Newton asked if that was the earliest time it could take place, and Ms. Daniel said it was the earliest she was prepared to do it. Councilmember Pierzchala asked how this would correspond to the court schedule, and Ms. Daniel said that arguments not were not scheduled to take place until the summer.”
2/22/2010	Minutes: Executive session on the APFO. – No summary given.
4/19/2010	Minutes: Executive Session “The Mayor and Council discussed pending litigation related to the City’s Adequate Public Facilities Ordinance (APFO), the petition for legal review for Victory Court, and, and action brought by E&B Enterprises.”
9/13/2010	Minutes: Mayor and Council decided not to appeal the Beall’s Grant II decision, a 5-0 Council decision. The clear court decision left no room for hope of success in an appeal. The City Attorney noted that it was in Mayor and Council’s purview to change the APFO and/or APFS.
9/20/2010	Minutes: Item 21. Old/New Business: Laura Berthiaume, Board of Education Member, spoke with Mayor and Council about overcrowded schools. In part: “Mayor Marcuccio asked how the APFO would be involved in this matter. Ms. Berthiaume indicated that although the APFO is Rockville’s business, it hinges on school capacity and that becomes a bit more sensitive. There needs to be an understanding that the school boundaries are not contiguous (sp) from Rockville City boundaries and that it would be helpful to the Mayor and Council to understand the projections and development going forward around school boundaries.”
9/27/2010	This was a town hall. The topic of the APFO came up about 15 times.

10/4/2010	Minutes: Citizen Forum: 32 speak on APFO. Item 13: Discussion – Amendment to the Adequate Public Facilities Ordinance (APFO) Regarding Affordable Housing. Extensive discussion. Agenda packet: Item 13.
10/11/2010	Minutes: Worksession on the Draft Municipal Growth Element (MGE) of the City’s Comprehensive Master Plan – This is the first time that City Staff suggest deleting the Fire/Rescue part of the APFO “Since it is no longer true that no project has been affected by the APFO/Fire and Rescue portion of the APFO, Staff recommends deleting that part of the reference to the APFO/Fire and Rescue.” Note: Apparently this advice was not taken. This became an issue in late 2017 when the County recalibrated their response time because of the increased use of cell phones (it took longer to ascertain callers’ locations).
11/1/2010	Beall’s Grant II decision is issued by the Court of Special Appeals of Maryland, case filed by John Enseldo et al, opinion issued November 1, 2010 Anselmo et al - Beall's Grant II . The court decided that the City’s approval of Beall’s Grant II violated its own APFS standards for school capacity. Note: This decision was apparently known in September 2010.
1/10/2011	Item 4. City Manager’s Report: Confusion about Rockville’s APFO by Montgomery County and the Board of Education: In part – “Mr. Ullery indicated that the meeting with the City of Gaithersburg dealt with broader construction issues. Mr. Ullery reported that there was some apparent confusion on the part of the City of Gaithersburg (and possible misconceptions on the part of Montgomery County Public Schools) as it relates to the City’s [Rockville] building permit process or the APFO as the source of the problems with the portables and College Gardens Elementary School. Mr. Ullery reported that discussions have been going well with Mr. Song. Mayor Marcuccio asked if the Mayor and Council would have an opportunity to engage in those discussions. Mayor Marcuccio stated that she had received information that the [Montgomery County] Public Schools was adamant about MC-11-11. There was discussion between the Mayor and Council on misconceptions and misinformation by the Montgomery County Public Schools, the building code and the City’s APFO.”
2/7/2011	Issues with the APFO/APFS come up with respect to new school construction and portables. Item 10. Motion approved 5-0.
2/28/2011	Item 12A, revision of the APFO/APFS for school portables or for public schools, 12B revision of the APFO/APFS for the CTR for portables or for public schools.

Silverwood Issue Related to the APFO/APFS

7/19/2011 to 10/26/2011	Adjustments to the APFS for the Silverwood (aka The Bainbridge aka The Reed) in the situation where there is a recent annexation into Rockville. Please see Appendix SW: Silverwood in 2010 – 2011 . There are 17 rows in that timeline that represent actions by (1) Rockville’s Mayor and Council, (2) Rockville’s Planning Commission, and (3) Montgomery County Council.
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Planning Commission Meetings and the APFO Review Committee of 2011-2012

2/29/2012	<p>Planning Commission – A Report by the Adequate Public Facilities Ordinance Review Committee, November 2011 – pages 3 to 159 (the end of the agenda packet) – including several minority reports.</p> <p>Note: I cannot find this report on the City’s website. As far as I know, this (PC brief book) is the only place where this report can be found.</p>
10/10/2012	<p>Planning Commission – recommendations to Mayor and Council in response to the APFO Review Committee report– pages 27-29</p> <p>Note: The Planning Commission spent several meetings on this.</p>

Mayor and Council Meetings

5/13/2013	<p>Item 14: Discussion - Adequate Public Facilities Ordinance (APFO) - Discussion of Planning Commission Recommendations</p> <p>The Planning Commission had appointed a 9-member Citizen Committee to review the APFO and APFS. This Mayor and Council Item was to review the ensuing Planning Commission recommendations.</p>
7/1/2013	<p>Item 14: APFO discussion</p>
8/5/2013	<p>Citizen’s Forum: Scott Wallace, Esquire – “Linowes & Blocher on behalf of EYA; wants to develop 40 acres in Tower Oaks. Unless APFO is changed or standards are clarified, the Richard Montgomery High School enrollment will keep the area in moratorium indefinitely. Would like to know when the Mayor and Council might reconsider the APFO and APFS.”</p> <p>During Old/New Business: “Regarding revisions to the APF Standards, Councilmember Pierzchala wondered if the Mayor and Council had the time to take this up before the end of this term even though there is not enough time to get through changes to the APFO. At the start of this term, he said that it was the desire of the Mayor and Council to modify the provisions of the APFS. There was discussion about holding a public hearing, possibly on September 30, and the timeline in terms of legal notice requirements. Regarding proposed changes, staff will need to receive direction from the Mayor and Council on September 9, 2013 to allow enough time to properly notice the hearing.”</p>
9/16/2013	<p>Item 16: Review and Comment Regarding Future Agendas – removal of tentative placeholders for the APFO/APFS from future agendas until Mayor and Council agree to place them there.</p>
9/30/2013	<p>Item 10: Public Hearing to Consider Proposed Amendments to the Adequate Public Facilities Standards (APFS)</p>
10/14/2013	<p>Item 15: Discussion of Modifications to the Adequate Public Facilities Standards</p> <p>Minutes:</p> <p>Motion: to instruct staff to come back with a resolution that would put into place the proposed changes discussed tonight (during the meeting of Monday, October 14, 2013) and for the item to come back for Mayor and Council for consideration at the meeting scheduled for Monday, October 28, 2013.</p> <p>Moved by CM Moore, seconded by CM Pierzchala, and passed with CM Hall, CM Moore, CM Newton, and CM Pierzchala voting for and Mayor Marcuccio voting against. (4-1)</p>

10/28/2013	<p>Item 16: Adoption of Resolution to Amend the Adequate Public Facilities Standards</p> <p>Minutes: There are extensive narrative minutes on this item, too much to summarize here. Refer to the minutes and the Agenda Packet to understand the complete revisions that were adopted this evening.</p> <p>Motion: to accept the recommended (amendments) changes to the Adequate Public Facilities Standards (APFS) as discussed by the Mayor and Council. Moved by CM Pierzchala, seconded by CM Newton, and passed with CM Hall, CM Moore, CM Newton, and CM Pierzchala voting for and Mayor Marcuccio abstaining. (4-0-1)</p> <p>Motion: to adopt a resolution to amend the Adequate Public Facilities Standards for the purpose of ensuring its consistency with the Adequate Public Facilities Ordinance, and to make certain technical amendments. Moved by CM Pierzchala, seconded by CM Newton, and passed with CM Hall, CM Moore, CM Newton, and CM Pierzchala voting for and Mayor Marcuccio abstaining. (4-0-1)</p>
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11/18/2013	<p>Pierzchala off the body – lost the Mayor’s race – First meeting of the new Mayor and Council. Mayor Bridget Donnell Newton, Councilmembers Beryl L Feinberg, Tom Moore, Virginia Onley, and Julie Palakovich Carr.</p>
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Mayor and Council Meetings

7/14/2014	<p>Community Forum: Scott Wallace, Esquire Linowes & Blocher: Represents EYA on Tower Oaks. APFS as it relates to capacity in the Richard Montgomery High School Cluster</p> <p>Item 13 – Review and Comment Regarding Mayor and Council Action Report: “Councilmember Moore requested that a discussion on the APFS be added to a Fall agenda.”</p>
11/3/2014	<p>Item 19: Review and Comment – Future Agendas “Councilmember Moore requested adding a few items to agendas coming up to include a discussion of the Adequate Public Facilities Standards on November 17, 2014; a Public Hearing on any changes made on January 5, 2015; and a vote added on January 26, 2015. Councilmember Feinberg seconded the request. A show of hands for adding this to the November 17 was 4-1.”</p>
11/17/2014	<p>Item 15: Discussion of Adequate Public Facilities Standards (APFS) regarding School Capacity</p> <p>Community Forum: 2 speakers on the APFS</p>
1/5/2015	<p>Item 9: Public Hearing on Proposed Amendments to the Adequate Public Facilities Standards (APFS), that would Align the Rockville School Standards with Montgomery County's School Standards.</p> <p>Minutes: There were 32 speakers, Pierzchala is speaker 30.</p>
1/26/2015	<p>Item 9: Second Public Hearing on Proposed Amendments to the Adequate Public Facilities Standards (APFS) that would Align the Rockville School Standards and Adequacy Test with Montgomery County's School Standards and Adequacy Test. There were 61 speakers, Pierzchala is speaker 54</p>

	There was some Mayor and Council discussion after the hearing concerning timelines for this issue.
2/2/2015	Community Forum: 4 people speak with respect to the APFS with Pierzchala as the fourth speaker on the APFS Item 14: Discussion of Proposed Amendments to the Adequate Public Facilities Standards (APFS) that would Align the Rockville School Standards and Adequacy Test with Montgomery County's School Standards and Adequacy Test
2/9/2015	Item 13: Adoption of a Resolution Amending the Adequate Public Facilities Standards (APFS) to Align the City's School Standards With Montgomery County's School Standards Scheduled adoption of the new APFS standards. The vote is put off – County Councilmember Berliner has a forum on March 7. The brief book has a marked-up version of the revised APFS. 23 people speak at Community Forum on the APFS
6/1/2015	Community Forum: 8 speakers with respect to the APFS Item 10: Discussion, and Possible Adoption, of a Resolution Amending the Adequate Public Facilities Standards (APFS) to Align the City's School Standards With Montgomery County's School Standards Motion: move to adopt the resolution to amend the APFS to align with the City standards with Montgomery County school standards as amended in Attachment A with the date correction. Moved by Councilmember Onley, seconded by Councilmember Moore and passed with a vote of 3-2. Councilmember Feinberg and Mayor Newton opposed. Councilmembers Moore, Onley, and Palakovich Carr voted for.
Key 3-2 vote: →	
2026 ZOR Alert: →	Under the rules of the 2026 draft APFO, this amendment would not have succeeded due to the requirement of a super majority. (Added 2/2/2026)

11/16/2015	Pierzchala is back on the body – First meeting of the new Mayor and Council. Mayor Bridget Donnell Newton, Councilmembers Beryl L Feinberg, Virginia Onley, Julie Palakovich Carr, and Mark Pierzchala.
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The rows below in this table for 2017 represent further revisions to the APFS for (1) school capacity standards, and (2) to eliminate the standards for emergency response times.

1/9/2017	Item 14: Presentation and Possible Discussion and Instructions to Staff on Modification to the Adequate Public Facilities Standard (APFS) for Fire and Emergency Service Protection – Staff will come back with more information and schedule a public hearing.
2/13/2017	Item 11: Presentation on Recently Adopted Modifications to the Montgomery County Subdivision Staging Policy (SSP) for Public School Facilities and Transportation Item 12: Presentation and Discussion of Draft Resolution to amend the Adequate Public Facilities Standards (APFS) regarding Fire and Emergency Services

	Minutes: Both topics will come back with further information.
4/17/2017	<p>Item 15: Consideration and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards for the Purpose of Making Certain Technical Amendments to the Provisions for Fire and Emergency Service Protection – see Packet page 15b for the proposed revision.</p> <p>Minutes – Motion: to adopt the resolution to amend the Adequate Public Facilities Standards for the purpose of making certain technical amendments to the provisions for fire and emergency service protection Moved by Councilmember Pierzchala, seconded by Councilmember Onley and approved unanimously. Mr. Mellander will move forward with the Public Hearing.</p>
6/12/2017	<p>Item 20: APFS on school standards and Fire and Rescue – Much information presented and there was discussion.</p> <p>Minutes: “Staff will bring a Text Amendment to the Mayor and Council on July 10th and schedule a Public Hearing for September 18th.”</p>
7/10/2017	<p>Item 18: Authorization to File a Zoning Text Amendment - to Amend Article 20 to Delete References to the Fire and Emergency Service Protection Provision</p> <p>Minutes: “Motion: to authorize filing of zoning text amendment and set joint public hearing with Planning Commission on September 18, 2017 Moved by Councilmember Pierzchala, seconded by Councilmember Onley, and approved unanimously.”</p>
9/18/2017	<p>Item 15: Public Hearing on Zoning Text Amendment TXT2018-00245 - Revisions to Zoning Ordinance Article 20, Adequate Public Facilities; Mayor and Council of Rockville, Applicants</p> <p>Minutes: “Mayor Newton announced that this Public Hearing was held jointly with the Public Hearing on Proposed Revisions to the Adequate Public Facilities Standards (APFS) Regarding Public School Capacity and Fire Emergency Services, Agenda Item 12.” (Note: that probably should be ‘Agenda Item 13’. Note: The minutes do not give a list of hearing speakers.)</p> <p>Note: Richard Montgomery Cluster Coordinators submitted a letter supporting Rockville’s alignment with the County standards. Monique Ashton was one of the signatories. See Figure APF1.</p>

These 2017 revisions to the school capacity standards, to align with the County Standards, were not controversial. The 2015 vote on this issue was extremely controversial.

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Figure APF1: Letter from RM Cluster Coordinators Supporting APFS Alignment with Montgomery County (including Monique Ashton – signatory)

11.d

Written Testimony on the Rockville City Council's
Alignment of the City's Adequate Public Facilities Standards (APFS)
with the Sub-Division Staging Policy (SSP) of Montgomery County.

September 18, 2017

Richard Montgomery High School Cluster
Richard Montgomery H.S., Julius West M.S.
Beall E.S., College Gardens E.S., Ritchie Park E.S., Twinbrook E.S.

Dear Mayor Newton and Members of the Rockville City Council:

This testimony is presented on behalf of the PTAs in the schools of the Richard Montgomery Cluster: Beall, College Gardens, Ritchie Park, and Twinbrook Elementary Schools, Julius West Middle School, and Richard Montgomery High School.

I, along with my fellow RM Cluster Coordinators, Rodney Peele and Monique Ashton as well as our MCCPTA Area Vice President Jennifer Young, want to emphasize our gratitude and appreciation of Mayor Newton's and the Rockville City Council's engagement in encouraging the Montgomery County Public Schools as well as the Board of Education to open Richard Montgomery Elementary School #5 with space for 740 students, which we hope will relieve overcrowding at the current 4 RM cluster elementary schools, as opposed to the proposed 602 students, which will place the RM cluster elementary schools within a few percentage points of maximum capacity. In particular, we would like to thank Councilmember Mark Pierzchala for attending almost all of the RM Elementary School #5 Boundary Study Committee meetings.

The RM Cluster supports alignment of the City's Adequate Public Facilities Standards (APFS) with the Sub-Division Staging Policy (SSP) of Montgomery County. Since the County is the jurisdiction that controls the Capital Improvement Plan (CIP) for the schools and the funding for that plan, we sincerely believe planning and funding for school capacity issues in the RM Cluster has better outcomes when the two jurisdictions – Rockville and the County – produce growth policies that work seamlessly together. We are very interested in working with the City on important school capacity-related issues and will continue to advocate that both the city and county have appropriate standards to address development that affects school capacity. We thank you for your on-going interest in and support of capacity issues.

With Best Regards,
Mallika Sastry, RM Cluster Coordinator
Rodney Peele, RM Cluster Coordinator
Monique Ashton, RM Cluster Coordinator
Jennifer Young, MCCPTA Area Vice President RM/Rockville/Wootton/Churchill/Poolesville

attachment 11.d: Richard Montgomery School Cluster PTA testimony, dated 9/18/2017 (1774 : APFS Discussion and Instruction)

Captured from the 10/9/2017 Council Agenda Packet September 17, 2025

Mayor and Council Meetings

10/9/2017	Item 11: Discussion and Instructions to Staff - Revisions to the Adequate Public Facilities Standards (APFS) → Minutes do not exist for this meeting.
11/13/2017	Item 15: Revisions to school standards to align with the County, and the elimination of response time standards for fire and emergency services.

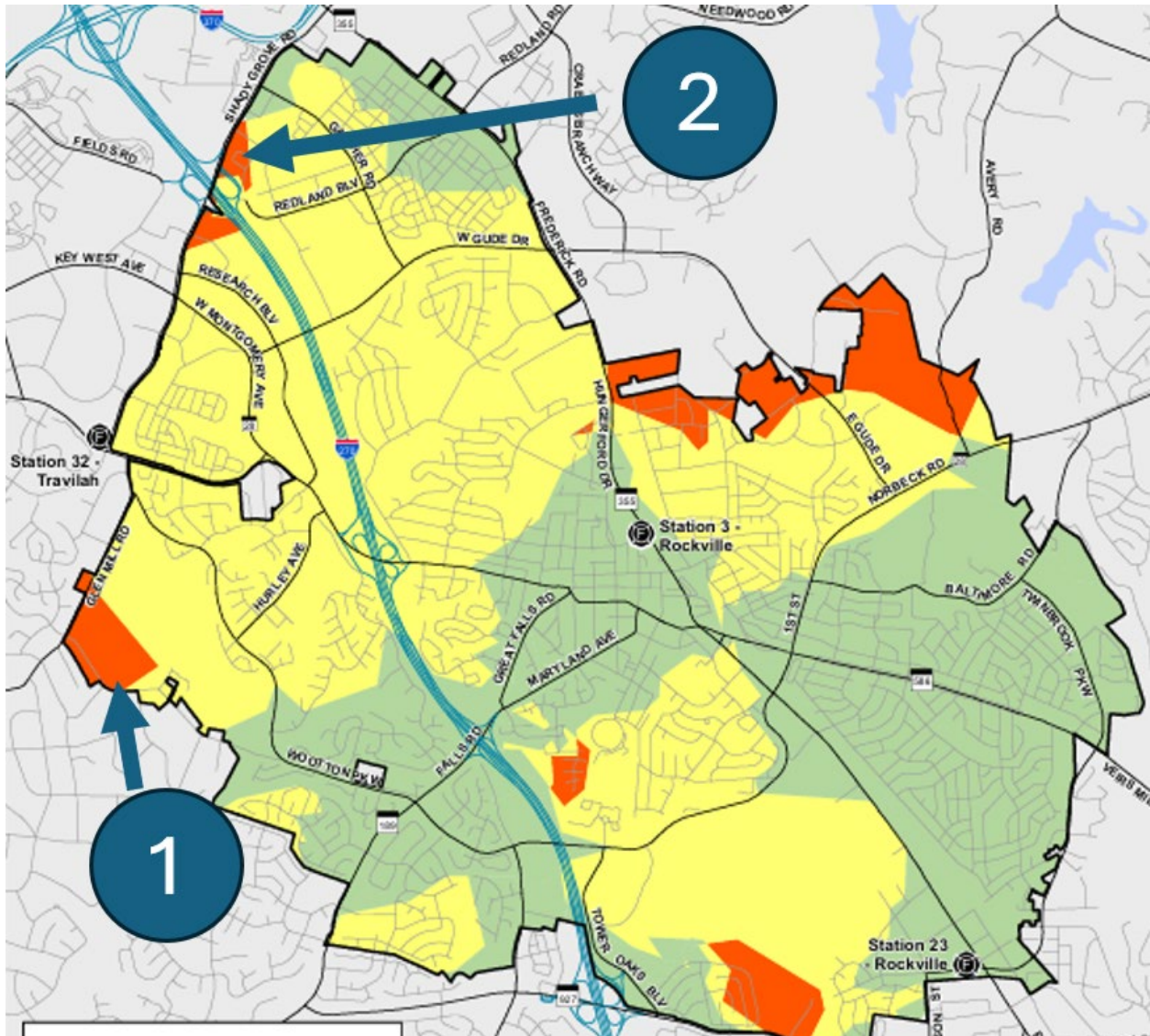
<p>Key 3-2 vote: →</p> <p>2026 ZOR Alert: →</p>	<p>Minutes: It is not totally clear from the minutes what happened. There were 2 unanimous votes to (1) “remove the seat deficit calculation”, and (2) “to add that program capacity does not include relocatable classrooms.”</p> <p>Motion: move that we adopt the Resolution as marked in the document with the amendments approved tonight Moved by Councilmember Pierzchala, seconded by Councilmember Palakovich Carr Councilmember Feinberg asked if the two items could be taken separately City Attorney Debra Daniel stated they could be split up and other changes might want to be considered as well. Councilmember Pierzchala stated he was not amenable to splitting it up; he has a motion on the floor.</p> <p>Motion: to amend by accepting everything as proposed except fire and rescue services Moved by Councilmember Feinberg; motion died due to a lack of second The Motion on the floor was restated: to move that we adopt the Resolution with the amendments marked in the document and approved tonight.</p> <p>Moved by Councilmember Pierzchala, seconded by Councilmember Palakovich Carr and approved 3-2 with Mayor Newton and Councilmember Feinberg voting no.</p> <p>RESULT: APPROVED AS AMENDED [3 TO 2] MOVER: Mark Pierzchala, Councilmember SECONDER: Julie Palakovich Carr, Councilmember IN FAVOR: Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala OPPOSED: Mayor Newton, Councilmember Feinberg</p> <p>Under the rules of the 2026 draft APFO, this amendment would not have succeeded due to the requirement of a super majority. (Added 2/2/2026)</p>
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Emergency Response Times

The action on the emergency response time standards came about because the County recalculated its response time maps. The increased use of cell phones added an average of 90 seconds to response time. (It was taking longer to determine the location of the caller.) In reality, no location in the City was at increased risk due to this recalculation.

Figure APF2 shows areas in orange that would have been in moratorium without the elimination of emergency response time standards. **As examples**, Circle 1 points to The Village at Rockville and Circle 2 points to the Shady Grove Neighborhood Plan. The agenda packets contain a more complete discussion and justification.

Figure APF2: Orange Areas in Moratorium Due to Emergency Response Time Standards



Captured from the 1/9/2017 Council Agenda Packet September 17, 2025

Figure APF3 shows construction that was allowed because of the elimination of the emergency response time standards.

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Figure APF3: The Villas at The Village at Rockville (National Lutheran Home)



Picture by Mark Pierzchala, September 3, 2025

<p>11/13/2017 continued</p>	<p>Item 16: Introduction and Possible Adoption of an Ordinance to Grant Zoning Text Amendment TXT2018-00245, Revisions to Zoning Ordinance Article 20, Adequate Public Facilities; Mayor and Council of Rockville, Applicant Minutes: “Councilmember Pierzchala introduced Zoning Text Amendment TXT2018-00245, revisions to Zoning Ordinance Article 20, Adequate Public Facilities; Mayor and Council of Rockville, Applicant.”</p>
<p>12/4/2017 Key 3-2 vote: →</p>	<p>Item 11: Adoption of Ordinance to Approve Zoning Text Amendment TXT2018-00245 - Adequate Public Facilities; Mayor and Council of Rockville, Applicant Note: This is a change to the APFO, the ordinance, to eliminate the emergency response time standards. Minutes: Motion: to adopt the Ordinance to approve Zoning Text Amendment TXT2018-00245 Adequate Public Facilities; Mayor and Council of Rockville, Applicant including to correct the date from November 13, 2017 to December 4, 2017 RESULT: APPROVED AS AMENDED [3-2] MOVER: Mark Pierzchala, Councilmember SECONDER: Virginia D. Onley, Councilmember</p>

<p>2026 ZOR Irony: →</p>	<p>Under the rules of the 2026 draft APFO, this amendment would have succeeded because changing the APFO (as opposed to the APFS) would not require a super majority. On the other hand, the proposed APFO does not mention specific items that should be governed by the APFS. (Added 2/2/2026)</p> <p>IN FAVOR: Councilmember Onley, Councilmember Palakovich Carr, Councilmember Pierzchala OPPOSED: Mayor Newton, Council Feinberg</p>
<p>11/19/2018</p>	<p>Minutes: Future Agendas “Councilmember Pierzchala requested a hearing or discussion in December on the APFS in the RM cluster with a decision taken in January 2019. Councilmember Pierzchala stated the Mayor and Council should resolve the APFO school standard test for the Town Center Performance District and the South Pike raised 150% and that the reservation of capacity be changed at the time of site plan review instead of project plan review”</p>

Note: Appendix TQ: Twinbrook Quarter, covers most APFO/APFS items through 9/9/2019.

<p>4/30/2018 to 9/9/2019</p>	<p>See Appendix TQ: Twinbrook Quarter. That timeline of 19 rows covering (1) Mayor and Council actions, (2) Planning Commission actions, and (3) an ad-hoc APFO/APFS group that met twice in January 2019. One of the items for the Twinbrook Quarter approval was the adoption of the Developer’s Rights and Responsibilities Agreement (DRRA) that among other things, exempted the project from school capacity standards.</p> <p>Note: Other than the action on the DRRA mentioned immediately above, Mayor and Council did not have to adjust the APFS for this project. This issue was notable for resident and non-resident opposition to this project. The strident opposition was based on the APFO/APFS school capacity standards.</p> <p>See Appendix RP: Rockville Pike Neighborhood Plan, where the concept of a Champion Project was introduced by Pierzchala. This was used by BF Saul B.F. Saul Company Real Estate Company in its Twinbrook Quarter Project Plan (along with the DRRA).</p> <p>Note: The APFO/APFS working group report can be found in the links document at the end of this appendix.</p> <p>Note: For a prior APFO/APFS working group formed by the Planning Commission, that reported out in 2012, please see a link to that report in the links document below.</p>
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There were additional 2019 APFO/APFS items with respect to water and sewer standards.

<p>4/8/2019</p>	<p>Item 14: Presentation of Proposed Revisions to the Water and Sewer Provisions and Exemption and Waiver Provisions of the Adequate Public Facilities Standards (APFS)</p>
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	<p>Item 15: Authorization to File Zoning Text Amendment Application to Amend Article 20 of the Zoning Ordinance in Connection with Proposed Revisions to the Water and Sewer Provisions of the Adequate Public Facilities Standards (APFS)</p> <p>Minutes: This was covered in items 15, 16, and 17. There will be a public hearing on June 3, 2019.</p>
6/3/2019	<p>Item 12. Public Hearing on Zoning Text Amendment Application TXT2019-00252 - to Amend Article 20 of the Zoning Ordinance in Connection with Proposed Revisions to the Water and Sewer Provisions of the Adequate Public Facilities Standards (APFS)</p> <p>Item 13. Public Hearing - Proposed Revisions to the Water and Sewer Provisions and Exemption and Waiver Provisions of the Adequate Public Facilities Standards (APFS)</p> <p>Item 14. Public Hearing on the Ordinance to Amend Rockville City Code Chapter 24, Water, Sewer, and Sewage Disposal</p> <p>Minutes: There were no speakers at any of the 3 public hearings.</p>
7/8/2019	<p>Item 16. Discussion and Instructions, Possible Introduction and Possible Adoption of an Ordinance to Grant Zoning Text Amendment TXT2019-00252 - Revisions to Article 20 of the Zoning Ordinance (Adequate Public Facilities) to Revise the Adequacy of Water Supply and Sewer Service Provisions for New Developments; Mayor and Council of Rockville, Applicant</p> <p>Item 17. Discussion, Instructions and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards - Revisions to the Adequate Public Facilities Standards (APFS) for Water and Sewer Service</p> <p>Item 19. Discussion and Instructions and Possible Adoption of an Ordinance to Repeal in Its Entirety and Re-Enact Chapter 24 of the Rockville City Code Entitled "Water, Sewers and Sewage Disposal" So as to Revise the Title to "Water, Sewers and Wastewater Disposal," to Include New Administration Sections; to Comply with Federal and State Provisions; to Provide for Proper Maintenance of Private Water and Sewer Facilities; to Amend Requirements for Water Restrictions and Droughts; to Revise and Establish Requirements and Standards for Water and Sewer Authorization to Connect to City Water and Sewer Systems; to Establish Monetary Credit Towards Capital Contribution Charges When a Developer Constructs an Off-Site City Water or Sewer Improvement; and to Generally Reorganize and Revise the Chapter</p> <p>Minutes: All were adopted on a 4-0 vote.</p>

[APF Links Document](#)

Rockville Politics vis-à-vis the APFO

The political reality of Rockville politics is that many parents and their children do not like portables. I have heard this many times at doors, at coffees, at candidate forums, and Community Forums at Mayor and Council meetings, as well as through email as a Rockville Councilmember. The parents also do not like to have their County property tax rates raised and they do not like boundaries changed for elementary school catchment areas or for middle school or high school

Mark Pierzchala
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cluster boundaries. So, the County muddles along both with many portables and an inadequate housing supply.

A complication for Rockville is that Municipal Rockville does not provide public school facilities. Public school buildings are provided or renovated by a complicated mix of decisions and actions by both the Montgomery County Board of Education and the Montgomery County government (the County Council and the County Executive).

But there is not enough money to at the same time (1) provide all the new school buildings caused by population increase, and (2) renovate buildings that need it, some of which are in terrible shape and have been for years.

Since what Rockville controls is its own zoning (a.k.a. land-use laws), the City, through its APFO/APFS, has tried to control school capacity through development control. This has discouraged the production of new housing.

Figure APF4: Portables at Richard Montgomery High School – Political Poison



Picture by Mark Pierzchala, September 4, 2025

Further, many people just do not like development, do not like developers, do not like traffic, and do not like people who either are renters or live in affordable housing or both. These people vote and influence many others in their votes.

Why I Changed My Mind on the APFO/APFS

I supported the idea of APFO/APFS when I first heard about it in the mid-2000s. However, even before my first year in office in 2009, I had investigated further, and came to recognize that:

- It sets up an unnecessary conflict between public goods, for example:
 - Adequate classroom space versus adequate housing. **Note:** Under the APFO/APFS both these public goods lose out, see further.
 - Infill redevelopment, where a new development provides housing near transit and better storm water management, may be put off, even though its school impact

fees provide more resources for school construction than will be used by the development itself.

- The way that County and City development fees work, a multifamily project usually provides more money for school capacity than it uses in actual students. The money is paid up-front. Stopping housing development reduces resources for classroom construction.
- For those students who attend class in portables, this is a temporary situation. They will progress out of the portables to regular classrooms (I understand that in middle school and high school some students switch in and out of portables during the day). On the other hand, the lack of an adequate housing supply results in a lifelong financial disability that will impact quality of life for decades and for the vast majority of each age cohort.
- Development moratoria distort where housing development can occur. These can lead to development in otherwise non-optimal locations, such as far from transit centers. They may hinder development in areas such as Town Center that need a larger customer base.
- The majority of additional students to the City's schools come from turnover of existing homes, not from new multi-unit construction.
- The APFO/APFS give County elected bodies the implicit, but real, authority to decide where in Rockville development can occur. These elected bodies may base their decisions on non-related criteria and not even be aware of the development ramifications.
 - In late October 2025, Superintendent Taylor suggested the possibility that the new Crown High School be used as a holding school instead of relieving overcrowding at the RM and other clusters. In December 2025, Option H was put forth, shifting Wootton HS to the Crown HS building. Should either be adopted by the Board of Education, this could put the RM cluster in a housing development moratorium.

[New set of MCPS boundary options to include closure of Silver Spring International Middle, using Crown High as holding school.](#)

[MCPS proposal to use new Crown High as holding school draws strong reactions.](#)

[Wootton High could permanently move to upcoming Crown High in Gaithersburg under MCPS boundary option 'H' \(accessed January 22, 2026\)](#)

- MCPS school cluster boundaries do not match municipal boundaries. Moratoria can result in geographic restrictions that can impede worthy developments.
- At least 95% of Rockville residents reside in developments. They like their homes and their neighborhoods. When they oppose development, they oppose the same things for others, including for their own children and grandchildren.
- Rockville's initial APFO/APFS had tighter school standards than the County standards. This created areas that could not be developed in Rockville where development should be prioritized, such as near transit stations. (Even though Rockville aligned its standards with the County in 2015 and 2017, the County may have undertaken subsequent revisions and I'm not sure the City matches the County anymore in this respect.)

- New housing takes years to develop. From initial conception to first rentals, a multi-family building may be most of a decade in the making.
- External factors, such as The Great Recession, may shift many students from private schools to public schools, by itself, resulting in a moratorium.
 - For this and other reasons, there is always uncertainty that a developer must factor in even when it appears the APFO/APFS will not interfere. See the point above about the sudden decision to consider using Crown High School as a holding school.
- Rockville's APFO/APFS does not provide more resources for school construction. It does not incent more resources. It can reduce resources.
- Rockville's APFO/APFS has been used in tremendously ugly ways, especially against affordable housing; descriptions of these renters have been horrific.
- New people are seen as a problem. I prefer to see new people as friends to make, new talent and energy moving in, and more parents in the PTA helping out the school.
- Traffic issues can boomerang. By prohibiting development based on traffic concerns, we push development further north, and then we spend much time and energy fighting off a widening of I-270.
- Property tax increases from multifamily developments exceed their demand for City services. Rockville residents have a massive appetite for services, playgrounds, and recreational programs and new developments allow the City to provide these without raising property tax rates.
- At the time of this writing (autumn 2025) with the Trump Administration's massive federal employee reductions, and reduction of contracts leading to contractor layoffs, MCPS does not know, and cannot reliably predict, what their capacity demands will be in the short term or the long term. There may yet be a large number of agency relocations; a few are in the works already; we don't know the eventual extent of agency moveouts.
- Rockville has, in any case, been getting its fair share of new construction, including
 - College Gardens Elementary School totally rebuilt and enlarged.
 - Maryvale Elementary School rebuilt
 - Bayard Rustin, a new, fifth elementary school in the RM cluster is built.
 - Julius West Middle School enlarged
 - Rockville High School rebuilt
 - Richard Montgomery High School rebuilt
 - Crown High School and Woodward High Schools, taking Rockville students, are being built
- On the other hand, significant, long-term deficits remain, for example
 - Wootton High School needs to be rebuilt
 - Twinbrook Elementary needs to be rebuilt

The last 2 bullets illustrate the conundrum that badly needed renovations are often held up due to the need to build new school capacity. Much of this capacity already exists in the form of unused classrooms in other parts of the County, but redistricting for this purpose brings out the pitchforks.

Mark Pierzchala
February 3, 2026

I try to point out to parents that their 12-year old in the fifth-grade portable is only 10 years away from being a young adult searching for housing. Their children need an emerging housing market that grows as they proceed through school. Without that continuous development, their housing costs will be permanently high, impacting on their ability to provide for themselves and their own children.

Our Own Family Experience

Our oldest daughter attended the old Richard Montgomery High School during the new school building's construction. During her first three years, she attended some classes in portables (her senior year was in the new RM). She did not complain about it and we, her parents, did not complain about it, but we did discuss it.

Concern: Sometimes it was cold – **Answer:** Carry around a light jacket.

Concern: Sometimes it rained – **Answer:** Run or put on the jacket. Be aware of the weather and plan ahead.

Notice that her concerns were not with the education provided in the portables.

We told her that the reason that Richard Montgomery (and MCPS) schools were so crowded was that she was fortunate to attend one of the world's very best public-school systems. Parents moved into Montgomery County and into MCPS knowing full well that their children could or would be in portables. And, for all the bloat and bureaucracy of the MCPS system, one thing it does well is to put excellent teachers in the classroom and to weed out bad ones.

We told her that, for the purpose of education, the walls do not matter. What matters most, in order of importance, was herself and her efforts, her teachers, her parents, and her classmates. Our expectations were clear: succeed anyway.

School Security

But that was 15 years ago. What about now, with more frequent school shootings and the perception that portables are less secure. I do not disagree with this conclusion. Yet, there are not enough money, MCPS bandwidth, construction companies, and school sites, for MCPS to build its way out of the capacity crunch in a timeframe that suits your children. A quicker, far less expensive solution would be to redistrict nearly all clusters, but there are those pitchforks again. Ironically, new schools create their own redistricting headaches. We saw this in Rockville when the new Bayard Rustin Elementary School came online. We are about to see it again through the massive redistricting necessary for the new Crown and Woodward high schools.

Appendices II – Specific Projects in Approximate Chronological Order

This group of appendices deals with specific controversial housing development proposals that I dealt with as a Councilmember.

This section also includes an appendix on the Rockville Pike Master Plan approval including the provision of the Pierzchala-proposed Champion Project concept that was therein included. This key tool was used in the BF Saul proposal for Twinbrook Quarter.

Appendix VC: Victory Court Housing 2009 – 2010

Victory Court Housing is affordable housing for seniors. The land is owned by the County. The County supported its use for senior housing with the Roman Catholic Archdiocese (RCA) Victory Housing. The approval was with the Rockville Board of Appeals, following a positive recommendation from the Planning Commission. The Rockville Mayor and Council was involved in (1) abandonment of a right-of-way between Maryland Avenue and Monroe Street, and (2) a request from the RCA for a letter of support to the State of Maryland for low-income tax credits.

The abandonment was approved unanimously on October 26, 2009. On February 1, 2010 the request for a letter of endorsement for tax credits came to Mayor and Council. The body discussed then tabled the request (no vote was taken), and the Archdiocese pulled their request for endorsement on February 5, 2010 (before the February 8, 2010 meeting). I did not support Britton and Gajewski on this. However, as the controversy progressed, I became much more supportive of Victory Court.

There was strident and sustained opposition to the project. A Board of Appeals hearing extended over 3 long meetings.

After Board of Appeals approval, the RCA was sued by residents. RCA won its case and proceeded. In the groundbreaking ceremony the Archdiocese praised me as being supportive. The following link of the groundbreaking is from Rockville Channel 11. It does not include the RCA's comments about me, but it does show my positive support.

[Victory Court Groundbreaking](#)

Date	Description (Pierzchala not yet on the Council this part of the table)
6/15/2009	- Citizen's forum: 2 people spoke about the Victory Housing project - Agenda packet: nothing
8/3/2009	- Citizen's forum: 1 person spoke about the Victory Housing project - Agenda packet: nothing
8/12/2009	- Planning Commission item. Special Exception SPX2009-00378, Victory Housing, Inc. - for the construction of an 86-unit senior adult housing facility in the MXT Zone on property bounded by Maryland Avenue, Fleet Street and Monroe Street.

<p>PC recommends approval by the BOA vote 5-0</p>	<p>- Many people testified - “Commissioner Johnson moved, seconded by Commissioner Pakulniewicz-Chidiac, to recommend approval of Special Exception Application SPX2009-00378 to the Board of Appeals per staff conditions. Commissioner Hill offered a friendly amendment to the motion: to include the words "that the Commission believes this project is consistent with the Master Plan" including three additional recommendations: 1) That Rockville residents having preference should be considered; 2) That staff clarify site, height, and layback measurements; and, 3) That the parking situation be considered, shared-use, or not, and how much parking is on the site, as an issue that should be considered at the special exception stage. Commissioner Johnson stated that he is comfortable with two of the recommendations, but, he does not agree with the first recommendation; the Rockville residents preference. Commissioner Ostell suggested that, if it is at all possible, without violating any Fair Housing laws or discrimination laws, that it would be nice that Rockville residents could be preferred tenants in the senior housing facility. The motion passed on a vote of 5-0 with Commissioners Wiener and Tyner absent.”</p>
<p>9/12/2009</p>	<p>- Board of Appeals item – a public hearing - Almost 11 pages of minutes, hearing continued to October 3. Note: The hearing was continued on November 7. Note: The hearing was continued again on December 5.</p>
<p>9/14/2009</p>	<p>- Citizen’s forum: 1 person spoke about the Victory Housing project - Agenda packet 10: Application to Close and Abandon Unimproved Public Right-of-Way known as Mount Vernon Place, between Maryland Avenue and Monroe Street. - Item 10: “The Mayor and Council heard testimony from Cas Chasten, Planner III, and five other individuals. The testimony of the speakers can be found in the official public hearing file of the Mayor and Council in the City Clerk’s Office.”</p>
<p>10/12/2009</p>	<p>- Citizen’s forum: 5 people spoke about the Victory Housing project - Item 20: Discussion & Instructions on SCA2006-00097 – Application to Close and Abandon Unimproved Public Right-of-Way known as Mount Vernon Place, between Maryland Avenue and Monroe Street - Item 20: CM Gajewski supported Option 3 for the abandonment and that it had the support of Victory Housing</p>
<p>10/26/2009 Approval of abandonment MC vote 5-0</p>	<p>- MC Item 27: Introduction and Adoption of Ordinance to approve SCA2006-00097 - Application to Close and Abandon Unimproved Public Right-of-Way known as Mount Vernon Place, between Maryland Avenue and Monroe Street - “Councilmember Britton introduced the ordinance with the amendment. Motion moved by Councilmember John Britton, seconded by Councilmember Phyllis Marcuccio to approve the waiver of the layover period for an Ordinance to approve SCA2006-00097 - Application to Close and Abandon Unimproved Public Right-of-Way known as Mount Vernon Place, between Maryland Avenue and Monroe Street. Motion Passed: 5</p>

The approved ordinance can be found in the brief book.	approved - 0 opposed - 0 abstained Mayor Susan R. Hoffmann, Councilmember John Britton, Councilmember Piotr Gajewski, Councilmember Phyllis Marcuccio, and Councilmember Anne Robbins approved. None opposed. Motion moved by Councilmember John Britton, seconded by Councilmember Piotr Gajewski to approve Adoption of Ordinance No. 30-09 to approve SCA2006-00097 - Application to Close and Abandon Unimproved Public Right-of-Way known as Mount Vernon Place, between Maryland Avenue and Monroe Street 10:20 pm Councilmember Marcuccio asked why it was necessary to do this. Motion Passed: 5 approved - 0 opposed - 0 abstained Mayor Susan R. Hoffmann, Councilmember John Britton, Councilmember Piotr Gajewski, Councilmember Phyllis Marcuccio, and Councilmember Anne Robbins approved. None opposed.”
11/7/2009	BOA Hearing continued

The meetings above were before my first term. The 2010 meetings below were during my first term while the 2012 meeting was in my second term.

12/5/2009	BOA Hearing continued
1/9/2010 BOA approves special exception vote 3-0	<ul style="list-style-type: none"> - Approved by BOA - Minutes from BOA: “Special Exception SPX2009-00378, Victory Housing, Inc. – a request to construct and operate an 86-unit senior adult housing facility in the MXT Zone on property bounded by Maryland Avenue, Fleet Street and Monroe Street (Adoption of the Decision and Order approving the request). Mr. Deitchman moved, seconded by Mr. Maravilla to adopt the Decision as drafted, approving Special Exception SPX2009- 00378, Victory Housing, Inc. The motion passed unanimously. The members of the Board signed the Decision. ”
2/1/2010	<ul style="list-style-type: none"> - Agenda Packet Item 11: Approval of a letter to the State of Maryland, Community Development Administration in support of an application to be submitted by Victory Housing, Inc. for Low-Income Tax Credits to be used in financing the development of Victory Court. - Packet includes a letter of request to Mayor and Council - Packet includes a draft letter of support from the Mayor and Council - From the minutes: There was a long discussion, but no vote taken.
2/5/2010	- From the minutes of 2/8/2010: “It was noted that, on February 5, Victory Housing had withdrawn its request for a letter of support from the Mayor and Council for State of Maryland Low Income Housing Tax Credits.”
2/8/2010	- Minutes indicate there were many questions on process and how to fix it.
3/15/2010 City Attorney directed not	- MC Minutes: “Motion moved by CM Bridget Donnell Newton, seconded by CM Piotr Gajewski to direct the City Attorney to not file a response in the Victory Housing petition for judicial review. In discussion, CM Pierzchala said that he would vote against the motion stating that it is too early to make a decision since the Mayor and Council do not yet know the basis upon which the appeal is being filed and it is premature to act on it. Echoing Mr. Pierzchala’s comments, CM Britton said that he too would vote against the motion. CM Gajewski said this matter involves two parties: Montgomery

<p>to file a response in the Victory Housing petition for judicial review.</p> <p>Vote 3-2</p>	<p>County and a group of citizens who questioned a decision of the Board of Appeals and the dispute is between those two entities. He said the City should not take a side, but should wait for a just result. He also cited the cost of mounting a legal defense. CM Gajewski noted that he did support the decision of the Board of Appeals. CM Newton said that she would vote for this motion because the process was flawed and the need for this action reflects what brought the City to this point. She will vote for the motion on behalf of the citizens who did not feel they were heard. Mayor Marcuccio agreed and said that she, too, would vote for the motion.</p> <p>Motion Passed: 3 approved - 2 opposed - 0 abstained</p> <p>Mayor Phyllis Marcuccio, CM Piotr Gajewski, and CM Bridget Donnell Newton approved.</p> <p>CM John Britton, and CM Mark Pierzchala opposed.”</p>
<p>4/19/2010</p>	<p>- MC Minutes: Went into closed session. “The Mayor and Council discussed pending litigation related to the City’s Adequate Public Facilities Ordinance (APFO), the petition for legal review for Victory Court, and, and action brought by E&B Enterprises.”</p> <p>Note: I’m not sure why the APFO/APFS would come up for this Senior Project, but it could have been the way the APFO/APFS were written.</p>
<p>4/26/2010</p>	<p>- Citizen’s forum: 2 people spoke about the schedule and process for Level 2 for Victory Court (apparently in reference to the Planning Commission process on Victory Court).</p>
<p>6/23/2010</p> <p>PC vote 5-0</p>	<p>Site Plan STP2010-00034, Victory Housing, Inc. – for approval of an 86-unit housing facility for senior adults and the retention of 5 existing residences in the MXT Zone at 209 Monroe Street, 150 Maryland Avenue, and 101-107 Fleet Street.</p> <p>Find Planning Commission approval</p> <p>“Commissioner Tyner moved, seconded by Commissioner Trahan, to approve Site Plan STP2010 00034, Victory Housing, Inc. per staff recommendations and findings including al conditions as well as the revised language to Condition 2h. Also, a further suggestion that the HDC reconsider a lowing an 8-foot wide sidewalk to partially encroach into the historic district. The motion passed on a vote of 5-0 with Commissioners Medearis and Pakulniewicz being absent.”</p>
<p>1/9/2012</p>	<p>- Item 18: Old/New Business: “Councilmember Moore congratulated City Attorney Daniel and her staff on the Victory Housing Ruling.”</p> <p>Note: This a note in the MC minutes that Victory Housing won its case.</p>

Mark Pierzchala
February 3, 2026

Figure VCI: Victory Court



Picture by Mark Pierzchala, September 3, 2025

[Victory Court Links Document](#)

Appendix SW: Silverwood in 2010 – 2011

Silverwood was subsequently renamed The Bainbridge and is now The Reed

The developer wanted to annex into the City of Rockville in order to overcome the County Master Plan issue that this particular site was not for residential. The developer could have pursued a County Master Plan amendment but County approval was unlikely, and they chose to come into Rockville. Because of the City’s Adequate Public Facilities Ordinance (APFO) and its Adequate Public Facilities Standards (APFS), the APFS had to be amended to make this work.

Overall approval of the Silverwood project required 3 major Rockville actions: (1) Mayor and Council annexation of the land into Rockville, (2) modification of the APFS with respect to school capacity, and (3) approval of the project by the Rockville Planning Commission. It also needed County Council approval for an immediate rezoning of the property that was different from the County zone.

In 2011, the annexation and the enabling modification of the APFS for Silverwood was approved on multiple 3–2 Mayor and Council votes. The City’s Planning Commission vote was 4-1-2. In other words, the key Rockville votes were all approvals on 1 vote margins. The County Council voted 6-3 to approve Rockville’s immediate MXTD zoning designation.

Silverwood Approval Timeline

In the table, introductions, motions, resolutions, and votes are extracted. Brief explanation are sometimes provided. You can check the minutes themselves for the complete narratives in the minutes. See the links at the bottom of this section.

Date	Description – usually extracted from the minutes ¹⁷
7/19/2010	Agenda item 10. This starts page 98 of the brief book. The project is introduced to the Mayor and Council. Newton and Marcuccio suggested adding 3-bedroom apartments to the building. None had been planned, (page 3 of the minutes).
4/25/2011	Agenda item 19: “CM Pierzchala requested that on May 9, 2011 a discussion be added to the agenda related to specific changes to the APFS relating to the "Annexation ANX2011-00139, a request to annex two parcels, Parcel A and Parcel 137, Derwood, Reeds Addition (15955 Frederick Road); Silverwood/Shady Grove, LLC, applicant". CMs Gajewski and Britton supported the request.”
5/9/2011	Agenda item 15: “CM Pierzchala introduced the Resolution to enlarge the City’s corporate boundaries, so as to annex two parcels, Parcel A and Parcel 137, Derwood, Reeds Addition (15955 Frederick Road), pursuant to Annexation ANX2011-00139; Silverwood/Shady Grove, LLC, applicant.” (No vote needed.)
5/9/2011 Key 3-2 vote: →	Agenda Item 17: “Motion moved by CM John Britton, seconded by CM Mark Pierzchala to instruct the City Attorney to return to the Mayor and Council with a resolution with the annexation modification language and any additional modifications that are required in the Adequate Public Facilities Standards (APFS) resulting from the proposed modification language.” “Motion Passed: 3 approved - 2 opposed - 0 abstained CM John Britton, CM Piotr Gajewski, and CM Mark Pierzchala approved. Mayor Phyllis Marcuccio, and CM Bridget Donnell Newton opposed.”

The next 4 rows of this table are of Rockville Planning Commission or County body actions.

6/8/2011	“The Planning Commission reviewed the annexation plan and proposed MXTD zoning on June 8, 2011, and recommended approval by a vote of 5 to 2, with Commissioners Ostell and Cook opposed.” (Begins page 119 of the Planning Commission agenda packet.)
6/9/2011	“The Montgomery County Planning Board reviewed the annexation plan and zoning at its meeting of June 9, 2011, and voted 2-1 to recommend denial of both the residential use and the increase in density.”
7/12/2011	“The County Council PHED Committee reviewed the annexation plan and zoning at its meeting of July 12, 2011, and voted 2-1 to recommend denial of both the residential use and the increase in density.”
7/19/2011 ¹⁸ County Council	“The full County Council approved the zoning change to MXTD with residential and increase in density by a vote of 6 to 3 on July 19, 2011. The County Council recommended to the Mayor and Council that the following conditions be included in the City's approval:

¹⁷ In the quoted text from the minutes, the word ‘Councilmember’ is replaced with ‘CM’ to save space.

¹⁸ The importance of this County Council vote cannot be understated. The City had the right to annex, but the sticking point was whether the County Council would allow the City to **immediately** substantially change the zoning from the County’s zoning. In this vote, the County Council explicitly allowed the City to change the zoning to its MXTD (Mixed used Transportation District) zone which allowed the density for the building.

Vote 6-3	<p>1. adequate right-of-way for the Corridor Cities Transitway (CCT) on the property;</p> <p>2. providing streetscape to match the Shady Grove Sector Plan standards on the property;</p> <p>3. a means to achieve the goals of the Shady Grove Transportation Management District; and</p> <p>4. notice to all prospective tenants of the property that they are moving next to the County's Solid Waste Transfer Facility, and that the trash handling activities at the Facility may produce odors and increase its noise generation in the future.</p> <p>These conditions have been incorporated into the draft Annexation Agreement.”</p>
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Return to Rockville Mayor and Council actions.

<p>6/20/2011</p> <p>Adopt annexation plan</p> <p>Key 3-2 vote: →</p>	<p>Adoption of the annexation plan and determination that the City can provide the services needed and impact to the City would be minimal. This was a necessary step, but not a final step to the annexation.</p> <p>Agenda item 13 “Motion moved by CM Piotr Gajewski, seconded by CM Mark Pierzchala to adopt Annexation Plan for proposed Annexation ANX2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood (15955 Frederick Road); Silverwood/Shady Grove, LLC, applicant.”</p> <p>“Motion Passed: 3 approved - 2 opposed - 0 abstained CM John Britton, CM Piotr Gajewski, and CM Mark Pierzchala approved. Mayor Phyllis Marcuccio, and CM Bridget Donnell Newton opposed.”</p>
7/18/2011	Agenda item 16. Hearing date for the annexation of the 2 properties set for 9/12/2011.
8/15/2011	Agenda item 15. “The Mayor and Council instructed staff to proceed with processing Map Amendment MAP2011-00111.”
9/12/2011 ¹⁹	<p>Agenda item 11. Public Hearing - Annexation AN X2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road; Silverwood/Shady Grove, LLC, applicant.</p> <p>“Mayor Marcuccio introduced the item and called upon the list of speakers. After receiving testimony from six speakers, a complete transcript of which can be found in the Office of the City Clerk, the Mayor declared the public hearing closed and said the record would remain open until 5 :00 p.m. on September 26, 2011.”</p>

¹⁹ This hearing may be the one mentioned in the County Council Agenda Packet of 7/19/2011. In that packet, the Rockville hearing date was referenced as August 1, 2011. There is no record of an August 1 hearing on the City’s agenda web page.

<p>9/26/2011</p> <p>Instruct staff to prepare resolutions</p> <p>Key 3-2 vote: →</p>	<p>Agenda item 16. “Motion: to instruct staff to prepare: a resolution to enlarge the corporate boundaries of the City that includes language regarding the APFS finding from the Annexation 5 Agreement; a resolution to approve the Annexation Agreement; and an Ordinance to place the property the MXTD Zone in order to approve Annexation Petition ANX 2010-00139. Moved by CM Mark Pierzchala and seconded by CM Piotr Gajewski. CM John Britton, CM Piotr Gajewski, and CM Mark Pierzchala approved. Mayor Phyllis Marcuccio, and CM Bridget Donnell Newton opposed.”</p>
<p>10/10/2011</p> <p>Approve annexation with APFS changes</p> <p>Key 3-2 vote: →</p> <p>2026 ZOR Alert: →</p>	<p>Agenda item 15²⁰. Adoption of resolution to enlarge the corporate boundaries of the City of Rockville to include 4.37372 acres of land of Reed Brothers, Inc., and Mary J. Gartner, Trustee for Annexation Petition ANX2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road; Silverwood/Shady Grove, LLC, applicant</p> <p>“Motion: to adopt the resolution, as modified to include the changes to incorporate APFO standards. ²¹ Moved by Pierzchala, seconded by CM Gajewski. The motion carried with CMs Pierzchala, Gajewski and Britton voting “aye,” and Mayor Marcuccio and CM Newton voting “nay.””</p> <p>Under the rules of the 2026 draft APFO, this amendment would not have succeeded due to the requirement of a super majority. (Added 2/2/2026)</p>
<p>10/10/2011</p> <p>Approve annexation agreement</p> <p>Key 3-2 vote: →</p>	<p>Agenda item 16²². Adoption of resolution to approve the Annexation Agreement (see Attachment A) for Annexation Petition ANX2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road; Silverwood/Shady Grove, LLC, applicant</p> <p>“Motion: to adopt a resolution to approve the Annexation Agreement (see Attachment A) for Annexation Petition ANX2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road; Silverwood/Shady Grove, LLC, applicant. Moved by CM Pierzchala, seconded by CM Gajewski. The motion carried with CMs Pierzchala, Gajewski and Britton voting “aye,” and Mayor Marcuccio and CM Newton voting “nay.””</p>
<p>10/10/2011</p>	<p>Agenda item 17. Introduction of Ordinance (see Attachment A) to amend the zoning map for Annexation Petition ANX2010-00139, a request to annex two parcels, Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road; Silverwood/Shady Grove, LLC, applicant</p> <p>“CM Mark Pierzchala introduced the ordinance.”</p>

²⁰ Bolding removed from the resolution statement, for readability.

²¹ The APFO Standards amendment appears below the table in Figure SW2.

²² Bolding removed from the resolution statement, for readability.

<p>10/24/2010²³</p> <p>Amend the zoning map</p> <p>Key 3-2 vote: →</p>	<p>Agenda item 20. “Motion: to adopt Ordinance to amend the zoning map by adding 4.37 acres of land, more or less, known as Parcel A and Parcel 137, Reeds Addition to Derwood, located at 15955 Frederick Road, and placing said property in the MXTD (Mixed Use Transit District), Zone related to Annexation petition AN X 2010-0013 9; Silverwood/Shady Grove, LLC, applicant</p> <p>Moved by CM Pierzchala, seconded by CM Gajewski with CMs Britton, Gajewski, and Pierzchala approving, and Mayor Marcuccio, and CM Newton opposing.</p> <p>Motion Passed: 3 approved -2 opposed -0 abstained”</p>
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Rockville Planning Commission final approval.

<p>10/26/2011</p> <p>PC Vote 4-1-2</p>	<p>Rockville Planning Commission Approval</p> <p>“Commissioner Callistein moved, seconded by Commissioner Ostell, to approve the site plan STP2011-00091 for Silverwood including the updates to conditions and inserts made during this meeting, updates to the findings indicated in the staff report dated October 19, 2011, and the additional information about the APFS to be incorporated into the findings and the changes to conditions recorded this evening.</p> <p>The motion passed 4-1-2. (Commissioner Cook voted no and Commissioners Hill and Hadley abstained).” (Begins page 65 of the Planning Commission agenda packet. See 2 notes below.)</p>
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The project then survived 2 petitions for judicial review.

<p>1/9/2012</p> <p>To defend the City’s Interest in Silverwood</p> <p>MC Vote 4-1</p>	<p>- Item 12: Discussion and Instructions Silverwood Annexation and Proposed Development</p> <p>Motion: to instruct the City Attorney to fully participate in cases to defend the interest of the City.</p> <p>Moved by Councilmember Pierzchala, seconded by Councilmember Moore with Councilmembers Hall, Moore, Newton and Pierzchala approving and Mayor Marcuccio opposing.</p>
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The building is now in place; 417 units within an 8-minute walk from the Shady Grove Metro platform (as timed by me 9/2/2025).

²³ October 24, 2011 was the last Mayor and Council meeting for CMs John Britton and Piotr Gajewski.

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Figure SW1: The Reed Next to Shady Grove Metro



Picture by Mark Pierzchala, September 2, 2025

Modifications of the APFS

The modifications of the APFS were narrowly tailored for situations where the land is annexed into Rockville and other conditions are met. The text in Figure SW2 is from the Mayor and Council Agenda Packet May 9, 2011, Page 139.

Figure SW2: Proposed Modifications to the Adequate Public School Facilities Standards

Minutes text copy (page 139): “For a property being annexed into the City and for all development identified in the respective annexation agreement, a determination of adequate school capacity made by the jurisdiction from which the property is being annexed shall be accepted by the City for purposes of satisfying the APFO, provided: 1) the schools are located outside the City; 2) less than 10 percent of the schools' population at the time of annexation is comprised of students residing within the City; and 3) the determination is made within one year of the effective date of the annexation. The Mayor and Council will confirm this determination as part of their approval of an annexation.”

Planning Commission Agenda Packet Notes on Silverwood – October 26, 2011

Note: Page 67 of the October 26, 2011 Planning Commission Agenda Packet includes a summary of the project. It notes that there would be 417 total apartments including 19 three-bedroom apartments. At the July 19, 2010 meeting, the introduction to the Mayor and Council on this project, Councilmember Newton asked about the size of the apartments including the need for 3-bedroom apartments. The initial plan did not include 3-bedroom apartments. Apparently they were included in response to Newton’s question in this Mayor and Council session. Page 68 notes that 15% of the units would be Moderately Price Dwelling Units. Page 69 notes that the Master Plan in force was from 2002.

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Note: Page 98 of the October 26, 2011 Planning Commission Agenda Packet includes a letter from Bruce Crispell, the Director of Long-Range Planning for MCPS at that time. He noted that project would generate 18 elementary school students, 16 middle school students, and 14 high school students. The Washington Grove Elementary School at 105.6% utilization was under the County’s moratorium threshold, but over the threshold for a school facility payment. The Forest Oak Middle School and Gaithersburg High School were found to be under the 105% school payment threshold.

- [Link Document to SW Mayor and Council Agenda Packets and Meeting Minutes](#)

Appendix TMP: Twinbrook Metro Place 2011 – 2012

This was like a smaller version of the eventual Twinbrook Quarter Project that is now started on the same site. This project was approved, but it never took root. It envisioned 4 buildings, a mix of uses including retail and a hotel, a Chapman Avenue extension, and 811 multifamily residential units.

Twinbrook Metro Place Approval Timeline

In the table, introductions, motions, resolutions, and votes are extracted. Some brief explanation is sometimes provided. You can check the minutes for the narratives they contain. See the links at the bottom of this section.

Date	Description
9/19/2011	- Item 14: Presentation - Briefing for a Project Plan application (PJT2012-00002, Twinbrook Partners) that has been filed for a mixed-use development at 1592 Rockville Pike

The meeting above was during the Mayor and Council 2009-2011 term. The meetings below were during the 2011-2013 term when CMs Hall and Moore were now on the Council.

3/19/2012 ²⁴ I protested the 1-story reduction as I recall.	- Item 12: Discussion and Instructions - to Staff for Project Plan PJT2012-00002, to allow redevelopment of an existing retail center into a mixed-use development to be known as Twinbrook Metro Place at 1592 Rockville Pike, Twinbrook Partners LLC, applicant. - “The Mayor and Council instructed staff to draft a resolution for approval with a reduction of one story in height for Building 5 which will result in the reduction of 19 multifamily units from the 811 units proposed in the original application, as well as 10 feet in building height for Building 5. The Mayor and Council also instructed staff that the proposed 1,278 parking spaces to be provided after the requested parking waiver should be retained. The Mayor and Council also instructed staff to provide an updated analysis for school capacity and traffic capacity per the City’s Adequate Public Facilities Standards (APFS).”
4/16/2012	- Item 12: Adoption of resolution to approve Project Plan PJT2012-00002, to allow redevelopment of an existing retail center into a mixed-use

²⁴ Text in this table, within the quotes were hand-typed from the scanned meeting minutes.

Key 3-2 vote: →	development to be known as Twinbrook Metro Place at 1592 Rockville Pike; Twinbrook Partners LLC, applicant. - “Motion: to adopt resolution to approve Project Plan PFT2012-00002, to allow redevelopment of an existing retail center into a mixed-use development to be known as Twinbrook Metro Place at 1592 Rockville Pike; Twinbrook Partners LLC, applicant.” - “Moved by CM John F. Hall and seconded by CM Mark Pierzchala.” ²⁵ - “Vote: CMs Hall, Moore, and Pierzchala approving and Mayor Marcuccio and CM Newton opposing. Motion carries 3-2”
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Note: There are interesting minutes from these 3 meetings, which give the rationale for each vote and decision. The video of these meetings may also be interesting to watch.

Note: This project was approved before the Rockville Pike Plan was updated, and before the concept of Champion Project was introduced and made part of the Rockville Pike Plan.

[Link document to TMP Mayor and Council Agenda Packets and Meeting Minutes](#)

Appendix NLH: National Lutheran Home 2011- 2012

Request for a City of Rockville Revenue Bond Approval

National Lutheran Home & Village is now called The Village at Rockville. It is located in the very western part of Rockville. It was and remains a non-profit community. The meeting agenda materials from 2011 and 2012 cited it as a 501(c)(3) community.

“The National Lutheran Home & Village at Rockville (the “Borrower”) asked the City Rockville to issue up to \$25 million of its non-recourse economic development revenue bonds (the “Bonds”) and lend the proceeds of those Bonds to the Borrower.” (Text taken from the letter of James E Cumbie (a Venable Bond Attorney) to the City of Rockville.)

A transaction like this is (1) highly technical, but (2) very common nationwide and takes advantage of national and state tax laws and provides a way for charitable entities to finance projects at a lower interest rate. In this case, the City of Rockville would be acting as an intermediary (my wording) for the National Lutheran Home.

The timeline was less than 2 months. An initial unanimous support in December 2011 became a narrow final approval on January 9, 2012.

There was abundant documentation provided to Mayor and Council in the agenda packets. This was supplemented by verbal presentations during the 3 Mayor and Council meetings.

The Mayor and Council at this time: Mayor Phyllis Marcuccio, Councilmembers John Hall, Tom Moore, Bridget Newton (second term), and me (second term). This was one of the very first housing issues addressed by this Mayor and Council.

²⁵ In this and other places, in the quoted text, ‘Councilmember’ is replaced by ‘CM’ to save space.

National Lutheran Home Timeline 2011 – 2012

Date	Description
<p>12/5/2011</p> <p>MC vote 5-0</p>	<p>- Item 11: Approval of Proposed Economic Development Revenue Bond Financing for National Lutheran Home and Village at 9702 Veirs Drive, Rockville.</p> <p>- “Motion to approve the Proposed Economic Development Revenue Bond Financing for National Lutheran Home and Village at 9701 Veirs Drive, Rockville. Moved by CM Moore and seconded by CM Newton and unanimously approved.”²⁶</p>
<p>12/12/2011</p> <p>MC vote 5-0</p>	<p>- Item 11: Public Hearing – Economic Development Revenue Bond Financing for National Lutheran Home and Village at 9701 Veirs Drive, Rockville.</p> <p>- “Director of Finance Gavin Cohen, presented the background on this item, speaking about the public hearing process and the fact that an additional public hearing will be held on December 23rd. The Bond Council for Rockville, Jim Cumbie, Esquire, and Gavin Cohen will administer the public hearing. There being no speakers, the Mayor closed the public hearing and said the record would remain open until 10:30 a.m., Friday, December 23,2011. Note: This was to be held as an internal public Tax Equity and Fiscal Responsibility Act (TEFRA) hearing on Friday, December 23, 2011.</p> <p>- Adoption of Resolution to approve the Economic Development Revenue Bond Financing for National Lutheran Home and Village at 9701 Veirs Drive, Rockville. Motion: to adopt the Resolution to approve the Economic Development Revenue Bond Financing for National Lutheran Home and Village at 9701 Veirs Drive, Rockville. Moved by CM Hall, seconded by CM Newton and unanimously approved.</p>
<p>12/23/2011</p>	<p>An internal public hearing was held. This is documented on page 90 of the 1/9/2012 Agenda packet. This was the TEFRA public hearing. This was not a Mayor and Council meeting. 2 people showed up.</p>
<p>1/9/2012</p> <p>Final Key 3-2 vote: →</p>	<p>- Citizen’s Forum: 8 people oppose the Lutheran Home Bond, one advises to hold off on the Lutheran Home Bond decision, 6 people support</p> <p>- Item 11: Approval - Proposed Economic Development Revenue Bond Financing for National Lutheran Home and Village at 9701 Veirs Drive, Rockville</p> <p>“Motion to approve proposed Economic Development Revenue Bond financing for National Lutheran Home and Village at 9701 Veirs Drive, Rockville. Moved by CM Tom Moore, seconded by CM Mark Pierzchala with CMs Moore, Pierzchala and Hall approving and Mayor Marcuccio and CM Newton opposing. Motion Passed: 3 approved - 2 opposed - 0 abstained”</p>

²⁶ In this table, some quotes are typed from scanned meeting minutes. The word Councilmember is replaced by CM.

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Note: Opposition from 2 people surfaced at the December 23, 2011 TEFRA hearing.

Note: On January 9, 2012, 15 people spoke at Citizen’s Forum.

- [Link document to NLH Mayor and Council Agenda Packet and Meeting Minutes](#)

Figure NLH1: The Village at Rockville



Picture by Mark Pierzchala, September 3, 2025

Appendix FPA: Fireside Park Apartments, 2012 – 2018

In April 2012, Rockville Housing Enterprises (RHE) learned that the privately owned, and naturally affordable, Fireside Park Apartments were sold to an out-of-state developer. RHE was concerned that with its proposed redevelopment, many naturally affordable units would be lost. The number lost would greatly exceed the number provided by the 15% MPDU requirement. The new owner was planning a complete tear down and rebuild.

Montgomery County has a housing provision called “Right of First Refusal” whereby the acquiring property owner provides information to the County about the terms of sale, including purchase price. The Right of First Refusal law allows a housing authority such as RHE to intervene in the sale by purchasing the property for the same price as the just-established sales price. RHE asked the County to intervene on its behalf, and the County required the City to confirm its intervention for the right of first refusal.

On August 6, 2012, this request came to Rockville’s Mayor and Council with less than a week’s notice. This was the last meeting before summer break, with very little background information available to Mayor and Council before the meeting. RHE made a presentation, and Mayor and Council unanimously approved the Right of First Refusal at this meeting. This started a several

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weeks-long approval process that was highly controversial. On subsequent 3-2 votes, the Mayor and Council approved the sale of Fireside Park Apartments in 2012. The refinancing was approved in 2018 on a 4-1 vote. Table FPA1 gives the timeline for Fireside Park Apartments.

Table FPA1: Community Comments about the Proposed RHE Acquisition

Date	Item
8/6/2012 Key 5-0 vote →	- Item 10: The was the last meeting before the summer break. RHE asked for Mayor and Council approval to authorize the County’s Right of First Refusal to Purchase Fireside Park Apartments. This deadline for approval was August 27, 2012, during the summer break. - Mayor and Council unanimously approved the authorization.
9/10/2012	- Item 12: Work session on Fireside Park Apartments - Item 13: Technical correction to the 8/6/2012 authorization to correct language. Mayor and Council unanimously approved the correction.
9/24/2012	- Item 12: Discussion on Fireside Park Apartments. Set a public hearing for October 8, 2012.
10/8/2012	- Hearing held on Fireside Park Apartments. 39 people spoke.
10/22/2012	- Item 13: Work session on Fireside Park Apartments
11/5/2012 Key 3-2 vote: → Key 3-2 vote: →	- Item 17: “ Motion: To authorize Rockville Hosing Enterprises to acquire Fireside Park Apartments and undertake related actions necessary to complete the acquisition, including borrowing and accepting money to undertake a house project, entering into a mortgage, and establishing a not-for-profit corporation to own Fireside Park Apartments. Moved by CM ²⁷ Moore, seconded by CM Pierzchala with CMs Hall, Moore and Pierzchala approving and Mayor Marcuccio and CM Newton opposed.” - Item 18: “ Motion: To approve a grant in the amount of \$200,000 and a loan in the amount of \$1,800,000 to Rockville Housing Enterprises for the purchase of Fireside Park Apartments for the preservation of mixed-income, affordable housing in the City of Rockville and to require RHE to seek an annual PILOT waiver found in Attachment G, Tab 18 as amended by the City Attorney. Moved by CM Moore and seconded by CM Pierzchala. The motion passed with CM Hall, CM Pierzchala and CM Moore approving and with Mayor Marcuccio and CM Newton opposing.”
11/19/2012 Key 4-1 vote: →	- Item 18: Approval of Montgomery County’s Offer to Advance the City’s \$1.5 million General Fund Loan to Rockville Housing Enterprises “ Motion: to approve Montgomery County’s offer to advance the City’s \$1.5 million General Fund Loan to Rockville Housing Enterprises. Moved by CM Moore, seconded by CM Hall with CM Hall, CM Newton, CM Moore, and CM Pierzchala approving and Mayor Marcuccio opposed.”
12/24/2012	Fireside Park Apartments acquired by Rockville Housing Enterprises
2/25/2013	- Item 11: Update to Mayor and Council on the December 24, 2012 RHE acquisition of Fireside Park Apartments.
9/8/2014	- Item 9: Presentation – Fireside Park Apartments Annual Report to Mayor and Council

²⁷ In this table, in the quoted material, the word ‘Councilmember’ was replaced by ‘CM’ to save space.

9/22/2014	- Item 13: “Councilmember Moore made a motion to have the following items added to the Action Report: Look at creating a Management Fee for Rockville Housing Enterprise to be compensated for managing Fireside Apartments Seconded by CM Onley”
10/5/2015	- Item 13: Discussion, and Possible Approval, of Rockville Housing Enterprises’ Management Fee Request for Fireside Park Apartments - “ Motion: to approve RHE’s request to receive a Partner Asset Management Fee from the Fireside property in the amount of \$30 per month per unit Moved by CM Feinberg and seconded by CM Onley. Motion: to amend to \$30 per month per unit with a cap not to exceed \$84,960 per year. Moved by CM Feinberg, seconded by CM Moore and unanimously approved.”
Beginning of 2015 – 2019 term	Mark Pierzchala takes over the role of Mayor and Council liaison to Rockville Housing Enterprises.
7/18/2016	- Item 14: Presentation of Annual Report for Fireside Apartments and Proposed Refinancing Plan
5/1/2017	- Item 20 Future Agendas: “Regarding the RHE Fireside discussion, the Financial Advisory Board (FAB) will need information for review prior to this Agenda Item discussion.”
9/11/2017	- Item 16: Presentation on Fireside Park Apartments Annual Report by Rockville Housing Enterprises (to the Mayor and Council)
2/2/2018	3-alarm fire at Fireside Park Apartments

Figure FPAI: Fireside Park Apartments Fire, Immediate Aftermath



Picture by Mark Pierzchala, February 2, 2018

2/5/2018	<ul style="list-style-type: none"> - “City Manager Rob DiSpirito expressed the City’s concern about the tragic fire at Fireside Park Apartments and provided information regarding donations to help those in need, . . .” - Two individuals spoke at Community Forum about the fire.
2/12/2018	<ul style="list-style-type: none"> - Item 3. A. Presentation and Work Session on RHE Fireside Park Apartments’ Plan to Refinance Its Existing Loans and Obtain Additional Financing for Modernizing the Property
2/26/2018	<ul style="list-style-type: none"> - Item 10: Public Hearing on Rockville Housing Enterprise’s Plan to Refinance its Existing Loans and Obtain Additional Financing for Modernizing the Fireside Par Apartments Property
3/19/2018 Key 4-1 vote: →	<ul style="list-style-type: none"> - Item 17: “Motion: to adopt the Resolution to authorize Rockville Housing Enterprises (RHE) to refinance the existing loans on Fireside Park Apartments and undertake related actions necessary to complete the refinance and obtain additional financing, including borrowing and accepting money, entering into a mortgage, and establishing a not-for-profit single purpose entity to own Fireside Park Apartments” - Mover: Mark Pierzchala - Seconder: Julie Palakovich Carr - In favor: Beryl L. Feinberg, Virginia D. Onley, Julie Palakovich Carr, and Mark Pierzchala - Opposed: Mayor Bridget Newton
3/19/2018 Key 3-2 vote: → (with note)	<ul style="list-style-type: none"> - Item 18: “Motion: to adopt the Resolution to authorize financial support in the form of a grant in the amount of \$500,000 to Rockville Housing Enterprises for the modernization of Fireside Park Apartments for the preservation of mixed-income, affordable housing in the City of Rockville” - Mover: Mark Pierzchala - Seconder: Virginia D. Onley - In Favor: Virginia D. Onley, Julie Palakovich Carr, Mark Pierzchala -Opposed: Mayor Bridget Donnell Newton, Beryl L. Feinberg Note: CM Feinberg indicated she would have voted for a loan. The agenda packet offered a choice between a grant and a loan.

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Figure FPA2 Parkside Landing – Successor Name to Fireside Park Apartments



Picture by Mark Pierzchala, September 4, 2025

The buildings above are in the same buildings that were hit by the fire (see Figure FPA1).

Increase in Size of the Owned RHE Portfolio

The 2012 RHE request of Mayor and Council to acquire Fireside Park Apartments represented a large percentage increase in the RHE owned portfolio of 145%. This is shown from materials presented to Mayor and Council on September 24 by RHE to Mayor and Council. Figure FPA3 is taken from the meeting's Mayor and Council Agenda Packet, page 90. This is from the RHE prepared slide presentation.

Figure FPA3: Number of Fireside Park Apartment Units to be Acquired

Fireside Park Apartments (Information)

- **Number of Units – 236 Units**
 - **96 1-Bedroom Units**
 - **128 2-Bedroom Units**
 - **12 3-Bedroom Units**

Figure FPA4 is from the same Agenda Packet of September, page 99. It is from an information sheet prepared by RHE for the Mayor and Council. At the time of request, the RHE owned portfolio was $105 + 58 = 163$ units. The proposal to purchase Fireside Park with its 236 units represented an $236 / 163 = 145\%$ increase in owned RHE units.

Figure FPA4: First Part of a RHE Information Sheet for Mayor and Council

ROCKVILLE HOUSING ENTERPRISES

621-A Southlawn Lane
(301) 424-6265

Fax (301) 217-5857



Rockville, Maryland 20850
TDD (301) 424-1078

REQUEST TO THE CITY OF ROCKVILLE MAYOR AND COUNCIL FOR ASSISTANCE TO ACQUIRE FIRESIDE PARK APARTMENTS

Who/What is Rockville Housing Enterprises (RHE)?

- Established by the Mayor and Council of the City of Rockville in 1957 as a state-chartered municipal housing agency.
- RHE is a government entity, operating separately from the City of Rockville, whose Board of Commissioners, its governing body, is appointed by the Mayor and Council.
- RHE’s mission is to provide affordable housing for the citizens of Rockville.

What does RHE do?

-  • Owns 105 rental units for extremely low income households (with incomes below 30% of Area Median Income (AMI), currently at \$32,250 for a family of four). These units are operated with rental assistance from the U.S. Department of Housing and Urban Development (HUD).
-  • Owns 58 rental units for moderate income households (households with incomes at or below 60% of AMI, or \$64,500 for a family of four). These units were created under the City’s Moderately-Priced Dwelling Unit program, are self-sustaining, and receive no ongoing government rental subsidy.
- Operates a 414-unit Housing Choice Voucher Program that provides rental assistance payments on behalf of program participants to private landlords in Rockville. RHE pays an average \$500,000 per month to private landlords throughout the city.

Community Input Progressing Towards a November 5, 2012 Approval

Table FPA2 shows the extensive community commentary about 2012 RHE acquisition of Fireside Park Apartments. There was vociferous opposition to the project. There were some supporters as well.

Table FPA2: Community Comments about the Proposed RHE Acquisition

Date and Venue	Number
August 6, 2012 – Citizen’s Forum	4 speak about Fireside Park
September 24, 2012 – Citizen’s Forum	10 speak about Fireside Park
October 1, 2012 – Citizen’s Forum	1 speaks about Fireside Park
October 8, 2012 – Public Hearing	39 speak about Fireside Park
October 15, 2012 – Citizen’s Forum	3 speak about Fireside Park
October 22, 2012 – Citizen’s Forum	4 speak about Fireside Park
November 5, 2012 – Citizen’s Forum	11 speak about Fireside Park

This issue did not end in 2012. It was finally resolved in 2018 when the property was refinanced. A refinancing of the property had always been intended.

Financing Rockville’s Contribution to the RHE Acquisition

Rockville contributed \$2,000,000 towards the acquisition. A small part of this was as a grant, the rest, \$1,800,000 as a loan. However, since this issue came up suddenly, there was no provision in

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the budget for most of this money. Montgomery County advanced Rockville \$1,500,000 as a non-interest loan. This was paid back to the County over 3 years.

I, as the Rockville Council liaison, made sure that RHE paid back Rockville's Fireside Park loan as part of the refinancing. See the next paragraph.

Pierzchala as Council Liaison to Rockville Housing Enterprises

2015-2019 was the first 4-year Mayor and Council term. I asked CM Virginia Onley if I could take over as the Council liaison to RHE. Onley agreed but still attended RHE meetings.

During this term, RHE worked on the refinancing of Fireside Park Apartments. This refinancing included badly needed building renovations that could not be incorporated into the 2012 acquisition. RHE's work was hampered by a government shutdown that slowed government agency and private lender approvals. In early 2018, there was a tragic fire involving one of the buildings at Fireside Park Apartments. This event caused RHE to incorporate fire suppression features into the refinancing and refurbishment of the structures. As the RHE liaison, I attended and participated in these RHE meetings and kept the Mayor and Council informed as to progress. This led to the March 19, 2018, meeting to reauthorize the refinancing of Fireside Park Apartments.

Links to Supporting Documents

The following link leads to a document with numerous other links to Mayor and Council minutes and agenda packets concerning Fireside Park Apartments. You can find links to meeting video on the City's website²⁸.

[Further links to FPA Mayor and Council Agenda Packets and Meeting Minutes](#)

Appendix CL: Chestnut Lodge 2015 – 2017

Tragic Fire Leads to Public Park

This appendix responds to **GGW4** above, about my votes on Chestnut Lodge. I'm proud of the key role I played in denying the application for 7 town homes because of the historic nature of the site. The picture in Figure CL1 is how I remember the lodge. Peerless Rockville conducted a tour of the outside of the property that my wife and I took part in about that time. The application for 7 town homes was after this building burned down.

²⁸ At the time of this writing, the City's is implementing a new website and videos prior to 2022 are not yet available.

Figure CL1: Chestnut Lodge in 2003



North and East Façade Woodlawn Hotel/Chestnut Lodge - 2003

Image from page 86 of the staff report for the HDC, captured June 18, 2015²⁹

The following links give information about the history of Chestnut Lodge. A former, world-renowned psychiatric hospital, it was destroyed in a fire on June 7, 2009. The question in 2015 through 2017 was what to do with the land. The three links below give an overview of the history of the site. The third one is well worth the time to view the video.

[Chestnut Lodge - Peerless Rockville](#)

[Chestnut Lodge - Wikipedia](#)

[Chestnut Lodge fire adds to Rockville losses | Max for Rockville](#)

[Paths to the Present 63 - Chestnut Lodge Video](#) – produced by County Cable Montgomery. From the Montgomery History website: “*Paths to the Present: Montgomery County Stories* was a cable television show produced by County Cable Montgomery and Montgomery History from 2000-2017. Produced by Emmy-winner Barbara Grunbaum and hosted by Gail Street, *Paths to*

²⁹ City materials are public documents. There is no attribution for this photo in the document so, I copied it. See the Links Document below for a link to this report.

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the Present explores the often overlooked history found right in our own backyards.” It is an excellent video of 14:31 running time. ³⁰

Chestnut Lodge Timeline

Date	Description
6/7/2009	Chestnut Lodge burns down
6/22/2009	Commemoration of Chestnut Lodge precedes Mayor and Council meeting ³¹
6/18/2015	HDC Courtesy Review
6/25/2015	Applicant files Project Plan Application PJT2015-00005 ³²
11/19/2015	HDC Courtesy Review
11/23/2015	Mayor and Council are briefed on the plan by the developer
3/9/2016	The Planning Commission recommends against approval and sends a subsequent letter to Mayor and Council on April 8, 2016 (these can be seen in the Agenda Packet to Mayor and Council on April 25, 2016).
4/25/2016	Mayor and Council public hearing
5/16/2016	<p>Agenda item 20: Discussion and Instructions to Staff Regarding Project Plan PJT2015 00005, for the amendment of the Chestnut Lodge Planned Residential Unit (PRU2005-00022), to allow for seven (7) townhouse units instead of seven (7) multifamily units on the former Main Lodge property at 500 West Montgomery Avenue, and to allow for a maximum height of 51.5 feet where 40 feet is allowed in the equivalent zone of RMD-15; JNP Chestnut Lodge LLC, applicant</p> <p>Pierzchala brought in a prepared motion to deny the application</p> <p>- “Motion: to deny Project Plan Application PJT2015-00005</p> <p>Councilmember Pierzchala made the following motion, “I move to deny Project Plan Application PJT2015-00005 and instruct staff to bring back a resolution denying the application based on the following findings:</p> <ol style="list-style-type: none"> 1. That the Project Plan Application is in conflict with the Master Plan 2. That the historical environment of the City and surrounding area would be adversely affected <p>Reasons for these findings to deny the application include:</p> <ol style="list-style-type: none"> 1. The PRU redevelopment plan was a carefully crafted compromise by the community and the developer taking great care to preserve the character of this nationally recognized historic site 2. The Main Lodge was the centerpiece of the property both before and during the process that led to the PRU approval in 2006 3. The original approval of residential development was expressly conditioned on the preservation of the Main Lodge. The proposed residential development is 35% larger than the original approval. Any development on this site would need to be more consistent with the originally approved plan than what is proposed. <p>Key 3-2 vote: → to</p>

³⁰ The latter part of this video shows pictures of Peerless Rockville’s work to rehabilitate Frieda’s Cottage. I was one of the volunteers for this cleanup.

³¹ There is neither an agenda item nor minutes for this hour-long commemoration. There is a note from the June 15 meeting, that this would take place at 6pm before the June 22 Mayor and Council meeting.

³² Planning Commission Staff Report of March 9, 2016, page 1.

deny application	The motion was seconded by Councilmember Feinberg and approved 3-2. Councilmembers Onley and Palakovich Carr opposed.”
6/1/2016	The applicant files an amendment for 6 townhomes. ³³
6/20/2016	Agenda item 18: From scanned minutes, the text is retyped below. - Discussion Regarding the Review Process for the Applicant’s Modification Filed on June 1, 2016 to Project Plan PJT2015-00005, an Amendment of the Chestnut Lodge Planned Residential Unit (PRU2005-00022), to Allow for Six (6) Townhouse Units instead of Seven (7) Multi Family Units on the Former Main Lodge Property at 5000 West Montgomery Avenue, and to Allow for a Maximum Height of 51.5 Feet where 40 Feet is Allowed in the Equivalent Zone of RMD-15; JNP Chestnut Lodge LLC, Applicant
9/19/2016	- Agenda item 13: From scanned minutes, the text is retyped below. - Presentation – Briefing on Project Plan PJT2015-00002, a modification to the proposed amendment of the Approved Planned Development (PD) for Chestnut Lodge that would allow for six townhouse dwellings in lieu of the seven as originally proposed, at 500 West Montgomery Avenue; JNP Chestnut Lodge, LLC, Applicant.
12/5/2016	Agenda item 12: Public hearing
1/9/2017	- Agenda item 6: Community Forum from scanned minutes. Chestnut Lodge Homeowners Association offers to give HOA open space to the City
2/13/2017	Closed session about acquiring Chestnut Lodge property
2/27/2017	- Agenda item 11. - Vote to establish Chestnut Lodge Park - 7 people spoke at Community Forum - From scanned minutes, the text is retyped below. - Authorization for the City Manager to Execute a Contract of Sale for the Purchase of Property at 500 W. Montgomery Avenue, Rockville, Maryland, for the Purpose of Creating a Passive Public Park - “Motion: move that, for the purpose of creating a public park of approximately 6.39 acres, the Mayor and Council authorize the City Manager to 1) execute a contract of sale for 500 W. Montgomery Avenue from JNP Chestnut Lodge LLC, in a form acceptable to the City Attorney and 2) execute all documents, approved by the City Attorney necessary to effectuate the purchase of the property subject to the conditions that (a) the two adjacent parcels owned by the Chestnut Lodge Community Association, Inc., known as Parcels A and B, are transferred to the City of Rockville, and (b) no restrictions are placed on any of the land thus acquired by the City. Moved by Councilmember Pierzchala, seconded by Councilmember Feinberg and approved 4-1 with Councilmember Palakovich Carr voting no.” (The video for this item starts at 1:34:59.)
Vote 4-1 to purchase land for a park	

³³ From page 435 of the June 20, 2016 Mayor and Council Agenda Packet.

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Note: City Manager Rob DiSpirito worked behind the scenes to come to an agreement with the property owner and the Chestnut Lodge HOA in order to assemble the land for a public park. This was with the knowledge of the Mayor and Council members. It was DiSpirito’s idea to try to construct this park, and he deserves credit for it.

Note: The donation of land by the Chestnut Lodge HOA relieved the association of the cost of maintaining the land.

Note: In the last line of the table, the heading mentions a passive public park, but the exact text of the motion does not use that word. I would love to see a playground put in that park. I reviewed the video of me making the motion. The text of the motion quoted above is correct. The motion does not mention the word ‘passive’. I was not trying to be clever.

Note: In DiSpirito’s comments preceding this purchase, he notes that there should be historical interpretation of this site. This is in place now.

Note: DiSpirito’s introduction to the item is excellent and gives the parameters of the deal.

Note: As background, I worked for 2 weekend afternoons to help rehabilitate Freida’s Cottage on the site and knew of the history of Chestnut Lodge through reading the Fromm-Reichmann biography (*Hornstein, G. A., 2000*). The townhomes would have been an inappropriate use for the historic site. They would have been high-end and expensive.

[Chestnut Lodge Links Documents](#)

Appendix RP: Rockville Pike Neighborhood Plan – 2016

An Important Predecessor to the Twinbrook Quarter Approval

The Rockville Pike Neighborhood Plan concerns State Highway 355 from south of the Rockville Metro to the southern City border. An important provision is the concept of a Champion Project in the South Pike near Twinbrook Metro. The proposal for Champion Projects was made by me [Pierzchala Proposal for Champion Projects](#) in May 2016. This idea came from a conversation with former Councilmember Tom Moore.

The placement of Champion Projects into the Rockville Pike Plan was not controversial. BF Saul then formulated the Twinbrook Quarter Project Plan as a Champion Project. It was the Twinbrook Quarter Project that was controversial 2 years later.

The Champion Project definition, in conjunction with a related Developer’s Rights and Responsibilities Agreement (DRRA), gave BF Saul and the City of Rockville mutually binding advantages and guarantees that made the Twinbrook Quarter Project viable. See Appendix TQ.

Rockville Pike Approval Timeline in mid-2016

Date	Description
2006 – 2016	Consultant RFP approval by Mayor and Council on August 1, 2006.
Subset dates: Champion Project Proposal Timeline in 2016	
5/9/2016	Mayor and Council Rockville Pike Work-session

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5/16/2016	Public Hearing on the Rockville Pike Plan
5/23/2016	Council discussion and instructions on the Rockville Pike Plan
5/26/2016	Councilmember Pierzchala proposes a Champion Project definition, by document passed to Elected Colleagues and City Staff.
6/6/2016	Further Mayor and Council Work-session on the Rockville Pike Plan. It was during this work session that the concept of Champion Project was approved with some modifications to the original Pierzchala proposal.
6/13/2016	Further discussion and instruction on the Rockville Pike Plan
7/18/2016	Introduction of the Rockville Pike Plan Ordinance
8/1/2016	Rockville Pike Neighborhood Plan approved unanimously

Additional note: It took a decade, from 2006 to 2016, from instructions to City Staff to start the process, to Mayor and Council adoption of the Rockville Pike Plan. This kind of delay is in itself an obstacle to housing development.

Supporting Documents for the Idea and Adoption of a Champion Project

- Rockville Pike Plan – [Adopted Rockville Pike Plan 8-1-2016](#)
- Pierzchala proposal to define Champion Projects – [Pierzchala Proposal for Champion Projects](#)
- Champion projects in the plan – [Definition of Champion Projects in the Pike Plan](#)
- Mayor and Council work session where Champion Projects were included in the Rockville Pike Neighborhood Plan – [Instructions to include Champion Projects](#)
- [Link document to RP Mayor and Council Documents](#)

Appendix TQ: Twinbrook Quarter 2018 – 2019

Opposition, Support, and Approval

Figure TQ1 – Voila!



The Mayor and Council approval process ran from April 2018 through September 2019. There was vigorous community opposition, especially around the issue of the APFO/APFS school capacity standard. This concerned a proposal by BF Saul between State Highway 355 and the Metro tracks a few minutes' walk to Twinbrook Metro (even closer to the Metro than the Silverwood site). The location is where the Twinbrook Metro Place was approved but never built.

Twinbrook Quarter took advantage of the Champion Project concept proposed by me during the Rockville Pike Master Plan process and placed there by that Mayor and Council. During the approval process for Twinbrook Quarter, the concept of a Developer's Rights and Responsibilities Agreement (DRRA) was approved. Twinbrook Quarter takes advantage of both the Champion Project and DRRA provisions.

As a result of the Champion Project designation, Rockville achieved more apartments and Moderately Priced Dwelling Units (MPDUs) than otherwise allowed. The developer was freed from having to build an access lane along 355 and got higher buildings. The project itself, since it was starting to be built in the 2020s, achieves much better storm water management than before, and is a prime example of transit-oriented development.

Picture by Mark Pierzchala, September 4, 2025

BF Saul has designed an urban neighborhood which was one of the goals in my concept of a Champion Project. The first building was completed in 2025. This is an apartment building, The Milton, of 452 units with a Wegman's Grocery on the bottom level.

Twinbrook Quarter Approval Timeline

Date	Description
4/30/2018	Twinbrook Quarter first comes to Mayor and Council in a briefing. BF Saul presenting.
First mention of Twinbrook Quarter for Mayor and Council	- Item 6 of the brief book: Briefing and Determination of Champion Project Status for Project Plan PJT2018-00011, for Approval of a Mixed-Use Development Known as Twinbrook Quarter Consisting of Up to 1,865 Multi-Unit Dwellings, 431,440 Square Feet of Office Space, a Maximum of 472,950 Square Feet of Retail Uses and 9,000 Square Feet of Entertainment Venue; Saul Holdings Limited Partnership, Applicant - Note: As of 9/1/2025, there are no minutes posted for this meeting.

<p>9/24/2018</p> <p>First mention of a DRRA</p>	<ul style="list-style-type: none"> - There is 1 comment at Community Forum about Twinbrook. - Item 21: Development Rights and Responsibilities Agreement (DRRA) Enabling Legislation <p>“City Attorney Debra Daniel provided an overview of the draft ordinance for the development rights and responsibilities agreement. Councilmember Pierzchala introduced the development rights and responsibilities agreement (DRRA) enabling legislation. Councilmember Palakovich Carr requested staff provide more information on the enhanced public benefits definition.”</p>
<p>12/10/2018</p> <p>Public hearing on the concept of DRRA</p>	<ul style="list-style-type: none"> - 1 Community Forum comment about the APFS. - Item 12: Public Hearing on an Ordinance to Enact a New Chapter 7.5 in the Rockville City Code Entitled "Development Rights and Responsibilities Agreements" There were 3 speakers. - Future Agendas: “There was a discussion about staff being ready to bring back the APFS discussion on December 17, 2018. City Manager DiSpirito responded that staff was working hard to compile information and to be responsive to the Mayor and Council and the public. City Manager DiSpirito stated that representatives from MCPS were committed to attend the meeting on December 17, 2018.”
<p>12/17/2018</p>	<ul style="list-style-type: none"> - 16 Community Forum comments about APFS/APFO. - Mayor and Council form an APFO/APFS working group - Item 10: Work Session on Potential Amendments to the Public Schools Test of the Adequate Public Facilities Standards (APFS) and Comprehensive Transportation Review (CTR) - Mayor and Council agreed to come back to this on January 28, 2019. This was an added meeting for the Mayor and Council. - A public hearing was scheduled for January 14, 2019. - Note: There was no meeting on January 14, 2019. There was a meeting on January 22, 2019, solely for a public hearing.

<p>The next 3 rows in this table concern the APFO/APFS Working Group and its conclusions.</p>	
<p>1/2/2019</p>	<p>APFO Working Group meets – meeting 1 of 2</p> <p>Note: Packet Page 159 of the January 15, 2019 brief book has a one-page draft summary of the breakout groups from this first meeting.</p>
<p>1/4/2019</p>	<p>APFO Working Group meets – meeting 2 of 2</p>
<p>Notes on the APFO/APFS working group conclusions.</p> <ul style="list-style-type: none"> - I could not find a definitive report on the conclusions of the working group on the City’s website. - I found a draft summary in the January 15, 2019 brief book (see below in this table), apparently drafted by the Department of Community Planning and Development Services (CPDS). - This draft summary is from Packet Page 252 through 257. - The draft summary is then followed by extensive comments from various members of the working group. 	

<p>1/7/2019</p> <p>Last meeting for Palakovich Carr</p>	<p>- Note: This was the last meeting for Councilmember Julie Palakovich Carr. She was elected as a District 17 Delegate to the State Legislature.</p> <p>→For the remaining meetings on the Twinbrook Quarter and related items, this was handled by a 4-member Mayor and Council.</p> <p>“Councilmember Julie Palakovich Carr wanted to publicly state that her resignation takes place on Tuesday, January 8, 2019 during a Closed Session. Councilmember Mark Pierzchala thanked Councilmember Julie Palakovich Carr publicly for all of her excellent years of service.”</p> <p>- Note: There were no items about Twinbrook Quarter at this meeting.</p>
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<p>1/15/2019</p> <p>APFS report</p>	<p>- 4 Community Forum comments on APFS/APFO</p> <p>- Item 11: Report from Adequate Public Facilities Standards (APFS) Work Group on Schools Regarding Options to Address a Potential Residential Moratorium</p> <p>- This was a report by Dr. Kelly of Montgomery College, Chair of the APFS Work Group. Among the things noted (from the minutes):</p> <ul style="list-style-type: none"> • “Work Group unable to reach consensus on recommendations” <p>- “The Mayor and Council proceeded to engage in a lengthy discussion with questions of clarification being addressed by staff and the APFS Work Group members. A Public Hearing will be held on January 22, 2019 on potential changes to the APFS Schools test with a possible decision to be made on January 28, 2019.”</p>
<p>1/22/2019</p>	<p>- Item 3A: Public Hearing on Proposed Amendments to the Public School Capacity Test of the Adequate Public Facilities Standards</p> <p>- Note: As of 9/1/2025, there are no minutes for this meeting on the City’s website.</p> <p>- The entire meeting was for this public hearing.</p>
<p>1/28/2019</p>	<p>- 9 Community Forum comments on the APFS and 1 on BF Saul</p> <p>- Item 11: Discussion, Instructions and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards to Revise the Public Schools Test</p> <p>Tabled until February 4, 2019</p>
<p>2/4/2019</p>	<p>- 32 Community Forum comments on the APFS</p> <p>- Item 12: Discussion, Instructions and Possible Adoption of a Resolution to Amend the Adequate Public Facilities Standards to Revise the Public Schools Test</p> <p>- “Councilmember Mark Pierzchala made a motion that the Mayor and Council amend the Adequate Public Facilities Standards for the purpose of aligning the Rockville School Standard with Montgomery County Planning Boards Annual Schools Test and provide for an exemption from the School Adequacy Test for certain development applications based on certain criteria restricted to Champion Projects in the South Pike.”</p> <p>MOVER: Councilmember Mark Pierzchala</p>

<p>Vote 3-1³⁴</p> <p>2026 ZOR Alert: →</p>	<p>SECONDER: Councilmember Virginia D. Onley IN FAVOR: Mayor Bridget Donnel Newton, CM Virginia D. Onley, CM Mark Pierzchala OPPOSED: Councilmember Beryl L. Feinberg Note: Here is a MoCo 360 report. MoCo 360 Report on Schools and Development Decision. This shows me refuting the idea that there is a tradeoff between schools and development.</p> <p>This shows that a ‘super majority’ needs to be defined in the situation where there is less than a full body.</p>
<p>2/25/2019</p>	<p>Community Forum comments on Twinbrook Quarter - One Community Forum speaker on the APFS.</p>
<p>3/4/2019</p>	<p>- Community Forum with 1 person speaking respect to the DRRA and another on the APFS/APFO - Item 15: Discussion, Instructions, and Possible Adoption of an Ordinance to Enact a New Chapter 7.5 in the Rockville City Code Entitled "Development Rights and Responsibilities Agreements" “The Mayor and Council instructed staff to clean up the document with the Mayor and Council’s recommendations, submit it to the Planning Commission for their review and return to the Mayor and Council at a future agenda meeting with the Planning Commission’s approval.”</p>
<p>3/25/2019</p>	<p>- Item 11: Public Hearing on Project Plan PJT2018-00011, Twinbrook Quarter, for a Proposed Mixed-Use Development Consisting of Commercial, Office and Residential Uses in the MXTD Zone at 1500-1616 Rockville Pike; Saul Holdings, LP, Applicants - There were 10 speakers. Another person spoke at Community Form</p>
<p>4/1/2019</p>	<p>- One comment at Community Forum about Twinbrook Quarter</p>
<p>4/8/2019</p> <p>Vote 4-0</p>	<p>- Discussion, Instructions, and Possible Adoption of an Ordinance to Enact a New Chapter 7.5 in the Rockville City Code Entitled "Development Rights and Responsibilities Agreements" - “Councilmember Mark Pierzchala moved to amend the Ordinance introduced in September. 2018 with amendments included in attachment 10B.” MOVER: Mark Pierzchala, Councilmember SECONDER: Virginia D. Onley, Councilmember IN FAVOR: Mayor Newton, CM Feinberg, CM Onley, CM Pierzchala - “Councilmember Mark Pierzchala moved to adopt the Ordinance.” MOVER: Mark Pierzchala Councilmember SECONDER: Beryl L. Feinberg, Councilmember IN FAVOR: Mayor Newton, CM Feinberg, CM Onley, CM Pierzchala</p>
<p>4/29/2019</p>	<p>- Item 14: Discussion and Instructions to Staff, and Possible Adoption of a Resolution, on Project Plan PJT2018-00011, Twinbrook Quarter, for a Proposed Mixed-Use Development with Multi-Unit Residential, Retail and</p>

³⁴ The 3-1 vote was a 2-vote margin. But since it was a 4-member body at the time, it was still a 1-vote margin in the sense that a 1-vote switch would have led to a 2-2 disapproval.

<p>Series of straw votes; each a key decision included in the final vote</p> <p>Twinbrook Quarter Project final approval: Vote 4-0</p>	<p>Office Uses in the MXTD Zone at 1500-1616 Rockville Pike; Saul Partners LP, Applicants.</p> <ul style="list-style-type: none"> - The Mayor and Council unanimously determined this was a Champion Project. - The Mayor and Council unanimously agreed to a 30-year timeframe for Development. - Councilmember Mark Pierzchala supported the Parking Waiver along with Councilmember Virginia D. Onley and Mayor Bridget Donnell Newton. Councilmember Beryl L. Feinberg did not support the Parking Waiver for the whole project and had concerns about parking near Wegman’s and the bus lane. - The Mayor and Council unanimously agreed to approve the recommendation of bike sharrows over bike lanes for this project. - Councilmember Beryl L. Feinberg moved the adoption of the Resolution found in the Agenda Packet as 16A with bike sharrows. <p>MOVER: Beryl L. Feinberg, Councilmember SECONDER: Virginia D. Onley, Councilmember IN FAVOR: Mayor Newton, CM Feinberg, CM Onley, CM Pierzchala Note: There was a very good discussion starting at 4:04 of the meeting. I spoke extensively in favor of this Champion Project.</p>
<p>5/13/2019</p>	<p>Consent Agenda Item A to Revise the fee schedule for “Filing a Petition to Enter into a Development Rights and Responsibilities Agreement” is pulled and tabled to a future meeting, date unspecified.</p>
<p>9/9/2019</p> <p>Vote 4-0</p>	<ul style="list-style-type: none"> - Item 11: Public Hearing on Development Rights and Responsibilities Agreement DRA2020-00001 - There were 2 speakers. - Item 12: Discussion and Instruction and Possible Adoption of a Resolution to Approve, enter into and Authorize the Execution of a Development Rights and Responsibilities Agreement with 1500 Rockville Pike LLC, Rockville Pike Holdings LLC, 1592 Rockville Pike LLC and Avissar-Diener, LLC, Petitioners <p>MOVER: Mark Pierzchala, Councilmember SECONDER: Virginia D. Onley Councilmember IN FAVOR: Mayor Newton, CM Feinberg, CM Onley, CM Pierzchala</p>

While this project was eventually approved on a 4 – 0 vote, the application was heavily opposed by residents and non-residents who tried to rely on the APFO to deny it. I was the continual champion of this Champion Project.

- [The link to the current City’s APFO – ARTICLE 20. - ADEQUATE PUBLIC FACILITIES | Code of Ordinances | Rockville, MD | Municode Library](#)
- [The link to the City’s current APFS – Adequate Public Facilities Standards](#)
- [Links document to TQ Mayor and Council Agenda Packets and Meeting Minutes](#)

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Figure TQ2: The Milton of Twinbrook Quarter



Picture by Mark Pierzchala, September 3, 2025

Appendix CH: Choice Hotels International and Town Center Housing

The Mayor and Council actions concerning the attraction of Choice Hotels International to Rockville's Town Center/Town Square, and the subsequent large positive impact on providing housing in Rockville's Town Center, played out largely behind the scenes.

Choice Hotels International had been a long time corporate resident of Montgomery County. When it became known that Choice was looking to relocate, they were wooed by other states. The State of Maryland, Montgomery County and Rockville, formed a three-way alliance to attract Choice to Rockville. This attraction to Rockville in 2011 was successful.

Rockville Mayor and Council agreed to participate in this attraction with 3 votes in a closed session (March 14, 2011). Councilmembers Britton, Gajewski, and I voted for it.

Figure CH1: Choice Hotels Building



Picture by Mark Pierzchala, August 27, 2023

Choice Hotels Attraction Votes

Date	Description
3/14/2011 Vote to attract 3-1-1 →	Agenda Item 17: Executive Session pursuant to Section 10-508(a)(4) of the State Government Article, Annotated Code of Maryland, to consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the City. “The topic of discussion was the possibility of a corporate headquarters relocating to Rockville and potential monetary and non-monetary incentives. The Mayor and Council agreed to approve the recommendations three to one, with one member abstaining.” [Britton, Gajewski, and Pierzchala for, Marcuccio against, Newton abstaining, see below after the table.]

<p>8/15/2011 Vote to release the minutes of 3/14/2011 and other closed sessions 3-2 →</p>	<p>Agenda Item 16: Discussion and Instructions - Closed Session Minutes “Motion moved by Councilmember Piotr Gajewski, seconded by Councilmember Mark Pierzchala to release Closed Session Minutes of the Mayor and Council meetings held on: March 1, 2010, September 20, 2010, October 4, 2010, pre and post December 13, 2010 and March 14, 2011. Motion Passed: 3 approved - 2 opposed - 0 abstained Councilmember Piotr Gajewski, Councilmember Mark Pierzchala, and Councilmember John Britton approved. Mayor Phyllis Marcuccio, and Councilmember Bridget Donnell Newton opposed.”</p>
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Note: In the official Mayor and Council minutes for March 14, 2011 (accessed 9/6/2025 from the City’s website), the names of the members voting for, against, and abstaining are not listed. This is contrary to state law and to the vote on August 15, 2011 to release the minutes. After the August 15,2011 meeting, the names of each of the Mayor and Council voters, and how they voted, were listed in the posted minutes.

Note: You need 3 votes to approve. An abstention works as a no vote.

Note: Business attraction incentives are approved in closed sessions. This is in accordance with State Law and is necessary in a competitive situation where other states are vying for the same opportunity. It is necessary to keep the details of the attraction secret so that other states cannot overbid.

Note: In 2023, Choice Hotels International moved to North Bethesda as part of the Pike and Rose development. They had fulfilled their obligations to Rockville. They remained within Montgomery County and the State of Maryland. This was a signal loss to Rockville and its Town Center.

Note: I cannot reveal the details of the attraction from Rockville’s perspective, however, I have said publicly that the State and the County paid the big money and that Rockville almost certainly has come out ahead on the deal, financially speaking, even before accounting for the boost in property and income tax for that site, and without accounting for the knock-on effects from BLVD 44 and BLVD Ansel (housing and their property taxes, see below).

Upton Building (now BLVD 44)

Known to the Mayor and Council during the March 14, 2011 closed session vote, a benefit of the Choice attraction was that the Upton building could now be built. The reason is because Choice Hotels would develop its own hotel in that new building, the Cambria Suites Hotel (thus shoring up the financing of the building). This was a coup because this was during the Great Recession when few new hotels were being financed. With the Upton’s (now BLVD 44³⁵) construction,

³⁵ From December 2022 to April 2024, my mother was an apartment resident of BLVD 44. I was a co-lessee to guarantee the rent and stayed overnight occasionally .

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263 apartments came online in Rockville’s Town Center. The attraction of a hotel to Town Center had long been a goal of Rockville.

Figure CH2: BLVD 44



Picture by Mark Pierzchala, September 3, 2025

BLVD Ansel

Town Center’s BLVD Ansel, owned by the same company, would not have been constructed had BLVD 44 not been successful. But it was, and so BLVD Ansel added 250 apartments to Town Center.

This building also houses the “Residences on the Lane”, senior affordable housing.

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Figure CH3: BLVD Ansel



Picture by Mark Pierzchala, September 3, 2025

The website of the Housing Opportunities Commission of Montgomery County (accessed 9/6/2025) [Residences On The Lane Voted Best Affordable Apartment Community – Housing Opportunities Commission](#) says the following about the Residences on the Lane:

“Kensington, MD, March 27, 2024 – The Housing Opportunities Commission of Montgomery County (HOC) is honored to announce that Residences on the Lane, its mixed-use, mixed-income affordable senior apartment complex in downtown Rockville, Md., was voted “Best Affordable Apartment Community” by the National Association of Home Builders (NAHB).”

. . . (later in the web page) . . .

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“Located in highly sought after Rockville Town Center, Residences on the Lane (formerly Upton II) includes 150 age-restricted residential apartment homes that serve a range of incomes. The complex, which includes a fitness center and yoga room, 24-hour package service, a maker/craft room, conference space, lounge area with cyber cafe, and Club Room, opened in 2021.”

The first residents of the “Residences on the Lane” were from the nearby Town Center Apartment building, a building that needed renovation.

Figure CH4: Residences on the Lane on Helen Hennigan Way



Picture by Mark Pierzchala, September 4, 2025

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Mainstreet Rockville

This Rockville jewel, not subject to Mayor and Council action, was controversial in a way that impacted a Rockville election.³⁶

Figure Mnl: Main Street



By Mark Pierzchala, September 4, 2025

Here is how Main Street describes itself on its website (9/6/2025) [Main Street | Inclusive Apartments and Community in Rockville, MD](#): “Located in Rockville, Maryland, Main Street is an affordable, accessible, inclusive apartment building and a membership-based community center for adults of all abilities. Main Street empowers people with and without disabilities to lead happier, healthier and more fulfilling lives.”

Within Americana, the next-door community, there was significant opposition to this building’s construction. The objection was to the building itself, not to the people who would live there. For some apartments in Americana, this building would replace an empty space (where a former IBM office building had been). So, its presence would obstruct the view of some Americana residents.

Virginia Onley, an Americana resident and candidate for Mayor, supported the Main Street construction and that led to a loss of support from her own Americana community.

Note: CM Onley and I were always supportive of this project.

Note: Main Street provides 70 apartments to residents of varying abilities.

³⁶ This building did not depend on the construction of the Choice Hotels International Building.

Appendices III – A Brief Review of Other Related Issues

These appendices treat related issues.

Appendix MP: Master Plan Discussions – A Few Selected Items

There are a few aspects of these discussions I highlight here.

Preserving Existing Naturally Affordable Housing

During discussions on preserving existing affordable housing, the Rollins Park Apartments in the City's south near the Montrose neighborhood and Congressional Towers was discussed. Mayor and Council decided to protect Rollins Park in its present form.

Figure MP1: Rollins Park Apartments



Picture by Mark Pierzchala, September 4, 2025

Later in the Master Plan process, the status of Woodmont Park Apartments, on State Highway 355 and West Edmonston, was discussed. The property was similarly protected. This was referred to as “The Rollins Park treatment”.

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Figure MP2: Woodmont Park Apartments – Picture Taken from West Edmonston



Picture by Mark Pierzchala, September 6, 2025

During the Master Plan session on the West End, the Dawson Park Apartments on Dawson Avenue, were slated to be rezoned as single-family. This would not have threatened their existence as long as the property was maintained as apartments, but would have impacted redevelopment opportunities. I demanded, and got, that these apartments would receive the “Rollins Park Apartments” treatment. Thus, these properties were not rezoned as single-family. See GGW12 above.

Figure MP3: Dawson Avenue Apartments



Picture by Mark Pierzchala, September 4, 2025

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Special Treatment for the West End

The City's current master plan "Comprehensive Plan of the City of Rockville, Maryland: Elements + Planning Areas: 2040 Rockville" was adopted August 2, 2021. The West End and Woodley Gardens East and West, Planning Area 4, received 30 pages of treatment (pages 284-313). This included address-level prescriptions both in text and in table.

During the 2040 Master Plan process I noted that the West End received special treatment. I also noted that if any one area of the City needed special treatment, it was either Town Center or King Farm. I view King Farm as the neighborhood facing the most challenges due to development pressures to their north and east, and due to Shady Grove Road and State Highway 355 on their borders. (January 30, 2023 at 02:45:31)

During the master plan process I repeatedly advocated for a Town Center Master Plan process (see Table Z). This agenda item was approved during my final term. The current Mayor and Council (2023 – 2027) adopted a new Town Center Master Plan. I repeatedly noted that the 2040 Master Plan failed the Town Center.

Appendix SF: Single Family Zones

GGW advocates that single family zones allow other kinds of units, for example, duplexes and quadplexes. I came out against broad single-family rezoning during the campaign. Here's why:

- We don't need single-family space to create housing. There is plenty of space along our main traffic and transportation corridors. There is much idle commercial land that could be redeveloped into housing including defunct shopping plazas near Metros and along Research Boulevard and Piccard Avenue.
- Many of Rockville's single-family zones are protected by Home-Owner Associations. Any rezoning of single-family zones will not impact these neighborhoods. These HOAs tend to be the more affluent neighborhoods.
- There are 2 neighborhoods covered by design guidelines East Rockville (2021) and Lincoln Park (2025) The West End has also considered design guidelines. It is unclear how the current guidelines would impact alternate housing types, but if they don't prohibit these already, they can be amended to do so.
- There is no realistic pace of redevelopment of single-family plots that would measurably improve housing attainability.
- A better alternative within single-family zones is already available. That is, allowing renters within existing homes.
- The group of people who have some wealth but are closest economically speaking to renters (because they have been there themselves), are the owners of single-family homes, townhomes, and condominiums. It's been extremely difficult to get people in these communities to agree to housing near, not in, their neighborhoods. I have suffered politically because of these efforts. I want homeowners to be allies in creating housing, not adversaries in fighting off new housing types next door.

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- I do not worry about the renters in such housing; I have been one myself. I was a renter until age 44. I do worry about large numbers of remote landlords of small properties and the effort the City would incur to regulate and monitor them.

Appendix CCT: Corridor Cities Transitway

I first became acquainted with the concept of Bus Rapid Transit from a 2009 Scientific American article [Bus Rapid Transit | Scientific American](#). It described a successful implementation of BRT in Bogotá, Columbia, dating from 2001.

I was also present at a Mayor and Council meeting, before my first term, when then County Councilmember Marc Elrich made a presentation to the Rockville City Council about a possible BRT system in Montgomery County. He made a great, well-researched presentation.³⁷

The Corridor Cities Transitway (CCT) is a desired transitway route from Shady Grove Metro to North Montgomery County. The initial plan, as I recall, was to put it through the new King Farm community as light rail. Today, the project currently is in hiatus with no funding plan. Some websites I was able to find on the CCT (November 29, 2025):

- A State of Maryland website: <https://www.cctmaryland.com>.
- A Montgomery County website: [Montgomery Planning: Transportation - Corridor Cities Transitway Project](#) last updated (it says) December 3, 2012.

The CCT always had 2 difficult roadway issues. The first was a posited ‘fly-over’, a dedicated bridge, continuing King Farm Boulevard over I-270. The second was the crossing across Highway 355 from the Shady Grove Metro to within King Farm which was initially planned to be a tunnel under the highway. Both of these options introduced huge costs issues. The initial mode was for light rail. This was another costly option and it would have required tearing up the King Farm Boulevard median. I supported Bus Rapid Transit (BRT) to avoid the cost of constructing a railway. There were other changes the County made to the CCT plan, including introducing additional stops west of King Farm.

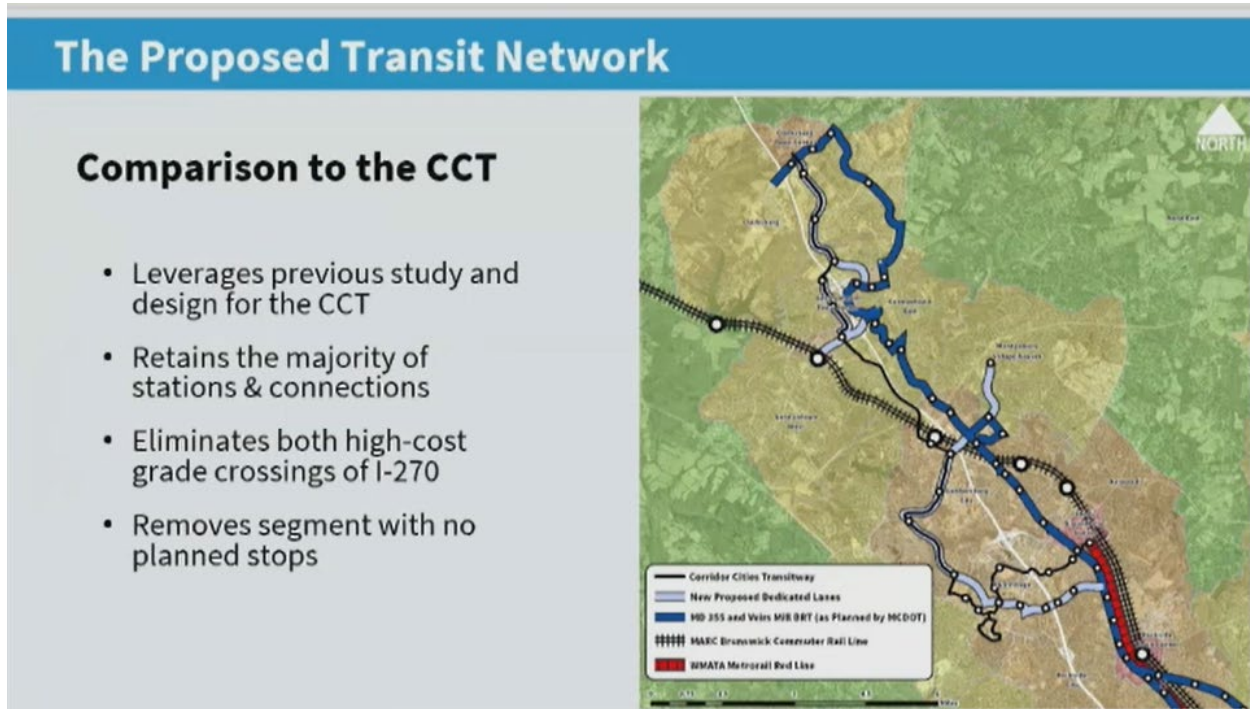
The Corridor Cities Transitway, my evolution:

- Skeptical, but study alternative alignments.
 - Considered, but some alternative alignments were not possible
- Supportive, with some key amendments
 - Use electric buses – quieter options
 - Do not tear up the King Farm Boulevard median, not necessary
 - Bus Rapid Transit (BRT) special bus platforms are not necessary
- I noted during a public meeting that the Mayor and Council voted alignment (in my 2009-2011 term) was through King Farm and that that stance had not changed.
 - I noted this on July 16, 2018, starting about minute 55.

³⁷ Since the City’s website transition is ongoing, it is not possible at the time of this writing to determine the date.

- → A straw vote taken on July 12, 2021 showed Mayor Newton and Councilmembers Feinberg and Ashton in support of the realignment of the CCT along Shady Grove Road with Councilmembers Pierzchala and Myles keeping it on King Farm Boulevard.
- Subsequently, at a Mayor and Council meeting on October 18, 2021, a County representative noted how the CCT was being reenvisioned and how a BRT on State Highway 355 may replace part of the CCT.
 - I had noted how the CCT and the Highway 355 BRT may conflict.
 - I also noted during that meeting, that unless BRT lanes are dedicated, you really do not have the ‘rapid’ in rapid transit. I based this on my experience of watching BRT operate on State Highway 29 during the lessened traffic of the pandemic.
 - I also noted how the rise of remote working could reduce the need for more roadways, based on the results of the pandemic usage.

Figure CCT1: Corridor Forward vis-à-vis the CCT



Captured from the Meeting Video of October 18, 2021 – See Table Z below

- I have concluded that dedicated BRT lanes, on the edges of King Farm, on Shady Grove Road and State Highway 355 would channel much through traffic into King Farm.
 - This was my conclusion based on walking the streets, observing traffic, and looking at the County developments to the north, west, and east of King Farm.
 - I also noted how King Farm provides several easy-to-access shortcuts including Gaither Road, Choke Cherry Road/Piccard Drive, Redland Road, and Watkins Pond Boulevard.

The State of Maryland eventually decided that Montgomery County should fund the CCT itself as the entire length of the transitway was inside the County.

Mark Pierzchala
February 3, 2026

I am skeptical of BRT success given its poor time performance unless all lanes are dedicated and given how difficult it would be to dedicate BRT lanes in existing travel lanes. I have also concluded that unless there is a funding plan in place from the start, the prospects of a BRT or other retrofit transit system, are tremendously diminished. I think there should be a reanalysis of the viability for the CCT, especially if the County goes with a BRT on State Highway 355.

Nevertheless, Montgomery County is proceeding with a version of BRT called the Flash BRT network. There are plans for 7 routes. [Flash Bus Rapid Transit \(BRT\) Project Page](#) (November 29, 2025, some of the embedded links do not work).

The following timeline gives key discussions and votes.

CCT Timeline in 2009 Before My First Term

Date	Links
3/9/2009	Agenda Item 11. Presentation of the Public Draft of the Gaithersburg West Master Plan, by Montgomery County staff from the Maryland-National Capital Park and Planning Commission Minutes: Mention the CCT as central to this plan.
6/15/2009	Minutes: Item 12. District 17 Presentation – Senator Forehand mentions the CCT and her advocacy

CCT Timeline From Pierzchala's First Term

3/1/2010	Agenda Item 4. Joint Meeting with Members of the Montgomery County Council and the Mayor and Council of Gaithersburg regarding the Gaithersburg West Master Plan. Minutes: Item 4 Summary. Note: The acronym CCT is not mentioned in the agenda or minutes.
3/8/2010	Agenda Item 15. Adoption of a Resolution regarding the Montgomery County Planning Board's Draft of the Gaithersburg West Master Plan. This follows from the
3/9/2010	Note: This meeting is a follow-up to the meeting the day before to approve the resolution as discussed. The only action item. Agenda Item 3: Adoption of a Resolution regarding the Montgomery County Planning Board's Draft of the Gaithersburg West Master Plan. Minutes: Item 3 – Resolution adopted 3-0.
11/8/2010	Minutes: Item 4 – City Manager's Report: A slide presentation on the CCT. Note: This presentation was not agendized.
12/13/2010	Minutes: Item 4 – City Manager's Report: A note on an upcoming public hearing on the CCT by the Maryland Transit Administration. Note: This issue was not agendized.
1/18/2011	Agenda Item 10: Discussion & Instructions - Corridor Cities Transitway (CCT) Minutes: Item 6 – Citizen's Forum, 8 speakers about the CCT.

	Minutes: Item 10 – Extensive discussion – This is an item that GGW specifically mentioned, a motion to study alternate alignments (not oppose them as mentioned by GGW). Mayor and Council specifically silent on mode.
5/16/2011	Minutes Item 4 – City Manager’s Report: Mr. Craig Simoneau provides a status report on the City Staff’s meeting with the MTA about the alternate alignment study.
10/1/2012	Minutes: Item 16 – Review and Comment Regarding Future Agendas, “CM Pierzchala requesting adding an item to the end of October meetings which is a discussion as to where the City stands as a body on the following items that could be accurately related to the County: Tax Duplication, Stormwater Management, MCPS issues, CCT issues , . . .” and others.
8/5/2013	Agenda Item 12: Discussion and Instructions-Request to Increase the Total Number of Dwelling Units from 3,200 Units to 3,344 Units and to Allow 144 Additional Townhouse Dwelling Units in the Irvington Center Section of King Farm the Intersection of King Farm Boulevard and Piccard Drive Note: The CCT is mentioned as an item in the overall report. Much of the staff report is scanned and not searchable. Minutes Item 12: The placement of the CCT was mentioned.
10/21/2013	Minutes Item 4 – City Manager’s Report – mentions an upcoming CCT Community Open House on October 30, at the Universities of Shady Grove
6/16/2014	Minutes – Item 8 Mayor and Council Reports – Mayor Marcuccio mentions the CCT as relates to King Farm.
12/3/2015 Rockville / Gaithersburg / County	The meeting convened in the Executive office Building Auditorium at 7:00 p.m. on Thursday, December 3, 2015, in the County Executive Building, 101 Monroe Street, Rockville, Maryland 20850.
2/13/2017	Agenda Item 13: Discussion -Preparation for March 9 Interagency BRT Meeting with Gaithersburg, Montgomery County and the State Minutes Item 13 – in part: “. . . and how the CCT relates to the MD355BRT.”
3/9/2017 Rockville / Gaithersburg / County	Minutes – a bare summary: “The Mayor and Council of Rockville participated in a multi-jurisdictional meeting with the Montgomery County Council and the Gaithersburg City Council to discuss the Bus Rapid Transit (BRT) System and the Corridor Cities Transitway (CCT). The meeting was an interjurisdictional meeting with Rockville, Gaithersburg and Montgomery County Council on the planning for Bus Rapid Transit in the Rockville/Gaithersburg Area.”
3/27/2017	Agenda Item 16. Presentation of the Shady Grove Neighborhood Center Application-Project Plan Briefing-PJT2017-00007 Minutes: Item 16 – CCT proximity mentioned for the proposal. Minutes: Item 20 – BRT, “CM Pierzchala suggested a discussion on Bus Rapid Transit to formulate a position and to be better prepared for the next BRT jurisdictional meeting. The Mayor and Council agreed.”
10/16/2017	Minutes Item 20: Review and Comment – Future Agendas “Councilmember Pierzchala believes the Mayor and Council should take a position on the proposed CCT for the King Farm Community.”

2/5/2018	Minutes Item 21 A. Future Agendas “Councilmember Pierzchala requested a further discussion regarding the CCT and indicated that he would discuss this topic further with Mayor Newton and provide an update to the full Body.”
7/16/2018	Agenda Item 5A. Worksession on the Bus Rapid Transit (BRT) and the Corridor Cities Transitway (CCT) Minutes Item 5A – This was mostly a presentation on the MD 355 BRT. With respect to the CCT: “The Mayor and Council requested a future discussion on the proposed Corridor Cities Transitway (CCT). Director of Public Works Craig Simoneau noted that the City would need to engage with the State, as the project was not funded and placed on hold.”
2/25/2019	Agenda Item 14 – starts packet page 209. The CCT is mentioned as in proximity to this proposal. Note: This is a project that was possible to discuss because of the removal of the fire/emergency response time provision of the APFO. Minutes Item 14: “Future alignment of the CCT” is mentioned as a concern
7/12/2021 3-2 vote →	Straw vote whereby Mayor and Council support the realignment of the CCT along Shady Grove Road. In favor of the Shady Grove CCT realignment: Newton, Feinberg, Ashton. Against: Myles, Pierzchala.

[CCT Links Document](#)

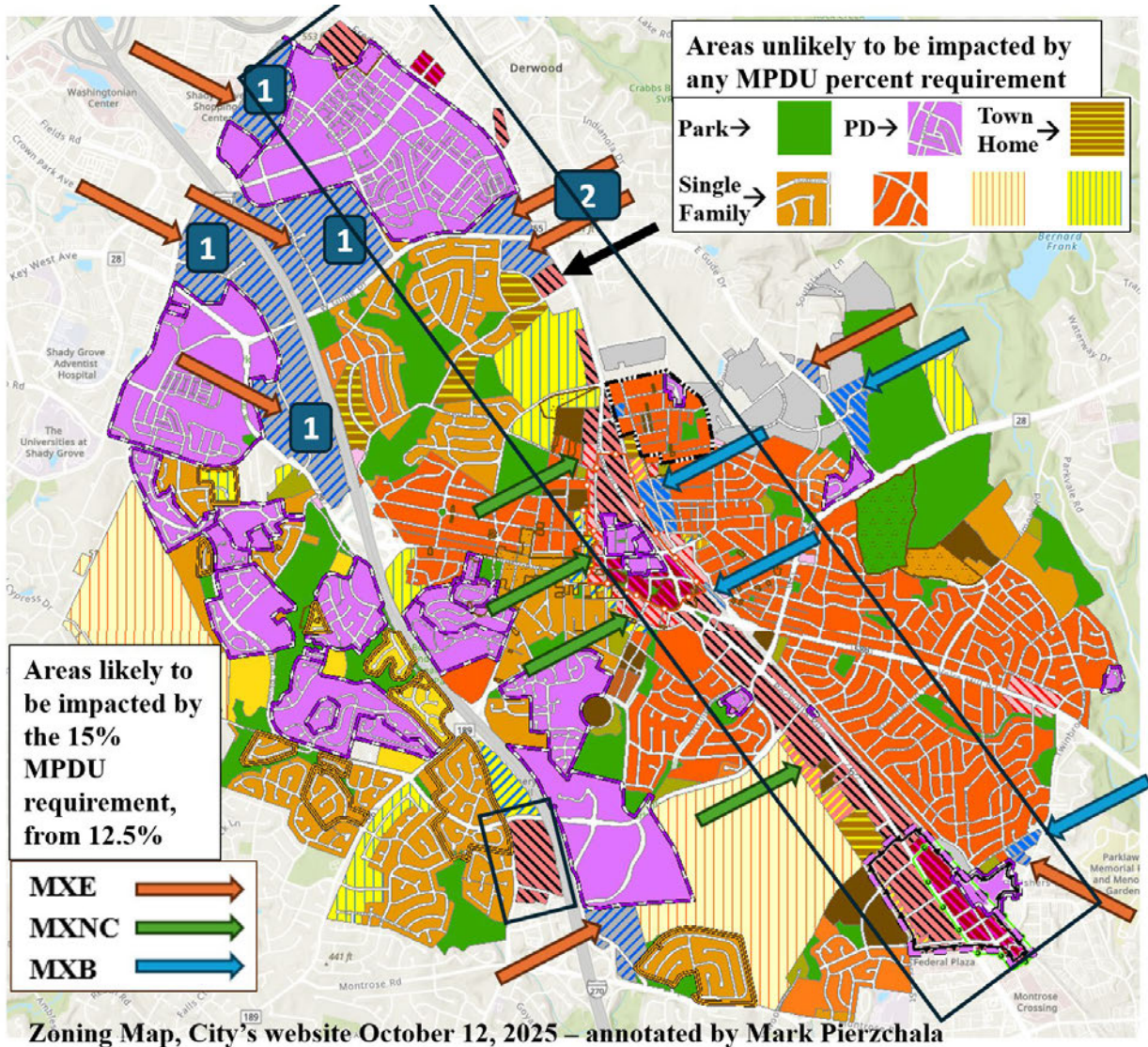
Appendix MPDU: Moderately Priced Dwelling Units

This appendix concerns the percentage of MPDUs required in residential zones (GGW 14 above). GGW stated: “Ashton also championed increasing the city’s inclusionary zoning requirements from 12.5 to 15 percent.” However, MXCD and MCTD zones were already at 15% MPDU. These zones hold a majority of the land that has already been developed, or is most desirable for development, for multi-family since these areas are Metro and bus accessible.

Figure MPDU1 shows zoning areas, marked by arrows, which were revised from a 12.5% to a 15% MPDU requirement **and** where that impact is most likely to be effected³⁸. The legend in the upper right corner indicates areas unlikely to be redeveloped. That is because they are already developed or have a zone that does not allow multi-family development. The 2 black outlined rectangles in MPDU1 refer to purple areas in Figure MPDU2 that were already at 15%.

³⁸ My annotations reflect 12 years in office and as a Civic Association President engaged in the 2009 rezoning.

Figure MPDU1: Rockville's Zoning Map – October 12, 2025



The black arrow in both Figures points to College Gardens Plaza. This Plaza was successfully *upzoned* to MXCD under my leadership and initiative as the President of the College Gardens Civic Association (CGCA) (GGW2 above). This was after neighborhood meetings to explicitly discuss the desired zoning for the plaza. We wanted the plaza to be redeveloped. The CGCA was one of the few civic associations to participate in the zoning revision that took effect in 2009.

Discussion

The areas in Figure MPDU1 that are marked as 1 and 2 are the ones that I would most like to see redeveloped into housing. These consist mainly of underused office parks.

Mark Pierzchala
February 3, 2026

Areas 1:

These are along Shady Grove Road, Research Boulevard, Pickard Drive, and Gude Drive. These could be residential corridors. I-270 is proximate but connects only at Shady Grove Road.³⁹

Area 2:

This 2-part area is at State Highway 355 and Gude Drive, straddling Gude Drive.

Why Areas 1 and Area 2 are Not Yet Developed – My Opinion

These areas are not readily walkable to Metro stations. For example, Area 2 is halfway between Shady Grove and Rockville Metro Stations. These are 20-minute, not very pleasant walks.

Why Only MXCD and MXTD were Placed at 15% MPDU in 2009

My recollection of the reasoning was that the 15% requirement would be too onerous for these non-transit areas. These are the judgement calls local bodies must typically grapple with.

Important Note:

This appendix was written as the Mayor and Council were rewriting the zoning ordinance based on the 2040 Master Plan. The maps and the MPDU requirements reflect this current time frame. The Zoning Ordinance revision should be completed in 2026.

The Spine of Transit Oriented Development

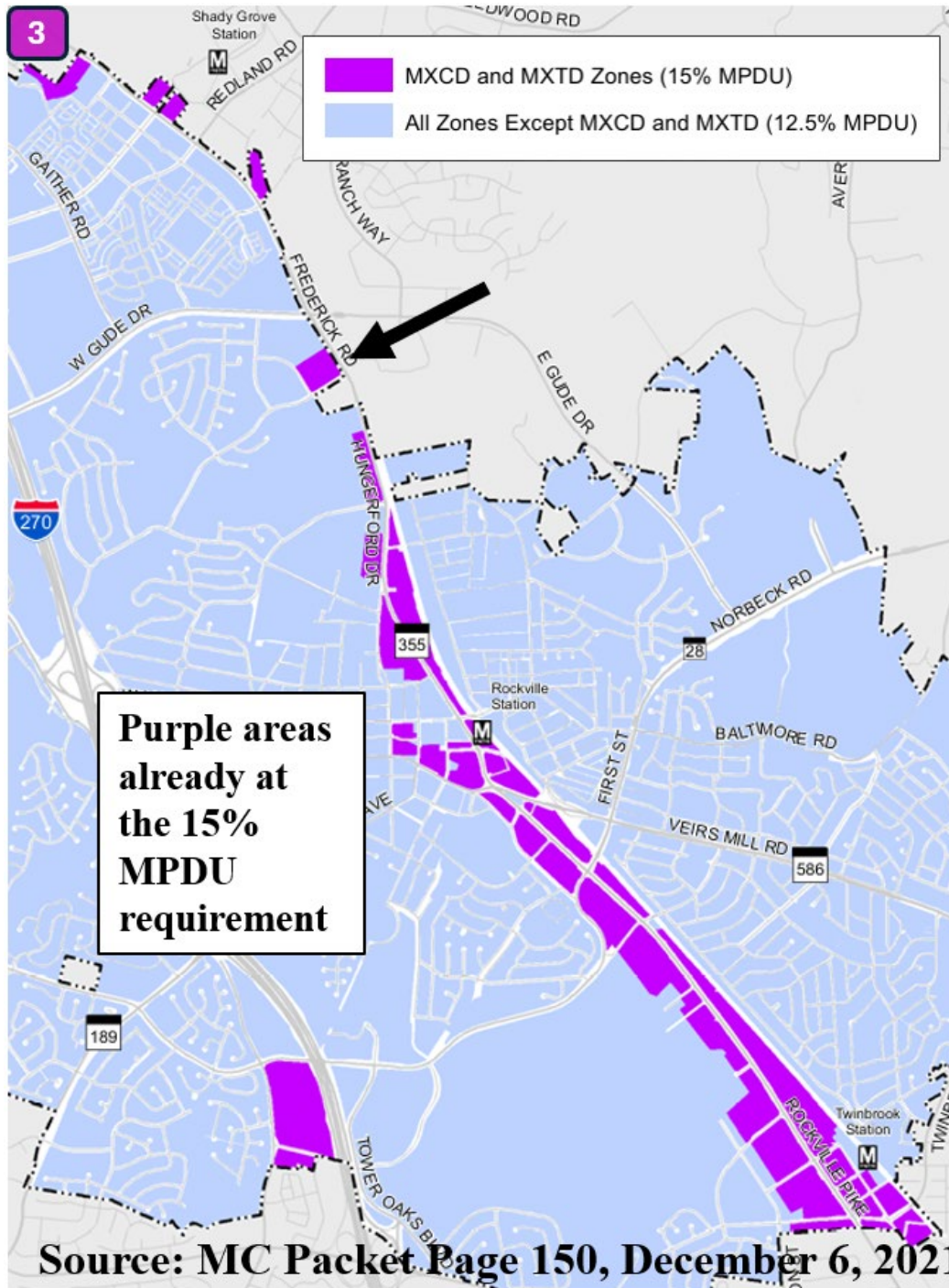
Figure MPDU2 shows where the 2009 zoning ordinance placed a 15% MPDU requirement. This was primarily along State Highway 355, Rockville's primary public transportation spine. There are 3 Metro Stations along this highway. This is where transit-oriented development is most fruitful, and where the majority of multifamily development has occurred.

The black arrow points to College Plaza next to my neighborhood of College Gardens. The College Gardens Civic Association, under my leadership at the time as President, had this plaza upzoned to MXCD to incent its redevelopment.

Area 3 is the new Farmstead District approved since the City published this map in 2021.

³⁹ I recall an Urban Land Institute study of Research Boulevard and Piccard Drive but I cannot locate it on the City's new website.

Figure MPDU2: Rockville Zones Already at 15% MPDU Requirement⁴⁰



Annotations, black arrow, and box 3, are by Mark Pierzchala.

⁴⁰ This map was created before the Farmstead District was annexed. It was annexed as an MC-CD zone. This is on 355 at the very top of this map at number 3.

Methodology

I served as Rockville Councilmember from November 2009 through November 2013, then from November 2015 through November 2023. This included 425 meetings over 12 years of service in 4 terms⁴¹ over 14 years. I missed one meeting for a Sisters Cities trip to China.

To capture a more complete context of my 4 terms, I researched Rockville's legislative history from January 2009 through 2023 (including 23 meetings before I was seated, 1 meeting after I left the body, and the entire 2013-2015 term when I was also off the body). This was for selected controversial or illustrative development projects, and for other important topics. This included 538 meetings overall. I use the more global term 'item' to refer to both projects and topics. To conduct this research, I had to (1) search for items, (2) assess them for relevance, (3) construct a timeline of important dates, (4) identify important dates, votes, and other events, (5) summarize what happened and when, and (6) create an accessible archive for source documents (mostly minutes and agenda packets).

Searching for Items

Identifying the meetings for specific items was a huge challenge. There is no overall published index of items over this time period. I searched through all minutes to identify applicable meetings. I usually also searched through the agenda packets.

- Agenda packets give the information that the Council was considering
- Minutes tell what actions were taken.

It wasn't that easy. This is an enormous task for 538 meetings. There were large logistical issues that had to be solved, including:

- Most minutes were machine-readable but 65 were scans of paper documents and thus not searchable. For the latter, I used character-recognition software to render text. This gave mixed results, but for searching for short strings, such as 'CCT' it was acceptable.
- A handful of minutes are missing from the City's website. To solve this, I generated transcripts of these meetings. For these missing minutes, I substituted the generated summaries to execute the searches.
- In the term running from November 2013 through November 2015, the minutes switched from detailed narrative minutes to summary minutes. Searching the minutes for content was more successful for the earlier meetings.

This search method found about 90% of meetings for specific items, but there were other meetings found by other techniques such as reading through agenda packets.

Sometimes there were meetings where there was a single Community Forum comment or an affirmation that Staff were working on an item. These dates were weeded from the timelines.

⁴¹ With the start of the 2019 term, Rockville went from 2-year terms to 4-year terms.

Constructing Timelines in the Appendices

Several of the timelines extend over several pages. These are constructed as Word tables. There are parallel Word tables accessible through so-called 'Links Document' where the reader can easily and directly access a meeting minute of a meeting agenda packet.

The timeline on the APFO was challenging to construct since it covers all the years over multiple projects. For this timeline, I twice referenced other timelines to avoid repeating information.

The timelines establish the chronology of an item. Most issues extended over several months or years or terms. When an issue extends over two or more terms, the composition of the Council changes, and this can impact the outcome of an item.

Identifying Important Dates, Votes, and Other Events

The resolution of most items comes down to a vote or a series of votes. There can be a court case involved, as for Victory Housing or for Beall's Grant II (covered in the appendix on the APFO). For the Silverwood project a few County actions were necessary. For other issues Planning Commission actions were key. I tried to point out the most important dates in the timetables.

Relevant minutes documents and agenda packets are accessible through links in the electronic document. This makes it easier for other researchers to identify useful documents and spend more time on their analyses.

There are times when there is an important statement or a discussion on a non-agendized item. This is a more difficult challenge to find these because important statements about particular issues, projects, or laws can occur at any time within any meeting. I identified a subset of meetings and transcribed the tapes of selected meetings in order to find important statements.

Quality Assurance

In all aspects of this research, I constantly checked and rechecked dates and votes and made an enormous effort to include all essential information. I also spent a huge amount of time making sure the dates, statements, quotes, construction of the timetables, and the links were accurate.

There are probably minor errors given the amount of data involved. But I tried much harder than GGW to get things right.

Additional Goal – Establish a Research Resource on Housing

As this project progressed, an additional goal emerged; to provide a starting point for anyone (e.g., academics or students) who want to conduct empirical research for the issue of housing for a specific City in a specific time. This took extra effort.

Additional References

Most entries above are self-referenced. Further, links are provided to almost all documents. A few additional special references are included here. I have read all of them.

APFO/APFS Court Case – Beall’s Grant II

Anselmo, John, et al. v. MAYOR AND CITY COUNCIL OF ROCKVILLE, et al. No. 1006, September Term, 2009, Meredith, Graeff, Thiem, Raymond D., Jr (Retired, Specially Assigned), JJ. Opinion by Thiem, J. Filed: November 1, 2010. [Anselmo et al - Beall's Grant II](#)

In reading this document, you can understand why Councilmember John Britton remarked that the APFO/APFS decision could go either way in this appeal. Yet the decision was clear, and Beall’s Grant II as proposed was stopped.

Depending on exact design details, Beall’s Grant II was going to add from 5 to 8 students to Beall Elementary. This invoked the APFO on school capacity grounds, stopping the project as proposed.

Rockville Master Plans and Design Guidelines

City of Rockville. “Comprehensive Plan of the City of Rockville, Maryland: Elements + Planning Areas: 2040 Rockville”. Adopted August 2, 2021, found at [Rockville-2040-Comprehensive-Plan.pdf](#).

City of Rockville. “2025 Rockville Town Center Master Plan: An Amendment to the Comprehensive Plan of the City of Rockville”. Adopted January 27, 2025, found at [2025 Rockville TCMP Adopted Final Updated.pdf](#)

City of Rockville. “Adopted Lincoln Park Neighborhood Conservation District Plan Amendment: An Amendment to the previously adopted 2007 Lincoln Park Neighborhood Conservation District Plan”. Adopted January 27, 2025. [Lincoln-Park-Neighborhood-Conservation-District-Plan-Amendment.pdf](#) . The original Lincoln Park Neighborhood Plan. Adopted February 26, 2007. [2007 Lincoln Park Neighborhood Plan](#)

City of Rockville. “East Rockville Design Guidelines”. February 1, 2021. [East Rockville Design Guidelines | City of Rockville](#)

Background Reading

Hanson, Royce. Suburb: Planning Politics and the Public Interest. Cornell University Press (2017).

This book gives a great deal of information about Montgomery County development issues and its politics. This treatment extends to the recent past. For me, it explained a lot about some of the personalities I either dealt with or heard about. Hanson is the originator of the County’s Ag Reserve. He reflects on its pros and cons. In some ways, the book fills in history where “A Grateful Remembrance” (below) leaves off in 1976.

Mark Pierzchala
February 3, 2026

Hornstein, Gail A. *To Redeem One Person is to Redeem the World: The Life of Frieda Fromm-Reichmann*, © Hornstein, Gail A. 2000, Other Press LLC, [To Redeem One Person is to Redeem the World The Life of Freida Fromm-Reichmann](#).

This is a riveting, densely written book. It relates to the Chestnut Lodge issue: GGW4.

MacMaster, Richard K. & Hiebert, Ray Eldon. *A Grateful Remembrance: The Story of Montgomery County, Maryland 1776 – 1976*. © 1976 and 1996 by the Montgomery County Government, Montgomery County Historical Society.

A gem of a historical treatment of Montgomery County, giving the background of development during different eras, including, for example, the creation of the Washington Suburban Sanitary Commission (WSSC). It also covers the resistance of Montgomery County residents to apartment buildings.

McGuckian, Eileen S. *Rockville, Portrait of a City*. © 2001 by the Mayor and Council of Rockville. Hillsboro Press

This covers Rockville's pre-history to 2000. Its historical extent is greater than the County book, but it is similar in many ways. It also covers development issues over the years including water and sewer issues. This is a remarkable book by the founder of Rockville's Peerless Rockville, its historic preservation agency.

Technical Notes

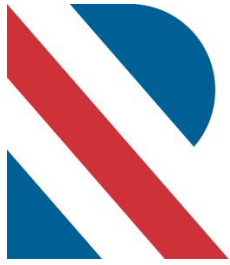
1. This document is best read from an on-line computer screen. There are links to thousands of pages of City brief book pages and minutes and links to pages I generated.
2. If anyone wishes to write a scholarly piece on the difficulty of producing housing in Rockville from 2008 through 2023, the timelines and their links would be a good place to start. This would be especially useful for case studies.
3. Sources include City Staff Agenda Packets (a.k.a. brief books), minutes, budget documents, my own images, viewings of videos, and transcripts of selected meetings.
4. I spent hundreds of hours on research. It was tedious to sift through other source documents. Usually, I looked at meeting minutes as a guide to other documents.
5. I found that there are a handful of missing meeting minutes. I replaced these with generated meeting transcripts and notified the City Clerk.
6. Most of the meeting minutes are text-searchable and can be text-copied. However, there are 65 minutes postings that are scans of paper documents. For the latter, I hand-typed in the motions, votes, and important notes into the various timelines. This is to preserve the searchability of this document.
7. In November 2025, the City transitioned to a new website. As of this writing, the new website does not include references to Mayor and Council meetings before 2022. Also, some links to documents were broken. I have tried to identify these.
 - a. The provided links to brief books and minutes remain valid because I downloaded these into my own repository.

List of Selected Videos by Topic

The following table lists supporting video clips. These are not scripted speeches. They are extemporaneously spoken remarks made at Mayor and Council meetings. The symbol → indicates the clips to view if you have time constraints.

Table Z: List of Video Dates and Times

Provision of Housing – Role of the Private sector – Responds to GGW 10
February 3, 2020, On the provision of housing (1:45)
July 20, 2020, On the provision of housing (1:14)
→ April 19, 2021, On the provision of housing (3:49)
July 6, 2021, On the provision of housing (1:16)
February 6, 2023, On the supply and demand of housing (1:21)
→ June 5, 2023, Providing housing and experience renting in Rockville (5:03)
Speed and Red-Light Cameras to Automate Traffic Enforcement – Responds to GGW 18
December 16, 2019, What Speed and Red Light Cameras Should Do (2:00)
→ March 2, 2020, a, What Speed and Red Light Cameras Should Do (2:19) Fund Vision Zero
March 2, 2020, b, What Speed and Red Light Cameras Should Do (1:18) Fund Vision Zero
December 14, 2020, What Speed and Red Light Cameras Should Do (1:16) Change behavior
August 1, 2022, What Speed and Red Light Cameras Should Do (1:24) Increase cameras
December 12, 2022, What Speed and Red Light Cameras Should Do (1:44) Funding, behavior
March 20, 2023, a, What Speed and Red Light Cameras Should Do (0:47) Funding, behavior
March 20, 2023, b, What Speed and Red Light Cameras Should Do (0:39) Funding, behavior
May 8, 2023, What Speed and Red Light Cameras Should Do (1:23) Funding, behavior
CCT – Miscellaneous – Responds to GGW 7
→ July 12, 2021, 3-2 Straw Vote for CCT Shady Grove Realignment, Pierzchala Opposed (3:26) CCT on Shady Grove Rd and Hwy 355 would jam King Farm with cut-through traffic
October 18, 2021, MCDOT Presents Corridor Forward vis-à-vis CCT (1:18), vis-à-vis Corridor Forward – Jesse McGowan, Transportation Planner, of MoCo Planning Department, CF rethinks the CCT – eliminates costly I-270 crossings.
Town Center Master Plan – Getting it on the Workplan for the 2023-2027 Term
2026 ZOR Alert: → Impending Board of Education decisions on the use of the new Crown High School could throw Town Center into moratorium.
February 7, 2022, a, Placing the Town Center Master Plan on Next Term's Agenda (0:15)
February 7, 2022, b, Placing the Town Center Master Plan on Next Term's Agenda (0:5)
February 7, 2022, c, Thumbs Up (Why did this not stick?) to Place the Town Center Master Plan on Next Term's Agenda (0:52)
→ April 18, 2022, Placing the Town Center Master Plan on Next Term's Agenda (5:17)
May 16, 2022, Placing the Town Center Master Plan on Next Term's Agenda (3:16)
→ January 30, 2023, Placing the Town Center Master Plan on Next Term's Agenda (5:03) Finally put on the next term’s agenda, uncertainty is a barrier, investor thinking, West End got special treatment, the Master Plan failed Town Center.
Fireside Park Apartments – Responds to GGW 2 in part, also Appendix FPA
March 19, 2018, Fireside Park Apartments - 4-1 Vote to Refinance (1:11)



GREATER
ROCKVILLE
CHAMBER OF COMMERCE

Empower
Amplify
Elevate

February 9, 2026

**Mayor Ashton and Members of the City Council
City of Rockville**

My name is Marji Graf, and I am the President and CEO of the Greater Rockville Chamber of Commerce. We represent hundreds of local businesses, associations, nonprofits, property owners, and community stakeholders.

I am here today to express serious concern regarding the proposed sign ordinance language in Article 10 of the Staff Draft Zoning Ordinance for the City of Rockville, dated December 1, 2025. Specifically, the proposed prohibition of internally illuminated freestanding signs¹ and electronic message centers² visible from the public right-of-way would significantly disadvantage Rockville's small and mid-sized businesses at a time when they are competing harder than ever for visibility and customers in a challenging regional economy.

From the Chamber's perspective, freestanding internally illuminated signs and electronic message centers—often referred to as EMCs—are not cosmetic extras. They are essential business tools.

Internally illuminated freestanding signs, including monument, pole, and pylon signs, are frequently more effective and attractive than externally illuminated signs. They provide greater visibility, contrast, and legibility at night and during inclement weather. For many storefronts—particularly those set back from the road, located in multi-tenant centers, or lacking prominent building frontage—these signs are often the primary way motorists and pedestrians know a business exists, what it offers, and where to turn.

The proposed ban would disadvantage not only new businesses considering Rockville, but also existing businesses that currently rely on these signs. While such signs would be grandfathered, any change of copy would eliminate their nonconforming status. This means that a new tenant at an existing location—or an existing business updating its logo or name—would be required to replace an effective internally illuminated sign with an externally downlit one. Even without changes, the sign must be removed after eight years, forcing businesses to incur the real costs of purchasing a new sign, as well as the intangible costs of reduced nighttime visibility and attractiveness.

The categorical prohibition of any electronic message center visible from the public right-of-way is equally concerning. To clarify, these are on-premises digital signs—not billboards. Under the proposed definition, EMCs would include gas station digital price displays, fast food drive-through menu boards, and bank drive-through signs. Rockville currently has many businesses using signage that would fall under this definition and would be swept into this prohibition.

While we appreciate that the City would still allow EMCs visible to pedestrians, the proposal prevents businesses from using a communications technology that is already responsibly regulated in many jurisdictions through brightness limits, automatic dimming, and reasonable message change intervals. Rather than modernizing the code, this approach freezes Rockville in the past and undercuts its competitiveness.

Eliminating these modern and effective signage options will disproportionately harm independent retailers, local restaurants, and service providers—businesses that do not have large marketing budgets, brand-name recognition, or prime locations. It sends a message that Rockville is a harder place to do business than neighboring jurisdictions. Montgomery County and the City of Gaithersburg, for example, both allow internally illuminated freestanding signs and EMCs visible from the public right-of-way, subject to reasonable regulatory controls.

These restrictions would also place Rockville at a disadvantage when attracting new investment. Regional and national businesses routinely consider signage visibility as part of their site-selection criteria. A zoning code that bans internally illuminated freestanding signs and prohibits EMCs visible from the public right-of-way will push some prospective tenants to nearby communities with more balanced standards. The result is fewer leases signed, fewer jobs created, and less tax revenue to support the services Rockville residents value.

By allowing internally illuminated freestanding signs and electronic message centers visible from the public right-of-way, Rockville has the opportunity to align its zoning update with current signage best practices and business realities. The Greater Rockville Chamber of Commerce urges the City to reconsider these provisions and to work collaboratively with the business community to adopt sign regulations that protect community character while still allowing Rockville businesses to be seen, found, and supported.

Thank you for your time and consideration.

William Kominers
Attorney



February 10, 2026

Via Electronic Mail

Mr. James Wasilak
Ms. Holly Simmons
Community Planning and Development Services
Rockville City Hall
111 Maryland Avenue
Rockville, MD 20850

Re: Zoning Ordinance Rewrite – Transitional Provisions and Grandfathering

Dear Mr. Wasilak and Ms. Simmons:

This letter provides comments on the issues of transitional provisions and grandfathering in the Draft Zoning Ordinance. These comments intend to address both the Draft as written and the potential revisions noted in your Staff Report for the February 11 worksession with the Rockville Planning Commission (“Staff Report”). Please include this letter in the public comments for the Zoning Ordinance Rewrite (“ZOR”) and Comprehensive Map Amendment (“CMA”).

Transitional provisions are addressed in the Draft. But grandfathering provisions appear absent, and are not adequately replaced by non-conforming provisions.

I have attached highlighted copies of the transition provisions from the ZOR draft and from Section 7.7 of the Montgomery County Zoning Ordinance that deals with grandfathering related to existing approvals. Please note the following:

Transition Provisions

Section 1.2.1.(a) only addresses site plans. The Staff Report now proposes to add project plans. That is a good addition. But are there other approvals that should be included? Why limit the applicability?

Section 1.2.1.(b): the applicant must “request” review under the Old Ordinance within two months of the ZOR effective date. Instead, review under the Old Ordinance should be automatic, rather than needing a request. If the application was filed under the Old Ordinance, the presumption should be that it will continue to be processed under that Ordinance. Review under the new Ordinance is what should require a request, and such a request should be able to occur at any time.

Section 1.2.1.(c)(2): pending applications must be approved within a year after the effective date of the ZOR. The Staff Report proposes to increase that time to two years. This additional time is especially important for project plans. But why have a time limit at all? With the time limit, the City or a third party, could cause a delay (innocent or malevolent) in the review in order to terminate the applicant's rights and force the process/requirements of the new ZOR onto the application. Alternatively, there could be delays in getting on the required agendas, or by recesses of the body concerned. There could be state agency requirements/reviews that cause delay. All those events are outside the control of the applicant. In addition, the proposed new process for project plans and project plan amendments has not yet been approved or tested. Under the current procedures, there is every likelihood that a project plan application or amendment could take more than two years. The effect of this provision and the potential for turning a switch from the Old Ordinance to the new presents all the more reasons for appropriate grandfathering of approvals and pending applications.

At the end of the one or two year grace period, what happens to the substance of the application? Must it be revised so as to comply with the new ZOR standards? This could be a substantial burden on a project that has been proceeding with the review process in good faith, but just taking a longer time. The project based on the standards of the old Ordinance might well not be able to meet the standards of the new ZOR Ordinance.

Section 1.2.2(a): this section presents the same problem as Section 1.2.1.(c)(2) above. It requires getting permits and commencing construction within one year

of the effective date of the ZOR. This one year time limit runs concurrently with the one year (or now two years) to obtain the approval. Therefore, the duration of one action impairs/shortens the timing of the other. Section 1.2.1.(c)(2) could effectively prevent complying with 1.2.2.(a). The Planning Commission might approve a plan on the 360th day (one year) or 725th day (two years), leaving only five days to get permits and start work. Again, third parties could cause uncontrollable delay (such as because of financing or construction contracting).

In Section 1.2.2, the alternative of "expiration of the validity period" may solve the problem (in fact, it may effectively become the applicable measure). But if the validity period expires within the allowable one year (or now two years), what controls? The construction of the site plan under the prior Ordinance is allowed to commence at the "later of" the one or two years, or the expiration of the site plan. It is hard to imagine that the City would want to issue permits for an expired site plan, even if that date is within the one year or two years after the effective date of the ZOR. But Section 1.2.2 seems to override the expiration.

In Section 1.2.2, the term "validity period" should explicitly be considered or defined to include "any extensions granted or tolling approved."

Grandfathering

The whole Transition section of the ZOR does not address general grandfathering for previously approved projects, including amendments to those approvals. Approvals given before the ZOR should be protected for some time period, to be able to be processed under the Old Ordinance under which they were approved originally. The same treatment should apply to approvals granted under Section 1.2.1 (b) of the Transition provisions.

The ZOR needs to provide for the effect on: (1) existing development and approvals that do not meet ZOR standards, and (2) development approvals granted pursuant to the Old Ordinance and/or Section 1.2.1. The existing developments and approvals (the use, the structure, and the site design) should not simply become non-conforming. Becoming non-conforming can have adverse effects on current and future financing, insurance, maintenance/repair, etc.

The County Zoning Ordinance deals with this problem in Section 7.7 (attached), protecting both uses and structure and site design by treating them as

conforming, but with limitations on expansion. (In looking at the County Ordinance, be aware that the new County Zoning Ordinance became effective on October 30, 2014.) The ZOR provisions for non-conformities provides for replacement of structures in Section 9.2.2.(b), but is not clear in Section 9.1 that the use may also be replaced in the replacement structure. Section 9.2.2.(a) allows limited expansion of non-conforming development, but expansion of the business into that area appears to be limited by the 20% in Section 9.1.2.

There is certainly a need for addressing true non-conforming issues (uses and structures). But, those that were legal before, and are changed only because of new standards in the ZOR, should not become non-conforming, but should remain conforming, with restrictions. Basically, they should be able to follow the Old Ordinance for a certain time period. (The County Ordinance allows the grandfathering for amendments, etc. for 25 years, as you will see in Section 7.7.) Without such protections, guiltless uses, structures, and site designs risk decay, because they cannot evolve, modernize, adjust for new use needs, etc., often because the basic building or site design cannot comply with new ZOR standards, even though they complied with the old. The County wrestled with this issue for some time before reaching the results in Section 7.7 (there is more to that Section than what I have sent you, if you wish to use more of it as a guide).

Summary

There is a great deal of nuance in these issues, and the potential for great damage to businesses and properties that have peacefully complied with the Zoning Ordinance up to now. I would be pleased to discuss these issues further, once you have had a chance to digest this material.

Thank you for your consideration of these comments on the issues.

Very truly yours,

LERCH, EARLY & BREWER, CHTD.



William Kominers

Enclosures

cc: Nick Dumais, Esquire
Christopher M. Ruhlen, Esquire

WK/bp

Division 1.2. Transitional Provisions

Sec. 25.1.2.1. Transitional provision; application in progress on [effective date of this Chapter].

- (a) *Site plan review under previous Zoning Ordinance.* At the option of the applicant, an application for a site plan may be reviewed under the Zoning Ordinance in effect on [effective date of this Chapter] if the application:
- (1) Was submitted and determined by the Chief of Zoning to be complete between [date one year before effective date of this Chapter] and [date one day before effective date of this Chapter]; and
 - (2) The application has not been deemed withdrawn pursuant to Sec. 25.3.2.5.
- (b) *Submittal deadline.* To request review of an application under the Zoning Ordinance in effect on [date one day before effective date of this Chapter] pursuant to this Section, the applicant must submit a written request to the Chief of Zoning by [date two months after effective date of this Chapter].
- (c) *Review and final decision.* An application reviewed under the Zoning Ordinance in effect on [date one day before effective date of this Chapter] pursuant to this Section:
- (1) Must be reviewed solely under the provisions of the Zoning Ordinance in effect on [date one day before effective date of this Chapter]; and
 - (2) Must be approved or denied by the applicable Approving Authority by [date one year after effective date of this Chapter]. If final action on the application is not taken by that date, the application shall be deemed withdrawn.

Sec. 25.1.2.2. Transitional provision; commencement of construction.

- (a) *Commencement of construction.* A person with a valid site plan approved before [effective date of this Chapter] or pursuant to Sec. 25.1.2.1 may secure all necessary permits and commence construction of the development subject to the site plan under the Zoning Ordinance in effect on [date one day before effective date of this Chapter] until [date one year after effective date of this Chapter] or the expiration of the validity period of the site plan, whichever is later. If construction has not commenced by this date, the applicant must bring the site plan and all associated permits into compliance with the current provisions of this Chapter.

Division 1.3. Annexation Process

Sec. 25.1.3.1. Annexation process.

- (a) *Initiation.* When an annexation has been initiated in accordance with State law, either by petition or by the Mayor and Council, the Mayor and Council must introduce an annexation resolution pursuant to Sec. 4-405 of the Land Use Article of the Maryland Annotated Code, as may be amended. Following its introduction, the City Clerk must transmit a copy of the resolution to the Chief of Zoning.

Division 7.7. Exemptions and Nonconformities

Section 7.7.1. Exemptions

A. Existing Structure, Site Design, or Use on October 30, 2014

1. Structure and Site Design

A legal structure or site design existing on October 30, 2014 that does not meet the zoning standards on or after October 30, 2014 is conforming and may be continued, renovated, repaired, or reconstructed if the floor area, height, and footprint of the structure are not increased, except as provided for in Section 7.7.1.C for structures in Commercial/Residential, Employment, or Industrial zones, or Section 7.7.1.D.5 for structures in Residential Detached zones.

2. Use

- a. Except for a Registered Living Unit, any use that was conforming or not conforming on October 29, 2014 and that would otherwise be made nonconforming by the application of zoning on October 30, 2014 is conforming, but may not expand.
- b. Any allowed use, up to the density limits established by the current zoning, may be located in a building or structure deemed conforming under Section 7.7.1.A.1.

B. Application Approved or Filed for Approval before October 30, 2014

1. Application in Progress before October 30, 2014

Any development plan, schematic development plan, diagrammatic plan, concept plan, project plan, sketch plan, preliminary plan, record plat, site plan, special exception, variance, or building permit filed or approved before October 30, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014, unless an applicant elects to be reviewed under the property's current zoning. Any complete Local Map Amendment application submitted to the Hearing Examiner by May 1, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014. If the District Council approves such an application after October 30, 2014 for a zone that is not retained in Chapter

59, then the zoning will automatically convert to the equivalent zone as translated under DMA G-956 when the Local Map Amendment is approved. The approval of any of these applications or amendments to these applications under Section 7.7.1.B.1 will allow the applicant to proceed through any other required application or step in the process within the time allowed by law or plan approval, under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. The gross tract area of an application allowed under Section 7.7.1.B.1 may not be increased.

2. Application Approved before October 30, 2014

Any structure or site design approved before October 30, 2014, may be implemented by the property owner under the terms of the applicable plan.

3. Amendment of an Approved Plan or Modification of an Application Pending before October 30, 2014

- a. Until October 30, 2039, an applicant may apply to amend any previously approved plan or modify an application pending before October 30, 2014 (listed in Section 7.7.1.B.1 or Section 7.7.1.B.2) under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment:
 - i. does not increase the approved density or building height, unless allowed under Section 7.7.1.C; and
 - ii. either:
 - (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or
 - (b) satisfies the setback required by its zoning on the date the amendment or the permit is submitted; and
 - iii. does not increase the tract area.
- b. An applicant may apply to amend the parking requirements of a previously approved application (listed in Section 7.7.1.B.1 or 7.7.1.B.2) in a manner that satisfies the parking re-quirements of Section 6.2.3 and Section 6.2.4.

c. Without regard to the limitations of this section, a special exception approved under the code in effect on or before October 29, 2014 may be expanded under the applicable standards and procedures of the code in effect on October 29, 2014.

4. Repair, Renovation, and Rebuilding Rights under Section 7.7.1.B

Any structure or site design implemented under Section 7.7.1.B is conforming and may be continued, renovated, repaired, or reconstructed.

5. Development with a Development Plan or Schematic Development Plan Approved before October 30, 2014

- a. Any development allowed on property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment must satisfy any binding elements until:
 - i. the property is subject to a Sectional Map Amendment that implements a master plan approved after October 30, 2014 and obtains approval for development under the SMA-approved zoning;
 - ii. the property is rezoned by Local Map Amendment; or
 - iii. the binding element is revised by a development plan amendment under the procedures in effect on October 29, 2014.
- b. Any development on a property that was zoned H-M on October 29, 2014 must include 45% green area, under the zoning in effect on October 29, 2014, until the property is subject to a Sectional Map Amendment or rezoned by Local Map Amendment. The green area required under this provision satisfies, and is not in addition to, any open space requirement of the property's zoning on October 30, 2014.

6. Density Transfers Approved before October 30, 2014

On a property that is subject to an effective density transfer easement and density transfer deed, the total density or density associated with a commercial or residential use, including any density approved by an amendment of a previously approved application listed in Section 7.7.1.B.1, may exceed that allowed by the existing zoning as long as the total density or density associated with a commercial or residential use does not exceed that allowed by the density transfer easement and density transfer deed.

C. Expansion of Floor Area

1. Limited Rights under Zoning before October 30, 2014

Until October 30, 2039, on land that is located in a Commercial/Residential, Employment, or Industrial zone, an applicant for an amendment to an existing approval or development, or a modification of an application listed in Section 7.7.1.B.1 may increase the floor area on the site under Section 7.7.1.C.2 or 7.7.1.C.3 following the procedures and standards of the property's zoning on October 29, 2014:

- a. if the building does not exceed the height limits and density of the property's zoning in effect on October 29, 2014;
- b. if any building on the site is no closer to property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use than any existing structure on the site on October 30, 2014, or satisfies the setbacks of the current zoning; and
- c. when a site plan or site plan amendment is required by the property's zoning on October 29, 2014, a site plan or a site plan amendment is approved under the standards of site plan approval on October 29, 2014.

2. Commercial/Residential, Employment, and Industrial Zones

Existing development in a Commercial/Residential, Employment, or Industrial zone may expand by up to the lesser of 10% of the gross floor area approved for the site on October 30, 2014, or 30,000 square feet, except for properties with 2,000 square feet or less of floor area, which may expand by up to 30% of the gross floor area approved for the site on October 30, 2014. Any expansion must satisfy Section 7.7.1.C.1. The gross floor area in a pending application listed in Section 7.7.1.B.1 may be expanded up to the full amount allowed under the property's zoning on October 29, 2014, but once the application is approved, the gross floor area may expand by up to the lesser of 10% of the gross floor area or 30,000 square feet.

3. Prior Floating Zones

- a. A property where the zoning on October 29, 2014 was the result of a Local Map Amendment with an approved development plan may expand as allowed under Section 7.7.1.C.3.b. Any expansion must satisfy Section 7.7.1.C.1.

- c. constructed or reconstructed in a manner that satisfies the maximum building height, lot coverage, and established building line of its zone when the building permit is submitted and the side yard and rear setback required by its pre-1958 zoning in effect when the lot, parcel, or part of a lot was first created.
- 3. Pre-1928 Lot**
- a. In addition to the provisions of Section 7.7.1.D.1, a new or reconstructed detached house on any lot recorded before 1928 must satisfy the front, rear, and side yard setbacks of the 1928 Zoning Ordinance; however, a new building must satisfy the established building line requirements under Section 4.4.1.A if applicable.
 - b. Before DPS may issue a building permit for a new detached house on a lot less than 5,000 square feet in land area that was recorded before 1928 and adjoins vacant land in common ownership any time since November 8, 2012, the lot must be subdivided with such adjoining property without regard to the minimum width and area requirements of the applicable zone.

4. Damage in Flood Plain

If a detached house that is located within a 100-year flood plain and abuts any waterway, is damaged or destroyed by flood to the extent of up to 75% of the reconstruction value of the building, the dwelling may be repaired or reconstructed to preexisting dimensions.

5. Additions to Dwellings

In addition to the authority to renovate, repair, and reconstruct under Section 7.7.1.A.1 and without regard to the standards of its current zoning, the owner of a detached house that:

- a. is in a housing project constructed before January 1, 1945 that was owned by the government when constructed, may construct an addition to the detached house if, after the addition,;
 - i. the front setback of the detached house on the subject property is equal to the average of all the front setbacks of the detached houses on the same side of the right-of-way;
 - ii. the minimum side setback between a detached house on an abutting lot and the subject detached house is 18 feet; and

- b. If the District Council approves a development plan amendment larger than allowed under Section 7.7.1.C.2, the zoning of the property subject to the amendment will automatically convert and be remapped to the equivalent zone as translated under DMA G-956, with the density and height approved in the amendment.

4. Expansion above Section 7.7.1.C.2

If any expansion exceeds Section 7.7.1.C.2, then the entire expansion must satisfy the applicable standards and procedures for the current zoning. After October 30, 2039, any amendment to a previously approved application must satisfy the applicable standards and procedures for the current zoning to the extent of (a) any expansion, and (b) any other portion of an approved development associated with the expansion.

- 5. Without regard to the limitations of Section 7.7.1.C, a special exception approved under the code in effect on or before October 29, 2014 may be expanded under the applicable standards and procedures of the code in effect on October 29, 2014.

D. Residential Lots and Parcels

1. Residential Lot

Unless adjoining lots have merged by virtue of ownership and zoning requirements, DPS may issue a building permit for a detached house on any Agricultural, Residential, or Rural Residential zoned lot or parcel identified on a plat recorded before October 30, 2014, a part of lot recorded before June 1, 1958, or a deed recorded before June 1, 1958, without regard to the street frontage and lot size requirements of its zoning, except as provided in Section 7.7.1.D.3.b.

2. Pre-1958 Parcel

A detached house on a platted lot, parcel, or part of a previously platted lot that has not changed in size or shape since June 1, 1958, exclusive of changes due to public acquisition, may be:

- a. constructed under its current zoning without regard to the minimum lot width at the front lot line and front building line;
- b. reconstructed either on its current footprint and up to its current maximum building height; or

Holly Simmons

From: College Gardens Civic Association [REDACTED]
Sent: Wednesday, February 11, 2026 10:55 AM
To: mayorcouncil; Planning Commission
Cc: [REDACTED]
Subject: College Gardens Civic Association Board Resolution on the Zoning Approval Process

WARNING - External email. Exercise caution.

February 11, 2026

To: Rockville Mayor and Council and the Rockville Planning Commission

Yesterday evening, the Board of the College Gardens Civic Association passed the following resolution.

Mark Pierzchala, President of the College Gardens Civic Association

February 10, 2026

The Board of the College Gardens Civic Association (CGCA) resolves and asks for the following process improvements for the approval of the City's new Zoning ordinance. That the Rockville Planning Commission and the Rockville Mayor and Council extend the approval timeline of Rockville's proposed zoning ordinance as follows:

- 1) The approval date for the Planning Commission should be set, at earliest, for April, 2026.
- 2) The approval date for the Mayor and Council should be set, at earliest, for September 2026.

Further, in order that stakeholders including neighborhood associations are able to better understand the many changes:

- 3) The Planning Commission and Mayor and Council should instruct City Staff to provide an annotated redline crosswalk between the current zoning ordinance and the new zoning ordinance, and this crosswalk should be timely released to the public to allow Stakeholders to effectively advocate before the Planning Commission and Mayor and Council in their revised approval timelines.

The CGCA Board finds the proposed zoning ordinance materials, as currently presented, to be so daunting in their breadth and so vastly different in their structures

that it is difficult for the College Gardens Civic Association to effectively review and make substantive comments on the proposed zoning ordinance.

Holly Simmons

From: Matthew Gordon [REDACTED]
Sent: Wednesday, February 11, 2026 1:11 PM
To: Holly Simmons; Jim Wasilak
Cc: Alex Forbes
Subject: Shellhorn Rockville LLC's comments to Staff Draft Zoning Ordinance
Attachments: Shellhorn Rockville LLC Comments to City of Rockville draft Zoning Ordinance(1938412.2).docx

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING - External email. Exercise caution.

Holly and Jim,

On behalf of my client, Shellhorn Rockville LLC, the owner of the properties located at 1460 and 1488 Rockville Pike, please accept these comments to the staff draft of the Zoning Ordinance attached. In general, we are supportive of the staff draft and recommended rezoning of these properties to the MXTD Zone. However, we have identified several areas that could be clarified as well as several particular issues that could be evaluated to better balance the need to encourage and allow property owners to make incremental, near-term improvements until the market will support more comprehensive redevelopment as envisioned by the Comprehensive Plan and MXTD Zone. Please let us know if you would like to meet to discuss any of these comments in greater detail. Thank you for the opportunity to provide this feedback to the staff draft.

Matt

 **Matthew Gordon** | Partner | Attorney
[REDACTED]
Direct: [REDACTED] | Office: [REDACTED] | Mobile: [REDACTED]


Selzer Gurvitch Rabin Wertheimer & Polott, P.C.
4416 East West Highway, Suite 400, Bethesda, MD 20814



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Shellhorn Rockville LLC
1460 and 1488 Rockville Pike
Comments to Draft City of Rockville Zoning Ordinance Rewrite (the “Draft ZOR”)

1. Existing Automotive Repair Establishments in the MXTD Zones

- The automotive repair facility at 1460 Rockville Pike was constructed pursuant to a Use Permit (Use 79-00148) approved in 1979.
- The Draft ZOR prohibits automotive repair facilities in the MXTD Zones. This creates challenges and complications for property owners that need to obtain financing or otherwise deal with lenders and other capital sources.
- **Request:** We ask that City staff consider making automotive repair establishments a conditional use in the MXTD zone where the use was established by a Use Permit prior to the effective date of the ZOR. If staff has concerns about these uses expanding, the ZOR can limit expansion to the requirements in Section 25.9.1.2 (see below).

Article 9. Nonconformities

Division 9.1. Nonconforming Uses

Sec. 25.9.1.1. Nonconforming uses, in general.

- (a) *Applicability.* This Division applies to any use that was lawful when established but no longer conforms to the requirements of the zone in which it is located.
- (b) *Continuing a nonconforming use.* A nonconforming use may be continued but not expanded, except as provided in Sec. 25.9.1.2. Continuing a nonconforming use includes the operation of a nonconforming use throughout those parts of a structure which were specifically designed or constructed for such use before **effective date of this Chapter** and which parts were either completed or substantially completed before such date.

Sec. 25.9.1.2. Expansion of nonconforming uses.

- (a) *Limitations on expansion of nonconforming uses.* A nonconforming use may be expanded by no more than 20 percent of the total square footage of the use at the time it was rendered nonconforming.
- (b) *Nonconforming alteration approval.* Any expansion of a nonconforming use under this Section must comply with the requirements of Sec. 25.9.1.3.

2. Car Wash uses in the MXTD Zones

- The Draft ZOR will continue to prohibit car wash uses in the MXTD Zones. While we acknowledge that car wash uses do not fit with the spirit and intent of vertical, mixed-use development contemplated by the MXTD zone, there are many sites that contain retail uses that will continue to operate in that fashion until the market will support the investment needed for compact, infill mixed-use development. A car wash use can be complementary to these older retail centers and responsive to current market demands.

- **Request:** We ask that City staff make a car wash a conditional use for sites that contain a minimum of 20,000 square feet of commercial uses constructed prior to the effective date of the Draft ZOR.

3. **Amendments to Project Plans, Site Plans, and Planned Developments (Divisions 4.2)**

- Section 25.4.2.1(a) states “An application to amend any previously approved Project Plan, Planned Development, Level 2 Site Plan, Level 1 Site Plan, or equivalent approval must be filed with the Chief of Zoning in accordance with this Division.”
- Equivalent approval is not defined. It is unclear if properties that were developed prior to the creation of Project Plan and Site Plans can use the minor amendment process where the changes to an existing development otherwise meet the standards.
- **Request:** We ask that City staff clarify that equivalent approval includes a Use Permit or Building Permit so that these sites can use the minor amendment process to make incremental changes.

Sec. 25.4.2.2. **Minor amendment.**

- (a) *Minor amendment required; Level 1 Site Plan.* A minor amendment is required for any amendment to a Level 1 Site Plan.
- (b) *Minor amendment required; Project Plan and Level 2 Site Plan.* A minor amendment is required to amend a Project Plan, Level 2 Site Plan, or equivalent development when:

4. **Drive-Through Windows in the MXTD Zone**

- The staff report from the January 28th Planning Commission work session states that “based on input from Mayor and Councilmembers, the Staff Draft include grandfathering language (referenced in the Uses and Use Standards section above) that would treat any existing gas stations or drive-through windows in the MXTD zones as permitted uses, while prohibiting new MXTD gas stations or drive-throughs.”
- The Draft ZOR does not contain clear grandfathering language in the use table or use standards for drive-through uses. In addition to the need for a specific provision on drive-through uses in the MXTD zones, we would encourage staff to consider allowing properties being rezoned to the MXTD zone through the ZMA process a limited expansion opportunity to include drive-through windows. By way of example, 1460 and 1488 Rockville Pike are currently zoned MXCD which permits a drive-through window. While the long-term vision for redevelopment of these properties under the MXTD zone would not include a drive-through, the MXTD should allow for near-term opportunities that include a drive-through window.
- **Request:** We ask that the City allow drive-through windows to be added to sites where the zoning prior to adoption of the ZMA and Draft ZOR permitted such uses as long as the use can be added through the minor amendment process or as a Level 1 Site Plan application.

5. Elimination of parking minimum for sites near transit

- Section 25.8.2.4.(c) provides that uses are exempt from the parking minimums if they are located within ½ mile of a Metro Station. Based upon our previous review of the distance between the Shellhorn properties and Twinbrook Metro Station, it is likely that the property will qualify. However, it is unclear how the ½ mile distance is measured. In order to ensure property owners, have certainty on this standard as they explore opportunities for vertical, mixed-use development, it would be helpful to understand how this distance is measured.
- **Request:** We ask that City clarify if this distance is measured as the crow flies or through some other metric as part of revisions to the Draft ZOR.

6. Updates to the Sign Ordinance

- The Highlights document that staff prepared states that the Draft ZOR will –
 - Ensures regulations are content-neutral (i.e., regulating sign size, location, design, rather than the text, color, or images on a sign).
 - Eliminates sign concept plans (which regulate content) and optional sign packages (which have only been used once) while requiring a new comprehensive sign plan be submitted prior to permit where two or more signs are proposed on a site.
- However, the Draft ZOR does not contain a clear provision on the treatment of existing sign concept plans moving forward.
- **Request:** We ask that the City add a provision to Section 25.4.4.4 (sign permits) addressing the treatment of sites with sign concept plans. The provision should indicate that property owners may abandon the sign concept plan upon submission of a new sign permit to the City, and that any text, color, or image limitations by the sign concept plan are no longer applicable.

proposed structure is consistent with the requirements of this Chapter.

Sec. 25.4.4.4. Sign permit.

- (a) *Required.* Before installing, erecting, illuminating, or modifying a sign, a person must receive approval of a sign permit from the Chief of Zoning.
- (b) *Exceptions.* A sign permit under Chapter 25 is not required for:
 - (1) Signs specifically exempt under Article 10;
 - (2) Signs within the public right-of-way, which are subject to the requirements of Chapter 21 of City Code;

- (3) The installation or erection of an A-frame sign;
- (4) The installation or erection of a temporary freestanding sign on an individual residential lot or a lot containing a multiplex or apartment with up to 10 dwelling units;
or
- (5) The maintenance or repair of an existing, permitted sign, including but not limited to repainting, refacing, and electrical repairs.
- (c) *Review.* The Chief of Zoning must review and grant or deny a sign permit application in writing within 15 business days of receipt of a complete sign permit application, including the required fee.
- (d) *Incomplete application.* If a sign permit application is returned to an applicant due to incompleteness, the Chief of Zoning must advise the applicant in writing as to the information needed to complete the application.
- (e) *Issuance.* The Chief of Zoning must grant a sign permit upon finding that the sign meets all application requirements of Article 10 and, if applicable, any comprehensive sign plan for the site.



Respondent No: ■

Login: [REDACTED]

Email: [REDACTED]

Responded At: [REDACTED]

Last Seen: [REDACTED]

IP Address: [REDACTED]

Q1. What do you see as the biggest strengths of the Staff Draft Zoning Ordinance?

not answered

Q2. Do you have concerns with anything in the Staff Draft Zoning Ordinance? If yes, please describe any specific sections or topics.

Yes the limitation it puts on self standing illuminating signs and the burden it will put on businesses

Q3. Is there anything missing from the Staff Draft Zoning Ordinance that you would like to see included?

not answered

Q4. Do you have any additional comments or feedback on the Staff Draft Zoning Ordinance you would like to share?

not answered

Q5. How engaged/aware were you of the Zoning Ordinance Rewrite and Comprehensive Map Amendment project prior to the release of the Staff draft materials on December 4, 2025?

Somewhat Engaged - I was generally aware of this project, but didn't know many details.

Q6. How are you interacting with the Staff Draft Zoning Ordinance? Please check all that apply.

I am a Rockville business owner.

Q7. What neighborhood do you reside in?

not answered

Q8. Where is the property you own located?

not answered

Q9. What business do you own? Where is your business located?

Ourisman Chevy WZ/Mazada of Rockville

Q10. What firm do you represent?

not answered

Q11. If you selected "other," please explain how you are interacting with the draft Zoning Ordinance.

not answered

Q12. Name (optional)

Xavier Camacho Director of Facilities

Q13. Email

[REDACTED]



Respondent No: [REDACTED]

Login: [REDACTED]

Email: [REDACTED]

Responded At: [REDACTED]

Last Seen: [REDACTED]

IP Address: [REDACTED]

Q1. What do you see as the biggest strengths of the Staff Draft Zoning Ordinance?

For Article 10-Signs Exemptions including directional signs and signs regulated by Chapter 21. Introduction of new sign types, including A-frame signs, window signs, and building-mounted banner signs Increased permitted size of signs in the Industrial and Mixed Use zones.

Q2. Do you have concerns with anything in the Staff Draft Zoning Ordinance? If yes, please describe any specific sections or topics.

Freestanding sign standards (new Sec. 25.10.3.4.(b)(4)): (4) Illumination. A freestanding sign may be externally illuminated. Internally illuminated freestanding signs are prohibited. I urge you to reconsider this as it is punishingly prohibitive. What is the purpose in eliminating internal illumination on ground signs? I submit sign permits throughout DC/Maryland and Virginia and have never found a zoning ordinance that has banned illumination from ground signs. Draft Ordinance Sec. 25.10.7.2. (Comprehensive sign plan.) The proposed rules say, "two or more signs". Not "two or more businesses/tenants". So, any business that has one freestanding sign and one building sign, now is subject to a comprehensive sign plan? Language in this portion of the ordinance is unclear. It's also excessive and punishing. If I'm understanding this correctly, if you have a gas station that has a McDonalds in the gas station, they have to submit a comprehensive signs plan? What is the cost for this? What are the submission requirements? How long do these take to review? CSP's are notoriously complicated difficult and costly.

Q3. Is there anything missing from the Staff Draft Zoning Ordinance that you would like to see included?

Language regarding murals or exterior wall art. Unless it's in there and I missed it.

Q4. Do you have any additional comments or feedback on the Staff Draft Zoning Ordinance you would like to share?

As a bridge between municipalities and businesses I caution you against creating regulations that are so limiting it becomes easier for a business to take it a few blocks in a different direction where they are regulated by Montgomery County. It is not unheard of for me to see a company choose a different location due to strict signage limitations and/or excessive submittal requirements, so I ask you to take another look at the items I listed and ask why? and is it really necessary?

Q5. How engaged/aware were you of the Zoning Ordinance Rewrite and Comprehensive Map Amendment project prior to the release of the Staff draft materials on December 4, 2025? Not Engaged - I was not aware of this project until recently.

Q6. How are you interacting with the Staff Draft Zoning Ordinance? Please check all that apply. Other

Q7. What neighborhood do you reside in? not answered

Q8. Where is the property you own located? not answered

Q9. What business do you own? Where is your business located? not answered

Q10. What firm do you represent? not answered

Q11. If you selected "other," please explain how you are interacting with the draft Zoning Ordinance.

Permitting expeditor

Q12. Name (optional)

not answered

Q13. Email

[REDACTED]



Respondent No: ■

Login: [Redacted]

Email: [Redacted]

Responded At: [Redacted]

Last Seen: [Redacted]

IP Address: [Redacted]

Q1. What do you see as the biggest strengths of the Staff Draft Zoning Ordinance?

Land Use Element Policies 10 (Enhance Rockville Pike's market position; planning for additional growth near Twinbrook Metro Station), 12 (Plans for older neighborhood shopping centers that address access, aesthetics, land use mix, and urban design), and 17 (support retail uses along commercial corridors and other shopping areas). And Economic Development Element Policies 7 (Support neighborhood and local shopping centers where there is market opportunity) and 9 (Maintain Rockville Pike's market position as a regional shopping destination, supported by residential uses)

Q2. Do you have concerns with anything in the Staff Draft Zoning Ordinance? If yes, please describe any specific sections or topics.

Section 25.10.3.4.(b)(4) of the draft ordinance is highly concerning. The full prohibition of internally illuminated freestanding signs in every zone will have a direct impact on many shopping centers, car dealerships, and other major commercial businesses. I ask that this prohibition be reconsidered. The other red flag is draft ordinance section 25.10.1.2.(c)(12) - the prohibition of electronic message centers. This full ban does not consider the nuance and full scope of display panels. This ban will put undue hardship on gas stations (digital pricers), drive-thru restaurant menu boards, and bank drive-thru open/closed signs, among other things. There should be consideration given for the ways that display panels are used and how they are beneficial to life in the City.

Q3. Is there anything missing from the Staff Draft Zoning Ordinance that you would like to see included?

Not that I can think of

Q4. Do you have any additional comments or feedback on the Staff Draft Zoning Ordinance you would like to share?

No additional comments at this time.

Q5. How engaged/aware were you of the Zoning Ordinance Rewrite and Comprehensive Map Amendment project prior to the release of the Staff draft materials on December 4, 2025?

Very Engaged - I have been following the project and/or attended project meetings.

Q6. How are you interacting with the Staff Draft Zoning Ordinance? Please check all that apply.

I am a developer/design/land use professional.

Q7. What neighborhood do you reside in?

not answered

Q8. Where is the property you own located?

not answered

Q9. What business do you own? Where is your business located?

not answered

Q10. What firm do you represent?

Art Display Co., Inc.

Q11. If you selected "other," please explain how you are interacting with the draft Zoning Ordinance.

not answered

Q12. Name (optional)

Patience Shaffer



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1001 N. Fairfax Street
Suite 301
Alexandria, VA 22314



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

February 11, 2026

Dear Chair Sun:

The International Sign Association (ISA) has been asked by one of our member sign companies to review the draft Rockville Zoning Ordinance. ISA is a 2000-member trade association, the members of which are manufacturers, users and suppliers of on-premises signs and other visual communications products from the 50 United States and 60 countries around the world. ISA's in-state affiliate, the Northeast States Sign Association (NSSA), includes member sign companies and suppliers headquartered or with significant operational facilities in Maryland and across the DMV.

In general, ISA is supportive of the draft zoning ordinance and the 2040 Comprehensive Plan. We support Land Use Element Policies 10 (*Enhance Rockville Pike's market position; planning for additional growth near Twinbrook Metro Station*), 12 (*Plans for older neighborhood shopping centers that address access, aesthetics, land use mix, and urban design*), and 17 (*support retail uses along commercial corridors and other shopping areas*). And we support Economic Development Element Policies 7 (*Support neighborhood and local shopping centers where there is market opportunity*) and 9 (*Maintain Rockville Pike's market position as a regional shopping destination, supported by residential uses*)

However, as ISA reviewed the December 1, 2025 Staff Draft Zoning Ordinance, we have noted several proposed sign regulations that we believe would be harmful to the businesses and commercial property owners of Rockville. **We will discuss three areas in which ISA urges staff, the Planning Commission, and the Council to amend the language of the draft ordinance.**



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Prohibiting Internally Illuminated Freestanding Signs

With the December release of the 290+ page draft zoning ordinance, staff also prepared a 58 page “Highlights” report summarizing the key changes in various sections of the zoning ordinance. The discussion of Signs (page 29) listed eleven key changes. Not included in those eleven changes was anything about sign illumination. Because ISA is accustomed to ordinance review and analysis, we went through the draft ordinance line by line and compared it to the existing sign ordinance (Rockville Code of Ordinances, Chapter 25, Article 18).

In the existing sign ordinance, internally illuminated signs are prohibited in the MXT and MXC zones (Sec. 25.18.14.a.2(b)), are prohibited in the MXTD zone (Sec. 25.18.14.b.2.(a).iii), and are prohibited in the planned development zones (Sec. 25.18.18.c.1.(f)). **However, internal illumination is NOT prohibited currently for freestanding signs in the MXCD, MXCT, MXB, MXNC, or MXE zones.**

In the draft zoning ordinance, internally illuminated freestanding signs are prohibited entirely, for every zone. Freestanding sign standards (new Sec. 25.10.3.4.(b)(4)):

(4) Illumination. A freestanding sign may be externally illuminated. Internally illuminated freestanding signs are prohibited.

Many of Rockville’s shopping centers and car dealers are among the major businesses affected by this change.

Businesses in MXCD zone

- Darcars Toyota & Darcars Chrysler/Dodge/Jeep/Ram
- Ourisman Chevrolet & Mazda
- Audi Rockville
- College Plaza
- Wintergreen Plaza
- Plus, many of the freestanding businesses along Rockville Pike, south of the Town Center



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Businesses in MXNC zone

- Twinbrook Center
- Twinbrook Marketplace

Businesses in MXE zone

- Courtyard by Marriott hotel
- Red Roof Plus+ Inn
- That’s Amore restaurant

This is a significant change to Rockville’s current retail businesses. And even if the businesses and property owners who already have freestanding signs are allowed to keep those signs, **the current (and proposed) rules for nonconforming signs REQUIRE the removal of a nonconforming sign after eight years—less if the business seeks to repaint/alter the face of the sign with a new tenant or changed copy.**

Proposed Sec.25.10.6.1 Nonconforming Signs (emphasis added)

(a) Any nonconforming sign may remain erected, installed, or in use subject to the requirements of this section.

(b) Whenever an existing nonconforming sign is structurally altered, abandoned, destroyed, replaced, or substantially damaged, it must be modified to bring it into conformance with this Article.

(1) Repairs and maintenance of nonconforming signs, such as repainting, refacing, and electrical repairs, will be permitted, provided that repainting does not include a change of copy.

*(c) **Any sign lawfully existing immediately prior** to the effective date of this Chapter, or any application amendment thereof, but which does not conform to the requirements as now constituted, **must be removed within eight years from the date that the sign became nonconforming.***



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(d) In all other respects, nonconforming signs must comply with the applicable requirements of Article 9.

The freestanding College Plaza sign currently has panels for four business tenants. Certainly we could envision changeover of tenants that would cause the plaza owners to change the panels of the freestanding sign. But we also could envision that Advance Auto Parts or The Tile Shop might change their corporate image and alter their logo. In fact, the College Plaza sign displays an older Advance Auto Parts logo, not the up-to-date version adopted by the company in 2024. Under this proposal, a business would have to choose between displaying their current logo or keeping the existing illuminated freestanding sign.

ISA recommends that the sign ordinance be revised to allow for internally illuminated freestanding signs in the MXCD, MXCT, MXB, MXNC, and MXE zones.

Subtle, But Important Change to Comprehensive Sign Plans

Within the Highlights summary, staff noted key change 10: *“Eliminates sign concept plans (which regulate content) and optional sign packages (which have only been used once) while requiring a new comprehensive sign plan be submitted prior to permit where two or more signs are proposed on a site.”*

Our read of the draft ordinance is somewhat different. Reading the existing ordinance (Sec. 25.18.08.a Sign Plans)

*“For a lot **occupied by more than one (1) business/tenant and where more than one (1) permanent building sign will be installed**, a sign plan indicating the size, location, shape, materials, and mounting details of all permanent building signs must be approved. A sign plan must be approved by the Chief of Zoning prior to the issuance of the first sign permit for a lot where more than one (1) permanent building sign will be installed. **The sign plan will serve as the basis for all sign permit applications for permanent building signs on the lot subject to the sign plan.** A revised sign plan must be approved if a sign to be installed deviates from the*



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size, location, shape, materials, or mounting details of an approved sign plan.”
(emphasis added)

ISA reads this existing provision as applying to a location with 2 or more tenants and 2 or more permanent building signs.

In contrast, the draft ordinance changes the language for the criteria under which a sign plan applies.

Draft Ordinance Sec. 25.10.7.2. (Comprehensive sign plan.)

*(a) Applicability. **All developments**, including any amendments thereof, requiring Site Plan approval **that propose two or more signs** will be required to submit a comprehensive sign plan demonstrating conformance to the requirements of this Article as part of the Site Plan application prior to issuance of the first sign permit.*

*(1) If a Site Plan is associated with a Project Plan, the comprehensive sign plan may address either the entire site subject to the Project Plan or the portion of the site subject to the Site Plan. **(emphasis added)***

The proposed rules say “two or more signs”. Not “two or more businesses/tenants”. And it says two or more “signs”. Not “building signs”. The city’s definition for “sign” means that any business on its own property that has one freestanding sign and one building sign, now is subject to a comprehensive sign plan.

Looking elsewhere in the draft ordinance, we find that Division 4.1 addresses Project Plans and Site Plans. (Sec. 25.4.1.2. Applicability.)

(a) This Division applies to all development, except:

...

(4) Construction of a shed, fence, or sign;

Construction of a sign. That is a broad exemption from site plan requirements for **ONE** sign. While the comprehensive sign plan rules apply to any proposal for **TWO** signs. Which brings us to the section of the code that resolves conflicting provisions.



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Sec. 25.1.1.6. Interpretation.

(a) Minimum requirements. In interpreting and applying this Chapter, the requirements contained within are declared to be the minimum requirements for the protection of the public health, safety, or welfare.

(b) Conflict of provisions.

(1) This Chapter shall not be deemed to interfere with, abrogate or annul, or otherwise affect in any manner whatsoever any ordinance, rule, regulation or permit, or any easement, covenant, or other agreement between parties.

*(2) Notwithstanding the above, **where this Chapter imposes a greater restriction upon the use or development of a building or a site than are imposed or required by other ordinances, rules, regulations, or permits or by easements, covenants, or agreement between parties, the provisions of this Chapter will prevail.***

ISA reads this language as applying to a situations where a business/tenant applies for one building sign permit and one freestanding sign permit, even in a location where no other construction, addition, or change of use occurs on the site.

ISA urges the draft proposal language be amended to ensure that a property occupied by a single business will not trigger the Level 1 Site Plan requirements just by applying for sign permits.

Prohibition on Electronic Message Centers

In this draft ordinance, the City specifically prohibits electronic message centers: *“The following signs are prohibited in the City...Electronic message centers that can be read from the public right-of-way;”* (Sec. 25.10.1.2.(c)(12)). Elsewhere in the ordinance, the city defines an electronic message center as *“Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.”* (Sec 25.2.2.5.(j)(1)).

While the City may be thinking about signs that look like the Montgomery College board at MD-355 & N. Campus Drive, this definition and this prohibition applies far more broadly.



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Within the city, there are dozens of gas stations that have electronic price changers (displaying the cost per gallon of fuel). While these price changers are simplified layouts (with simplified operator controls), the technology of these displays is the same as a large display panel.

For example, the Wells Fargo bank branch drive thru (502 Hungerford) has a one line digital sign that indicates if the teller window is open or closed. It is a very simple display—but it is an electronic message center according to Rockville’s definition. And this electronic sign can be read clearly from North Washington Street. Similarly, the McDonald’s (2101 Viers Mill Road) drive thru menu board is visible from Atlantic Avenue.

ISA believes that any discussion on whether or not to allow EMCs (or the conditions and limitations upon their use) needs to consider three types of nontraditional electronic displays that are used currently in Rockville:

- a. **Gas station price changers**
- b. **Bank drive thru signage (“Teller Open/Closed”; “ATM Only”)**
- c. **Quick-Service drive thru menu boards**

Thank you for considering these recommendations. If you have any questions, please contact ISA any time.

Sincerely,

A handwritten signature in cursive script that reads 'Kenneth Peskin'.

Kenneth Peskin
International Sign Association
Director, Industry Programs

Holly Simmons

From: Mark Pierzchala [REDACTED]
Sent: Tuesday, February 24, 2026 2:46 PM
To: Planning Commission
Subject: For the PC Meeting of February 25, 2026 - Comments stemming from the February 11, 2026 Planning Commission Meeting

WARNING - External email. Exercise caution.

February 24, 2026

Dear Planning Commission Members,

I will not be able to attend your meeting of February 25 due to a family commitment. However, I would like to make some comments based on the February 11, 2026, meeting.

I looked at your agenda packet. It includes my 100-page write-up to a GGW endorsement issue I had in 2023. However, the largest part of my document was a chronical of controversial housing and transportation issues in Rockville since before my first Councilmember election in 2009. My document is included from pages 109-208 of the PC agenda packet (the bolded page numbers from the bottom-right corner).

The parts of my document that deal specifically with the APFO/APFS and development starts on Agenda Packet Page 137. The PC should treat this part of my document as a detailed resource.

ZOR Revision Context:

First, a larger context is necessary. What is the legal distinction between Rockville on one hand and on the other hand (1) Silver Spring, (2) Bethesda, (3) Germantown, and (4) Clarksburg?

Rockville is a municipality; the others are areas of the County.

What purpose is there in Rockville being a municipality? Probably the biggest single reason is that Rockville has its own land-use authority. Same with Gaithersburg. (There are other benefits too, but they pale.)

Land-use authority is huge. It gives Rockville a way to define its own future and by officials that are elected and appointed from within the City. The Master Plans and the Zoning Ordinance are the primary written expressions of this authority. It's a huge deal when the ZOR is revised in its entirety.

But the PC input for this ZOR revision is minimal, and during the meetings that I have attended, this has slowly dawned on the members.

Specific issues:

1. Thanks to a few PC members who inquired about the ZOR approval schedule. This also led to a discussion about the role of the Planning Commission in the revised zoning ordinance (ZOR).

The City Staff response was bracing in my opinion. It became clear that the PC has a minimal role in reviewing the proposed ZOR. Mostly your role is to answer specific Mayor and Council (MC) questions to the PC. And it's on their set schedule. Your role is to make selected recommendations, not to review ZOR text.

This proposed ZOR was described as a text amendment. In effect, it is a complete repealing and reenactment of the existing zoning ordinance. And the PC's role is to answer some questions from the MC? Sad.

While your proposed response is in the staff packet, don't be afraid to add in some extra paragraphs. I find that it is best to have these typed out in advance and not constructed on the fly. You can point out policy differences or concerns even if they were not included as issues for the PC.

You can, for example, recommend that Mayor and Council see a redline version of the differences between the texts of the zoning ordinance.

2. I mentioned that you should all be able to see a redline change of the zoning ordinance.

The reason is that it is the zoning ordinance that is used when there are court challenges. In my write-up, I refer to several court cases. A leading example from my document (Agenda Packet Page (APP) 123-124) is from a court case that stopped the Beall's Grant II affordable housing project. The circuit court decided one way and the appeals court decided the other way. Words matter, definitions matter, and phrasing matters in these court cases and the Zoning Ordinance is the primary document because it is law.

There are other court cases mentioned in my document.

One of the PC member Pitman mentioned that it would be nice to see a crosswalk from the Master Plan. I don't think that is as necessary, but after the Master Plan was finished, City Staff constructed a gigantic spread sheet of the Master Plan action items, including zoning ordinance items. That would be a good starting point for a such a crosswalk.

The present zoning ordinance is 253 pages. The proposed ordinance is 290 pages. Members of the public are supposed to make sense of their respective differences?

3. It was mentioned by City Staff that the highlights document was meant to take the place of a red-line version.

Counter example: The overview document briefly describes APFO/APFS changes. The PC was asked to opine on one or a few aspects of APFO validity issues. The overview document does not mention that (1) the new APFO takes out any mention of which items are under the purview of the APFO. This is all now relegated to the APFS. (2) To change the standards in the APFS, a super-majority of the MC would now be required.

These are huge changes that are not mentioned in the highlights document.

The super-majority requirement to change the APFS seems to be a reaction to several APFS changes on 3-2 votes in previous MC terms. These were votes that increased the housing supply.

To give one example, the Reed, a large apartment building a short walk from the Shady Grove Metro, would not have been approved had there been a super-majority requirement for APFS changes (see APP 163). There are other examples. Look for red texts, usually containing the text '2026 ZOR'. See also (for example) APPs 144, 147, 150, 163, 184, and 208 (about the unintended consequences of the APFO/APFS based on Board of Education decisions).

Ironically, the MC can repeal the entire APFO on a majority vote, but it can change the APFS only on a super-majority vote. Odd.

The APFO/APFS have distorted, delayed, and stopped housing development in Rockville. There are huge policy issues involved. And the PC role is merely to weigh in on some APF validity issues?

4. Champion projects:

I was the originator of Champion Projects during the Rockville Pike Plan adoption. You can see this documented on APP 150 and other pages. This was a result of a conversation I had with a previous Councilmember Tom Moore.

Champion projects were created for several reasons, but a huge one was to encourage the aggregation of property into neighborhoods in the Twinbrook area. This was done spectacularly well by B.F. Saul's Twinbrook Quarter project, and its associated Developer's Rights and Responsibilities Agreement (DRRA).

The chair asked if champion projects could be defined for other places, e.g., Shady Grove Metro Area. The answer is yes, and this would be a great idea. An even better place to declare a champion project area would be Rockville's Town Square/Town Center. These champion areas could be used to overcome the negatives of the APFO/APFS for example.

Each champion project area would need its own set of justifications and findings to suit its circumstances. But the concept remains valid.

Each would need its own version of a DRRA.

5. The electronic version of the zoning map:

What is there now is really slick for seeing differences between the current and the proposed. But once the map is adopted, another nice feature would be to be able to click on a property and have information pop-ups relating to both the Master Plan and the ZOR. I'm not sure those are in place at the moment. There needs to be some reference to the text of the ZOR when you click on the property in the electronic map. With the City's new website, I'm not sure all this is still in place, and it's very hard to find the interactive map.

I was a constant user of the City's previous website. Klutzy as it was, you could find what you wanted, and going back many years. The current website is not nearly as generous with historic information.

6. Plain language: I recall staff stating that they are reviewing the plain language aspect of the proposed ZOR. PC Commissioner Zyontz supplied his own version of this.

The practical implication for an outside reviewer is that it won't be until March 13 until we see what is in front of the Mayor and Council, text-wise. Changes in wording matter. Changes made for plain-language purposes may have unintended consequences.

Mark Pierzchala

Dear Planning Commission Members:

We have been reviewing Rockville’s parking lot landscaping standards and wanted to share a small, practical suggestion.

The City already requires deciduous shade trees and states that trees should be distributed to increase shade. That’s a solid foundation. The gap is that the code mostly regulates planting layouts on paper, not whether trees ever grow large enough to provide real canopy.

A few modest refinements could help connect today’s rules to real-world shade and cooling:

Ask staff to **evaluate an aerial canopy target** for parking lots (for example, 30% coverage over paved areas within 10 years), using the City’s existing planting island dimensions and required perimeter landscaping to determine feasibility and appropriate thresholds. Research suggests canopy levels in this range can meaningfully reduce urban temperatures and heat-related health impacts. (1, 2)

Require a **minimum soil volume** per shade tree (including both surface area and depth), so the already-required trees have the rooting space needed to reach their mature, shade-providing size and make that canopy target achievable.

Strengthen **protection** and prioritization of large-canopy shade trees wherever site conditions allow, both by retaining existing mature trees where possible and favoring large-canopy species when planting is required.

The finding that emerge from the considerations above could be incorporated into the “Internal landscaping of parking facilities” section of the Draft Zoning Ordinance before it is presented to the Mayor and Council on March 23, 2026. These aren’t major policy changes, just implementation tweaks to help required trees actually mature and do the job they’re intended to do.

Thank you for your work on this.

Best,
Jeff Schloss and Wayne Breslyn
Rockville Residents



¹ American Society of Landscape Architects. (2023). More urban trees could cut summer heat deaths by a third.

<https://www.asla.org/news-insights/dirt/more-urban-trees-could-cut-summer-heat-deaths-by-a-third>

² U.S. Environmental Protection Agency. (2025). Using trees and vegetation to reduce heat islands.

<https://www.epa.gov/heatislands/using-trees-and-vegetation-reduce-heat-islands>

February 25, 2026

TO: Mayor and Council

FROM: [REDACTED]

SUBJECT: Zoning Text Amendment Application TXT2026-00271, the Draft Zoning Ordinance;
Mayor and Council of Rockville, Applicants

SUMMARY OF PLANNING COMMISSION RECOMMENDATIONS

This memorandum summarizes the recommendations made by the Planning Commission on topics of interest contained in the Zoning Text Amendment (ZTA) Application TXT2026-00271, the Draft Zoning Ordinance. Note that the Planning Commission did not ~~endeavor to~~ review all aspects of the Staff Draft Zoning Ordinance. Instead, topics for work sessions were identified by Planning Commissioners, the Mayor and Council, and staff. The Planning Commission considered identified topics ~~across~~ during four work sessions held on January 14, January 28, February 4, and February 11, 2026. A full list of discussion topics and the dates on which they were discussed are included as Attachment 1 – Planning Commission Schedule.

The Planning Commission's recommendations as contained in this memo are based solely on the Staff Draft Zoning Ordinance authorized for filing on December 1, 2025. The Commission has not reviewed ~~and is not making recommendations~~ on the ~~forthcoming~~ the Revised Staff Draft Zoning Ordinance, which will be prepared by City staff for the Mayor and Council's review after the date of this memo. The Commission expects the Revised Staff Draft to be based on the Commission's recommendations.

Generally

Language in the Staff Draft

One of the goals of the Zoning Ordinance Rewrite is to ensure that the ordinance is clearly written, well-organized, accessible, and easy to use. ~~During the project's drafting phase,~~ Staff drafted new provisions and revised many old provisions with this goal in mind. During the Planning Commission review, two Commissioners have provided comments related to the language used in the ordinance, expressing a desire to see greater use of plain English/plain language, deleting superfluous provisions, putting requirements in active tense, and to eliminate the use of certain terms.

On January 14, staff ~~updated~~ informed the Commission that they ~~were developing a will~~ revised Staff Draft ordinance to respond to these concerns, ~~with the intention of making.~~ Staff intends to make the language clearer while keeping policy intact except where substantive changes are recommended by the Commission in this memorandum. ~~At that meeting,~~ Commissioners agreed to defer to staff to revise the draft ordinance to address plain language concerns, based on ~~city precedent,~~ staff's best judgement, and legal considerations, ~~while not altering the meaning of the text being revised.~~ This was again discussed on On February 4, and the Commission affirmed their position, ~~requesting that any substantive changes resulting from Planning Commission recommendations be included in the Commission's recommendation memo.~~

Article 1: General Provisions

The Planning Commission addressed the following topics: the purpose statement and transitional provisions.

Purpose Statement

The Zoning Ordinance contains a general purpose statement in Article 1, ~~which.~~ In Staff's opinion, the statement connects the zoning regulations to legitimate public interests while clarifying and clarifies the broad and aspirational policy goals of the ordinance. Commissioners noted that the purpose statement is different than the purpose of zoning stated in State law. Staff advised that the draft purpose statement is legally sufficient and intentionally aspirational in nature and did not recommend substantive revisions. Commissioners expressed a desire for increased objectivity, specificity, and inclusivity in the purpose statement.

The Planning Commission recommended the following revisions to the draft purpose statement, specifically Sec. 25.1.1.2(a)(4), (8), (13), and (14):

(4) Promotes ~~alternative~~ all modes of transportation by providing convenient, safe, and connected accessibility to public transportation, pedestrian and bicycle

facilities, inviting streetscapes, and a mixture of uses;

(8) Protects and enhances the ~~aesthetic~~ and visual character of the City and its residential neighborhoods;

(13) Provides attractive, ~~high quality~~ development and design that enhances the community's quality of life; and

(14) Protects and promotes the health, safety, comfort, convenience, and welfare, ~~and happiness~~ of the Rockville community through the comprehensive regulation of the use and development of land and structures.

Transitional Provisions

The Staff Draft Zoning Ordinance includes transitional provisions allowing certain pending applications to proceed under the existing ordinance at the applicant's option.

~~After further evaluating applications actively advancing under the current Zoning Ordinance,~~ Staff recommended expanding the eligibility criteria in the Staff Draft to:

- Include Project Plans in addition to Site Plans;
- Extend eligibility to complete applications submitted within 18 months prior to adoption of the new ordinance (rather than 12 months); and
- Require eligible applications to obtain approval within two years of the new ordinance's adoption.

The Planning Commission supported staff's recommended revision to the Staff Draft.

Commissioner Zyontz noted that implementation would require staff to administer two versions of the Zoning Ordinance for up to two years following adoption.

Article 3: Administration

The Planning Commission addressed the following topics: Planned Development APF extensions, the Development Review Manual, and notice requirements.

Extension of Planned Development (PD) Adequate Public Facilities (APF) Expiration

~~In the current Zoning Ordinance, where a PD approval does not specify an expiration date for APF determinations, APF approval expires on November 1, 2030.~~ The Staff Draft retains the existing PD APF expiration dates but modifies the extension process to align with broader policy changes proposed in the Staff Draft, ~~allowing~~. The draft would allow two consecutive two-year extensions approved by the Chief of Zoning instead of a single five-year extension approved by the Mayor and Council.

The Planning Commission supported this provision as presented in the Staff Draft.

Development Review Manual

The Development Review Manual is a supplement to the Zoning Ordinance, ~~providing~~. It provides guidance for the submission and review of development applications to residents, developers, and staff. The Development Review Manual is currently being updated in two phases, the second of which is planned ~~to coincide with the adoption of when the new Zoning Ordinance is adopted.~~ ~~While the Manual is updated and maintained by City staff, the~~ The current Zoning Ordinance and the Staff Draft are silent on how updates are authorized and published.

~~For increased~~ To increase transparency and clarity, Staff recommended adding a provision to the Staff Draft formalizing ~~and clarifying~~ the City's existing practice, as follows:

- Update the Chief of Zoning's powers and duties to include publishing and amending the Development Review Manual, subject to approval by the City Manager.

The Planning Commission supported staff's recommended revision to the Staff Draft.

Notice Requirements

Staff provided Commissioners with an overview of both internal policies (outside the Zoning Ordinance) and regulatory requirements associated with development application notice.

The Planning Commission supported the notice requirements as presented in the Staff Draft.

Article 4: Development Applications, Permits, & Procedures

The Planning Commission addressed the following topics: development approval findings and administrative decision appeals timelines.

Approval Findings

To approve Project Plans, Site Plans, and Preliminary Plans of Subdivision, Approving Authorities must make several findings. Reflecting guidance from the Mayor and Council on October 6, 2025, the Staff Draft Zoning Ordinance ~~reworks and simplifies~~ ~~simplified~~ these discretionary findings to the following:

1. The application is consistent with the Plan;
2. The application is supported by adequate existing and programmed public facilities in accordance with Article 8, Division 8.11 and as provided in the adopted Adequate Public Facilities Standards; and
3. The application conforms to the requirements of this Chapter and other applicable law governing health, safety, natural resources, and the environment of the City.

The Commission's discussed approval findings during their work session on January 28, and again on February 11, following testimony related to the proposed rezoning in Planning Area 12. Both discussions largely focused on whether to recommend adding a fourth finding to ensure a development application is compatible with the surrounding area. Staff recommended that the finding, if pursued by the Planning Commission, apply only at the Project Plan and Level 2 Site Plan stage ~~to reduce entitlement risk.~~

By a 4–2 vote, the Planning Commission recommended adding a compatibility finding for Project Plans and Level 2 Site Plans, as follows:

- The application is compatible with the surrounding area.

A majority of the Commission supported a separate compatibility finding would provide for a distinct analysis ~~and added-~~ It would provide the same emphasis, similar to that given to the APF finding. Both requirements are already a requirement of Chapter 25. Commissioners who voted in the minority expressed concern that the proposed finding would be subjective and redundant of existing findings.

Administrative Decision Appeals Timelines

The Staff Draft includes a provision that individuals wishing for a public hearing on an administrative decision may request the hearing within 15 days of the decision. This process, ~~which was inserted early in drafting;~~ . It conflicts with the general 30-day appeal period for Chief of Zoning decisions. To avoid internal inconsistency, Staff recommended:

- Deleting all references to a 15-day period for requesting a public hearing on Chief of

Zoning decisions, and

- Replacing these references with references to the 30-day appeal period established in draft Article 3.

The Planning Commission supported staff's recommended revision to the Staff Draft.

Article 5: Zones & Zoning Map

The Planning Commission addressed the following topics: floating zones ~~and zoning map amendments~~ and the official zoning map.

Floating Zones

Comprehensive Plan floating zones were added to the current Zoning Ordinance in 2023, providing a path for development that is consistent with the recommendations of the Comprehensive Plan, ~~prior to before the citywide rezoning that will be accomplished through the CMA. Because the CMA Comprehensive Map Amendment (CMA)~~ implements the Comprehensive Plan's land use and zoning recommendations, the Comprehensive Plan floating zones are no longer necessary and ~~were carried forward~~ Staff did not include them in the Staff Draft Zoning Ordinance.

The Commission discussed whether new floating zones should be included in the Zoning Ordinance, ~~with multiple~~ Several Commissioners noting-noted that floating zones could provide flexibility to address circumstances not anticipated by a master plan. Staff noted that new floating zones are not currently called for in the Comprehensive Plan ~~and advised considering~~ Staff recommended considering new floating zones through a separate planning effort following adoption of the ZOR and CMA, to allow time for policy development consistent with the Plan's policy framework.

The Planning Commission recommended that the Mayor and Council consider establishing policy guidance. That guidance may come from zoning text amendment introduced by the Mayor and Council or through the next Comprehensive Plan update that would create a framework for the implementation of floating zones.

Zoning Map Amendments

Currently, the Zoning Ordinance does not require the Mayor and Council to make findings when approving zoning map amendments, and this approach is retained in the Staff Draft. ~~However, additional research~~ Research conducted in response to a commissioner's question revealed that it is typical for the grant of local map amendments (which are generally initiated by a property owner ~~and result from a change or mistake in the zoning applied to a property~~) to be based on certain common law required findings.

Staff recommended including the following findings for local map amendments, adapted from those required for local map amendments in Montgomery County:

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

The Planning Commission supported staff's recommended revision to the Staff Draft.

The Commission also discussed whether owner consent should be required for a local map amendment. Staff noted that requiring owner consent for zoning map amendments would limit the Mayor and Council's ability to implement adopted plans and policies intended to advance city objectives.

By a vote of 5-1, the Commission recommended not requiring owner consent for map amendments. Voting in the minority, Commissioner Zyontz noted that owner consent is not typically required for map amendments, but opined that, as a matter of principle, the Staff Draft should treat local and sectional map amendments in the same manner as historic district designations map amendment to place a property in the Historic Preservation Overlay zone. Under the proposed text, the absence of owner's consent in those instances would require a unanimous vote by the Mayor and Council to make the zoning change.

Official zoning map

The current zoning code and the Staff Draft designates PDF maps as the City's official zoning map. The creates properties split between two or more PDF sheets. Other jurisdiction have adopted their Geographic Information System (GIS) on-line map as their official map. The Planning Commission would like to bring this to the Mayor and Council's consideration.

Article 6: Uses & Use Standards

The Planning Commission addressed the following topics: Accessory Dwelling Units (ADUs), Large Group Homes, Front-loaded Townhouses, Adult-Oriented Establishments and Shooting Gallery location requirements, Electric Vehicle Charging, and Use-Based Gross Floor Area (GFA) restrictions. Key changes to the Uses and Use Standards Article were also presented.

Accessory Dwelling Units (ADUs)

The Staff Draft Zoning Ordinance simplifies ADU standards, applying a common framework to both attached and detached units. It removes owner-occupancy and addressing requirements, clarifies legacy provisions, maintains size limits for detached ADUs, and relies on underlying development standards to regulate the scale and compatibility of attached ADUs.

The Planning Commission supported ADU provisions as presented in the Staff Draft.

Large Group Homes (9 to 16 residents)

In alignment with FAST 2 recommendations, the Staff Draft Zoning Ordinance transitions Large Group Homes to conditional uses and introduces new use standards aimed at retaining the intent of the Special Exception while reduce process.

The Planning Commission supported Large Group Homes provisions as presented in the Staff Draft.

Front-loaded Townhouses

Front-loaded townhouses are townhouses where garages face the street instead of an interior alley. Front-loaded townhouse sites can be constrained, as they typically dedicate space for driveways and curb cuts, causing conflicts with required site elements, including utilities, street trees, stormwater management facilities, storm drains, etc. In addition to requiring that front-loaded townhouses must be designed to accommodate these site elements, the Staff Draft ~~requires~~ required that garage doors may only take up 50 percent of the ground-floor façade, and that driveways may be no greater than 10 feet wide within the first eight feet of the curb. The Planning Commission received testimony that the proposed standards would make developing front-loaded townhouses difficult or infeasible.

Commissioners expressed a desire to address the city's housing needs, including encouraging a mix of front-loaded and rear-loaded townhomes, while balancing the need to accommodate required site elements. The Commission also noted that the standards related to garages and driveways appear to be unnecessary and overly restrictive and discussed that development applications are reviewed by staff to ensure that site elements are accommodated.

The Planning Commission recommended the Staff Draft be revised as follows:

- Retain the requirement that front-loaded townhouses must be designed in a manner to accommodate all required site elements.
- Delete the following requirements:
 - The garage door must not constitute more than 50 percent of the ground-floor facade of the townhouse.
 - Within the first eight feet from the curb, driveways of front-loaded units may be no greater than 10 feet wide.

COMMISSIONS SHOULD ADDRESS OTHER REGULATIONS THAT MAY LIMIT TOWNHOUSES RAISED BY PAT HARRIS

- 1) PARKING OF 1.5 SPACES PER UNIT SHOULD BE ALLOWED ON COUNTED WITHIN THE SUBDIVISION NOT THE TOWN HOUSE LOT
- 2) WHY SHOULD OF STRING OF 4 OR FEWER TOWN HOUSES BE CONSIDERED A MULTIPLEX?
- 3) WHY SHOULD A 10 FOOT SETBACK MINIMUM BE REQUIRED WHEN THERE IS THE OPYION FOR NO SETBACK?
- 4) IS A 25 FOOT SETBACK NECESSARY WHENEVER A RESIDENTIAL USE USE ABBUTS ANOTHER RESIDENTIAL USE?

Adult-Oriented Establishments and Shooting Galleries (indoor only): Location Requirements

Under the current Zoning Ordinance, Adult-Oriented Establishment and Shooting Galleries are limited in potential location. They are permitted only in Industrial zones through the Special Exception process, which requires Board of Appeals approval based on findings that the use will not be detrimental to surrounding properties. The Staff Draft retains these limitations.

In addition, the current ordinance prohibits Adult-Oriented Establishments within 1,000 feet of the nearest property line of any residence, school, church, library, public facility, or public building, and the Staff Draft proposes a new restriction prohibiting indoor Shooting Galleries within 200 feet of a residential zone; outdoor shooting galleries are not permitted. In response to questions from the Mayor and Council about why these setbacks differ, the project's consultant team found that jurisdictions typically apply different setback requirements to these two uses to address different impacts. Adult-Oriented Establishment setbacks are generally aimed at addressing concerns related to crime, property value impacts, and exposure to minors, while Shooting Gallery setbacks are intended to mitigate noise and safety concerns.

By a 4-2 vote, the Planning Commission recommended eliminating the proposed 200-foot setback between Shooting Galleries and residential zones. The majority stated that the additional setback was not clearly justified ~~and~~. Commissioners also expressed concerns that adding such a setback to the Zoning Ordinance could create legal risk; ~~that standards~~ In the opinion of Commissioners, the standards for Shooting Galleries need not mirror those for Adult-Oriented Establishments, due to differing impacts; ~~and that adequately~~ Well designed facilities prevent stray bullets from leaving the site, making a 200-foot setback unnecessary. The Commission also discussed that Shooting Galleries are already limited to Industrial zones and permitted only by Special Exception.

Commissioners who voted in the minority expressed a desire to include a 200-foot separation between Shooting Galleries and residential zones. Commissioner Pitman expressed concern about not including such a setback and suggested that a setback greater than 200 feet may be warranted.

Electric Vehicle (EV) Charging

The Staff Draft Zoning Ordinance adds Electric Vehicle Charging as a new use, defined as “a lot or portion thereof containing one or more electric vehicle (EV) parking spaces and associated electric vehicle supply equipment (EVSE).” ~~The Staff Draft identifies use permissions to~~ would allow EV charging in all zones, while directing sole-purpose EV charging hubs to auto-oriented and industrial areas. The use permissions are as follows:

- Principal use: I-L, I-H, MXCD, MXCT, and MXB zone
- Accessory use: All Residential zones, all MXTD zones, MXNC, MXC, MXT, MXE, and Park zone

In response to concerns expressed by members of the Mayor and Council, Staff recommended revising ~~the use permissions the Staff Draft~~ to allow EV Charging as a principal use in the MXE, MXNC, and MXTD zones, where the use is converting from a gas station. Commissioners noted this will allow flexibility for existing gasoline stations to transition over time to sole-purpose EV charging facilities.

The Planning Commission supported staff’s recommended revision to the Staff Draft.

Use-Based Gross Floor Area (GFA) Requirements, Generally

The current Zoning Ordinance includes floor area restrictions for certain uses in certain zones, ~~which are~~ These restrictions were intended to control a use’s intensity, in addition to any height and setback requirements of the zone. The Staff Draft Zoning Ordinance retains many of the current ordinance’s floor area restrictions in principal while updating the specific limits.

This topic was initially discussed by the Planning Commission on January 28, and again on February 11. On January 28, Commissioners expressed a general desire to eliminate the GFA restrictions from the Staff Draft, noting that the restrictions pose an impediment to economic development, do not seem to result in their intended outcomes, and the zones themselves provide limits through setbacks and height restrictions. ~~Prior to~~ Before making a final recommendation, the Commission requested a complete list of uses in the Staff Draft to which use-based GFA restrictions apply, ~~along with~~ and a comparison of treatment in the current and Staff Draft ordinances. Staff provided the requested information on February 11, as well as ~~specific~~ recommendations regarding which GFA restrictions to retain or consider eliminating.

The Planning Commission ultimately recommended revising the Staff Draft to eliminate GFA restrictions for the following uses in all zones where they apply:

- Instructional Facility
- Wholesale Establishment
- Alcoholic Beverage Retail Establishment
- Health and Fitness Establishment

- Event Space, Club, or Lodge
- Hotel
- Medical or Dental Laboratory
- Veterinary Service
- Charitable or Philanthropic Institution
-

The Planning Commission also recommended retaining the Staff Draft's GFA restrictions for the following uses in all zones where they apply:

- ADUs
- Cottage Courts
- Home-Based Business
- Accessory Structures
- Office
- Retail Establishment
- Eating and Drinking Establishment
- Hospital
- Single-Tenant Commercial Use

On January 28, Commissioner Pitman also expressed some concern about eliminating the restrictions for neighborhood shopping centers. On February 11, Commissioner Fulton expressed a desire to more broadly permit facilities that brew and bottle alcoholic beverages and have an accessory taproom, while acknowledging this use is not impacted by use-based GFA restrictions.

Article 7: Zone Standards

The Planning Commission addressed the following topics: established setbacks, front yard coverage, bonus height, transition heights; and certain standards in the RMD-Infill zone, RMD-25 zone, and RHD zone.

Established Setbacks

Established setbacks (the average distance from the front lot line of all buildings on a block face) are applied in the City's residential zones. They were historically intended to preserve existing development patterns; however, they can perpetuate past inequities and ~~create less predictability for homeowners and builders because they are more complex~~ difficult to calculate than fixed numerical standards.

~~Upon further consideration, staff~~ Staff recommended removing established setbacks from the Staff Draft.

The Planning Commission supported this recommended revision to the Staff Draft.

Front Yard Coverage

Front yard impervious surface coverage limits the portion of a front yard that can be covered by driveways, parking areas, and sidewalks. Introduced to the ordinance in 2009 to prevent front yards from being converted into parking areas, the regulation has not addressed a widespread problem. It is also difficult to enforce, and compliance has typically been gained through after- the-fact enforcement actions.

~~Upon further consideration,~~ Staff recommended removing front yard coverage limitations from the Staff Draft.

The Planning Commission supported this recommended revision to the Staff Draft.

Bonus Height

The Staff Draft Zoning Ordinance incorporates bonus height based on guidance from the Mayor and Council on May 5, 2025.

The Planning Commission supported bonus height provisions as presented in the Staff Draft.

Transition Heights

The Staff Draft Zoning Ordinance incorporates transition heights based on guidance from the Mayor and Council on May 5, 2025.

The Planning Commission supported transition height provisions as presented in the Staff Draft. Commissioner Zyontz **expressed noted** that the transition heights are appropriate when combined with the proposed setback from residential zones.

RMD-Infill zone

Based on questions raised by Chair Sun, staff reviewed the proposed density standards for the RMD-Infill zone against similar zones in other jurisdictions and recommended revised standards to ensure that development in the zone occurs at a scale and pattern similar to surrounding neighborhoods, regardless of housing type.

The Planning Commission supported staff's recommendation to revise the RMD-Infill standards in the Staff Draft as follows:

- Add a minimum lot area standard of 1 dwelling unit per 2,000 sf.
- Eliminate the density standard of 1 dwelling unit per 2,000 sf.
- Specify the maximum number of dwelling units per lot based on use/form, as shown in the table below.

Use	Maximum Dwelling Units per Lot
	With 2,000 Square Feet of land per units
Single-Unit Detached	1

Multiplex	4 (Unless recommended otherwise by the Plan)
Townhouse	6
Cottage Court 8	

RMD-25 Zone

The Planning Commission discussed the RMD-25 standards as they relate to the proposed rezoning in Planning Area 12 (Tower Oaks). The proposed rezoning was discussed on January 14 and January 28, and testimony from residents opposed to the rezoning was presented at multiple public hearings. Details related to the proposed rezoning and the associated revision to the RMD-25 zone density standard are addressed in the memorandum addressing Planning Commission's recommendation on the Comprehensive Map Amendment (MAP2026-00126). The Mayor and Council requested the Commission to reconsider the RMD-25 recommendation in the Staff Draft. All testimony, except from the land owner, was opposed to the RMD-25 zoning. Residents thought that the quiet enjoyment of the community would be disrupted by the added traffic from an additional 250 units on to a secondary residential street. Environmental and compatibility concerns were also raised.

Commissioner Zyontz suggested that the RMD-25 zone density be limited to 10 dwelling units per acre if access to a proposed development is proposed from an existing residential street. If a property is not accessed via an existing residential street, residential density of up to 25 dwellings per acre would be permitted. This would have the impact of limiting density if access to the site were gained from Don Mills Court, instead of from property to the south that is owned by the same property owner. The Commission agreed that this approach.

Ultimately, the Planning Commission recommended the following: The proposed rezoning as depicted in Figure 2; and Revising the RMD-25 zone density standard through the Zoning Ordinance Rewrite, by adding a footnote as follows: If any vehicular access to a property is provided from a secondary residential street that ended in a cul-de-sac on [effective date], then the maximum development density is limited to 10 dwelling units per acre.

Commissioners noted agreement with applying the RMD-25 zone to the property. Commissioner Fulton noted the recommendation is consistent with the Comprehensive Plan and addresses housing issues and increased density. He also noted that any project that would be proposed on the site would be subject to a full development review. Chair Sun expressed that the Commission's recommendation is a balanced compromise between the original proposal and the concerns of the nearby community. She also expressed a desire to include an approval finding related to compatibility. (Note: the Planning Commission ultimately recommended adding such a finding to the

draft ordinance; this is reflected in the Planning Commission’s recommendation memo on the Zoning Ordinance Rewrite (TXT2026-00271).)

The Commission recommended the following footnote in the density standard in Table 7.1.7-1

If the sole vehicular access to a property is provided from a secondary residential street that only abuts single-unit detached dwellings existing on [effective date], then the maximum development density is limited to ten (10) units per acre

Residential High Density (RHD) Zone

Upon further review of the RHD Zone standards in response to a Commissioner’s questions, staff recommended revising the RHD Zone side and rear setback standards to align with those in the Mixed Use zones. Staff also recommended revising the language of the front setback requirement for clarity and accuracy. These revisions would allow more consistent treatment of development in the RHD Zone and greater sensitivity where the RHD Zone abuts or confronts residential property.

The Planning Commission supported staff’s recommendation to revise the RHD Zone standards in the Staff Draft, as shown in the table below.

Standard	RHD Recommendation
Lot Frontage	10 ft.
Front Setback / Setback Abutting Public Right-of-Way (Min.)	<ul style="list-style-type: none">• Confronting residential property: 25 ft.• Confronting nonresidential property: 10 ft.
Side Setback (Min.)	<ul style="list-style-type: none">• Abutting residential property: 25 ft.• Abutting nonresidential property: None required. 10 ft. minimum if provided
Rear Setback (Min.)	<ul style="list-style-type: none">• Abutting residential property: 25 ft.• Abutting nonresidential property: None required. 10 ft. minimum if provided

The Planning Commission also discussed revisions to the RHD zone associated with the Planning Area 10 (Montrose and North Farm) rezoning. ~~Details related to the proposed rezoning and the associated revision to the RHD zone density and height standards are addressed in the memorandum addressing Planning Commission’s recommendation on the Comprehensive Map Amendment (MAP2026-00126).~~

After conversations with the property owner and neighboring residents, Staff recommends increasing the zone’s allowable height and density standard, as follows:

Max. Density: 100 dwelling units/acre

Max. Height: 150 feet

At the meeting, a representative of the Montrose Civic Association and the property owner expressed support for staff's proposal. The Commission discussed the alternative, requested a minor zone boundary adjustment, and concluded by requesting that staff coordinate further with the Montrose community and return with a final recommendation.

On February 4, staff reported that representatives of the Montrose community had reached consensus in support of the alternative proposal. Although the property owner requested additional zone boundary modifications at both work sessions, those modifications were not supported by staff or the Montrose community.

Noting the Montrose community's support, the Planning Commission supported staff's recommendations, as follows:

The proposed rezoning as depicted in Figure 1; and

Revising the RHD zone standards through the Zoning Ordinance Rewrite, as follows:
Increase the height maximum to 150 feet.

Increase the maximum density to 100 dwelling units per acre.

Article 8: General Development Requirements

The Planning Commission addressed the following topics: fencing (specifically deer fences), parking and loading, pedestrian and bicycle facilities, and amenity space requirements.

Fencing

The current Zoning Ordinance and the Staff Draft Zoning Ordinance regulate fencing in general by limiting the height of fences located in the front, side, and rear yards of residential property. The maximum height of fences in side and rear yards is eight feet, while the maximum height of fences in front yards is four feet. For corner lots, the Staff Draft specifies that the yards adjacent to both street frontages are front yards, with fence height limited accordingly. In response to resident testimony expressing concerns related to protecting yards from deer incursions, staff provided options for regulating deer fences.

The Planning Commission recommended the following:

- Define "deer fence," as "A fence that is up to 8 feet high and constructed of an open mesh ranging in size from 1.5 x 1.5 inches to 2 x 2.75 inches made of heavy weight, plastic or similar material that allows a clear view through the fence and may be constructed with wood, metal, or fiberglass posts."
- Continue to permit deer fences in all side and rear yards.
- Retain the prohibition on deer fences in the front yard, except as follows:
 - On corner lots and through lots, allow deer fences in the front yard behind the front

façade of the principal dwelling.

Commissioners also expressed a desire for the City to pursue a comprehensive urban wildlife management plan, including deer management, in an effort outside of the ZOR and CMA.

Parking and Loading

The Commission initially discussed the Parking and Loading Division on January 14. In the first meeting, all key changes were presented. The Division was addressed again on February 4, during the Commission's discussion of purpose statements. In that conversation, in response to Commissioner questions, staff noted that the purpose statement included in this Division is not ~~strictly necessary, as it It does not perform a regulatory function and the~~ In any event, the aspirational framework for this division is established with the purpose statement in Article 1.

The Planning Commission supported the Division as presented in the Staff Draft, with the following revision:

- Eliminate the Parking and Loading Division purpose statement.

Pedestrian and Bicycle Facilities

The Commission initially discussed the Pedestrian and Bicycle Facilities Division on January 14. In the first meeting, all key changes were presented. The Division was addressed again on February 4, during the Commission's discussion of purpose statements. In that conversation, in response to commissioner questions, staff noted that the purpose statement included in this Division is ~~not strictly necessary, as it It does not perform a regulatory function and the~~ In any event, the aspirational framework for this division is established with the purpose statement in Article 1.

The Planning Commission supported the Division as presented in the Staff Draft, with the following revision:

- Eliminate the Bicycle and Pedestrian Facilities Division purpose statement.

Amenity Space

The Commission discussed the Amenity Space Division on January 14, with follow-up on February 4. In the first meeting, all key changes were presented. In initial discussions, two Commissioners expressed concerns related to the exception from amenity space requirements for 100% affordable housing projects located within ¼ mile of a public park or publicly accessible amenity space. Although this is less permissive than the exception in the current Zoning Ordinance, two commissioners expressing concerns that this exception may lead to inequitable outcomes. The Commission requested that staff provide additional information.

Staff provided additional information that the exception is anticipated to improve affordable housing project feasibility without materially reducing resident access to amenities, and encourages the placement of affordable housing in walkable, amenity-rich locations, aligning housing policy with broader goals related to walkability and public health.

~~Following discussion, the~~ The Planning Commission supported the Amenity Space Division as presented in the Staff Draft.

Article 9: Nonconformities

This article addresses uses and structures that were lawful when established but which no longer conform to the requirements of the zone in which they are located. All key changes to the article were presented, along with the proposal to grandfather all uses that are conforming at the time of ordinance adoption, which is contained in the Uses and Use Standards Article (Article 6).

The Commission's discussion focused on three policies proposed in the Staff Draft:

- Grandfathering all uses which were conforming ~~prior to~~ before adoption.
- Allowing nonconforming uses to expand by up to 20%.
- Allow nonconforming uses and structures to be replaced or repaired in kind.

Commissioners were split in their positions on the three topics. Those in support of the proposals considered the policies to be a pragmatic approach to allow businesses to improve their facilities and continue operating in the City, or to rebuild in the event of a disaster. Those opposed expressed that the policies are misaligned with the general zoning doctrine, which intends for nonconformities to expire over time, ~~and that~~ . The intent is for nonconforming uses should have to come into conformity with the code.

During the discussion, staff stated that the city does not have many nonconforming uses, as it has been standard practice with each zoning text amendment to grandfather all uses that would become nonconforming.

Straw polls were taken on two of the three topics, as follows:

By a 4-2 vote, the Planning Commission supported the Staff Draft's proposal to allow nonconforming uses and structures to be replaced or repaired in kind.

By a 4-2 vote, the Planning Commission supported the Staff Draft's proposal to allow nonconforming uses to expand by 20%. Commissioner Pitman expressed that, understanding nonconforming uses are something the City wants to see sunset, nonconformities should not be allowed to expand.

Article 10: Signs

All key changes to the article were presented. The Commission's discussion focused primarily on illuminated signs and electronic message centers (also known as "EMCs," these are digital signs that use LED lights to display dynamic, programmable messages, graphics, animations, and videos), in response to testimony received. The current Zoning Ordinance effectively prohibits EMCs, and the Staff Draft retains this prohibition, making it more transparent. ~~Testimony indicated that the Staff Draft would go so far as to prohibit electronic signs at gas stations showing current prices.~~

Initially, Commissioners expressed a desire to permit electronic gas station signs and electronic menu boards serving drive-through uses. Staff provided the option that the Commission could consider recommending the Staff Draft be revised to allow electronic message centers, along with controlling regulations. A majority of Commissioners expressed interest in exploring regulations on EMCs but had varying levels of comfort with making such a recommendation without seeing the specific language that would regulate the EMCs.

A straw poll was taken, as follows:

- 3 Commissioners (Chair Sun; Commissioners Espinosa and Salahuddin) supported including regulations for EMCs, and voted to provide staff with general direction to draft such regulations outside of the Planning Commission process.
- 2 Commissioners (Commissioners Fulton and Zyontz) generally supported including regulations for EMCs but were not comfortable making a recommendation without reviewing specific language.

Montgomery County Code has the following regulation:

A sign that has characters [or images] that are changed electronically must not be changed more than once every 30 seconds. This change must be an entire sign change and not fade or pixelate in and out. This includes a sign that gives the appearance or illusion of movement for a written or printed message. A sign that displays the number of available parking spaces is exempt from this requirement.

- 1 Commissioner (Commissioner Pitman) voted to retain the prohibition on electronic message centers as presented in the Staff Draft.

Article 11: Historic Preservation

Article 11 consists of several proposed changes to historic preservation regulations, all of which were presented to and reviewed by the Planning Commission at their meetings on January 14 and February 4.

The Planning Commission supported the provisions related to Certificates of Approval, Evaluations of Significance, and demolition by neglect as presented in the Staff Draft. Generally, the Commission was satisfied with the demolition by neglect provisions but

noted that State law did not allow the regulation of all demolitions to be regulated under the historic preservation provisions. Staff indicated that necessary changes would be made.

Owner Consent

The Staff Draft outlines two paths to recommend designation of a historic property, depending on whether the property owner consents to the designation. If the property owner consents to the designation or is silent on the matter, a simple majority of the approving body would be required. In cases where the owner opposes designation, a unanimous vote would be required.

The Planning Commission was split 3-3 on this provision. Chair Sun and Commissioners Espinosa and Zyontz supported the provision as presented in the Staff Draft; Commissioners Fulton, Pitman, and Salahuddin proposed that if an owner was silent on the designation of their property, a unanimous vote should be required.

Delisting

The Planning Commission discussed the delisting protocol in the Staff Draft. The Commission unanimously agreed that a delisting procedure is necessary but requested additional clarification of limitations on delisting for “other good cause” in Sec. 25.11.1.3(a) to prevent frequent delistings.

Based on this discussion, the Commission recommended revising the provision in the Staff Draft, as follows:

- The Mayor and Council may remove a property from the Historic District Overlay Zone if a majority finds that the site or structure has lost the characteristics for which it was originally placed in the zone, but only by unanimous vote for “other good cause.”

Adaptive Reuse of Historic Buildings & Tax Credits

The Commission also discussed whether to provide recommendations intended to incentivize historic property owners to convert their single-family homes into small multifamily housing projects, such as turning a large single-family home into a duplex or triplex. Commissioner Pitman stated **that another pathway to preservation is needed to balance the new delisting process, citing that historic properties are difficult and expensive to maintain. By allowing small multifamily units within the historic footprint, property owners would have a means of affording to maintain the property rather than pursue delisting. She also** expressed that such a policy would support housing unit production in the city and address historic inequities, and other Commissioners agreed.

Staff advised that this policy is not anticipated in the Rockville 2040 Comprehensive Plan, and as such, would best be pursued through the next update of the Comprehensive Plan or relevant neighborhood master plan.

The Commission also expressed an interest in providing a tax credit or similar incentive to historic property owners who make these alterations, above the existing tax credit for maintenance expenses available to historic property owners offered by Montgomery County.

Staff noted that tax credits are not codified in the Zoning Ordinance and are outside of scope for the ZOR and CMA project.

~~The Planning Commission recommended that the Mayor and Council consider adoption of a new policy for the adaptive reuse of historic residential buildings into smaller, multifamily housing units in order to improve equity and grow the number of housing units within Rockville while assisting in the preservation of such historic structures. The Commission finds that Rockville 2040 Plan does specifically encourage adaptive reuse (Action 4.5 “Encourage the adaptive re-use of historic properties when the original use is no longer practical). To that end the Commission recommends revising the Staff Draft to allow multi-family uses structures located in a historic preservation overlay that has a residential Euclidian zone.~~

The Commission is also interested in seeing dedicated funding provided as an incentive for these types of adaptive reuse projects.

Recommendation

On a motion by Commissioner _____, seconded by Commissioner _____, the Commission voted to recommend approval of Zoning Text Amendment TXT2026-00271, based on the recommendations in this memo.

Holly Simmons

From: College Gardens Civic Association [REDACTED]

Sent: Friday, March 13, 2026 8:00 PM

To: Jim Wasilak <jwasilak@rockvillemd.gov>; Holly Simmons <hsimmons@rockvillemd.gov>; Jeff Mihelich <jmihelich@rockvillemd.gov>; Katie Gerbes <kgerbes@rockvillemd.gov>; cpds <CPDS@rockvillemd.gov>

Subject: Questions on the proposed zoning ordinance

WARNING - External email. Exercise caution.

March 13, 2026

As current President of the College Gardens Civic Association (CGCA), as a former 12-year Rockville Councilmember (over 14 years), as the former President of the CGCA when the current zoning ordinance was being rewritten and who participated heavily at that time, as a person who attended most of the recent Planning Commission Meetings on ZOR and contributed some testimony and write-ups, and as someone who has had to deal with many zoning controversies over the years including issues that have turned on definition wordings, turns of phrases, unclear intent, items that no one intended to be in the ordinance, revisions to clarify, etc., I have the following questions and information.

1. At one of the PC meetings, Commissioner Zyontz stated that he had revised the proposed zoning ordinance to render it in plain English. Staff present at the meeting seemed to indicate that the idea of revising the proposed zoning ordinance along those lines was a good idea and seemed to indicate that this was in process. **Question:** Is there a newer version of the proposed ordinance that incorporates plainer English? Or are the Mayor and Council working with the version they authorized in December? Same question for the overview document.
2. **Question:** Are the only PC products for the Mayor and Council their letter to the elected body and the PC hearing record?

For your information, the College Gardens Civic Association will hold a special General Meeting, March 24, 7pm, at the College Gardens All-Purpose Room to go over selected bits of the proposed ordinance. You are welcome to attend, but we don't want a City presentation. (I will introduce staff and elected officials who are present, but time will be too tight to allow City introductory comments. We may ask for technical clarifications as we go on.) The ZOR is the second item on a tight agenda; the first item will be setting a budget for the College Gardens National Night Out.

I'm going to ferret out the parts of the proposed ZOR that apply to College Gardens and surroundings. Maybe we'll be okay with what is proposed or maybe we will have specific items to comment on. We must have a general meeting in order to make official comments to Mayor and Council.

Would it be possible for me to meet with CPDS Staff members on Thursday March 19 so that I can go over some of my findings with City Staff to make sure I understand things correctly? My day is clear.

There is the current 253 page zoning ordinance (the size of the pdf when I downloaded it), a 290 page proposed ordinance, a 53 page overview document that is very high level. Additionally, the proposed Mayor and Council schedule is very tight; not really sufficient to do this document justice.

You all don't make it easy for neighborhoods to understand how these changes may impact them.

Thank you.

Mark Pierzchala
President, College Gardens Civic Association

Holly Simmons

From: College Gardens Civic Association <[REDACTED]>
Sent: Monday, March 16, 2026 7:33 AM
To: Jim Wasilak <jwasilak@rockvillemd.gov>; Holly Simmons <hsimmons@rockvillemd.gov>; Jeff Mihelich <jmihelich@rockvillemd.gov>; cpds <CPDS@rockvillemd.gov>
Subject: Re: Questions on the proposed zoning ordinance

WARNING - External email. Exercise caution.

March 16, 2026

Further on this:

1. What is a 'project as defined in Subtitle 5, Title 7, Division II of the Land Use Article of the Maryland Annotated Code'? This is found starting on page 90 of the proposed zoning ordinance and other pages.

2. Then we also see: 'qualified project as defined in Subtitle 5, Division 1 of the Land Use Article of the Maryland Annotated Code' on page 147 as a table footnote. Is this the same thing?

3. How do I find the current text of the Land Use Article of the Maryland Annotated Code?

Thank you,

Mark Pierzchala

Holly Simmons

From: Michael Dutka [REDACTED]
Sent: Wednesday, March 18, 2026 5:52 AM
To: mayorcouncil; Planning Commission
Subject: Missing middle works to bring home prices down in Portland

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I wish Rockville could follow along with what has been done in Portland:

"You can legalize any kind of housing that you want in your city. But whether or not it gets built depends on if it's a financeable and sellable product," said Francis Torres, a housing expert at the Bipartisan Policy Center.

Portland determined that the key factor was square footage. specifically a measure known as "floor-area ratio."

In most of the city, the updated regulations limit the size of a single-family house to half the square footage of its lot— so on a typical 5,000-square-foot lot, the house can be a maximum of 2,500 square feet.'

"While profitable for developers, the new, smaller units tend to be more affordable for buyers, sometimes selling for \$300,000 less than neighboring single-family homes.

Overall, the county's home prices have continued to rise. But as a result of the new approach to housing, the curve has started to bend downward. And the increased availability of middle housing has brought prices down for those sorts of homes, dropping from an average of more than \$800,000 in 2018 to about \$615,000 in 2024."

<https://www.washingtonpost.com/business/2026/03/18/portland-housing-infill-ratio-duplexes/>

Michael S. Dutka

Judy Penny

From: Kominers, William [REDACTED]
Sent: Monday, March 23, 2026 3:16 PM
To: mayorcouncil
Subject: Agenda Item No. 12.B. Discussion and Direction on Planning Commission Recommendations

WARNING - External email. Exercise caution.

Dear Mayor and Council,

The subject of this message is your agenda Item No. 12.B. for this evening, described as a worksession for “Discussion and Direction on Planning Commission Recommendations...” on the Zoning Ordinance Rewrite (ZOR) and the Comprehensive Map Amendment (CMA).

This evening, I will not be able to attend your meeting in person, and I speak in this message only as an individual.

But I wanted to express my surprise and disappointment at the characterization of the worksession as providing “direction” about the recommendations presented by the Planning Commission. My negative sentiments arise from the fact that you would be providing this “direction” without having had an opportunity to hear from the public about these or any other issues related to the ZOR and the CMA. This seems to be putting the horse well in front of the proverbial cart.

While the Planning Commission held its own hearings and then developed its recommendations, there has been no public comment on their content as put forward to you. The Mayor and Council giving “direction” implies making decisions. You would be making any such decisions without input, or even the opportunity for input, from all those affected by the decisions. This does not seem like the way matters such as these are addressed by the transparent processes of the City.

I urge you to delay any “direction” on the Planning Commission recommendations, or any other recommendations, until after your public

hearings. At those hearings, there may be testimony with differing views of the issues, but at least you will have heard all views.

Thank you for your consideration of my concerns.

Bill Kominers

William Kominers, Attorney
Lerch, Early & Brewer, Chtd. [rising to every challenge for 75 years](#)
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814

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