

Changes to proposed District Map Amendment G-956

On May 2, the Planning Board transmitted to the County Council proposed Zoning Text Amendment (ZTA) 13-04, Zoning Ordinance – Revised, and District Map Amendment (DMA) G-956. DMA G-956 was introduced to implement the new zoning ordinance.

Since May 2, 2013, the Planning, Housing, and Economic Development (PHED) Committee of the County Council has held several worksessions to review and discuss ZTA 13-04, and DMA G-956. Planning Staff has continued to review and evaluate the proposed map amendment based on the PHED Committee worksessions and correspondence from stakeholders, and property owners. In addition, several Corrective and Local Map Amendments have been approved by the County Council since DMA G-956 was introduced.

A revised version of DMA G-956, dated June 3, 2014, has been posted on the Planning Department website for review. It contains all of the proposed and approved changes that have occurred since May 2, 2013. The following document illustrates all of the changes to DMA G-956 since April 2014.

Changes made to DMA G-956 are organized into two sections, each section describing a different type of revision.

The first section covers the **Correctional Map Amendments (CMAs)**.

The second section includes changes proposed by Planning Staff to correct **errors**.

Changes to proposed District Map Amendment G-956

SECTION 1: CORRECTIVE MAP AMENDMENTS

This section includes changes proposed by Planning Staff to accommodate approved **Corrective Map Amendments**.

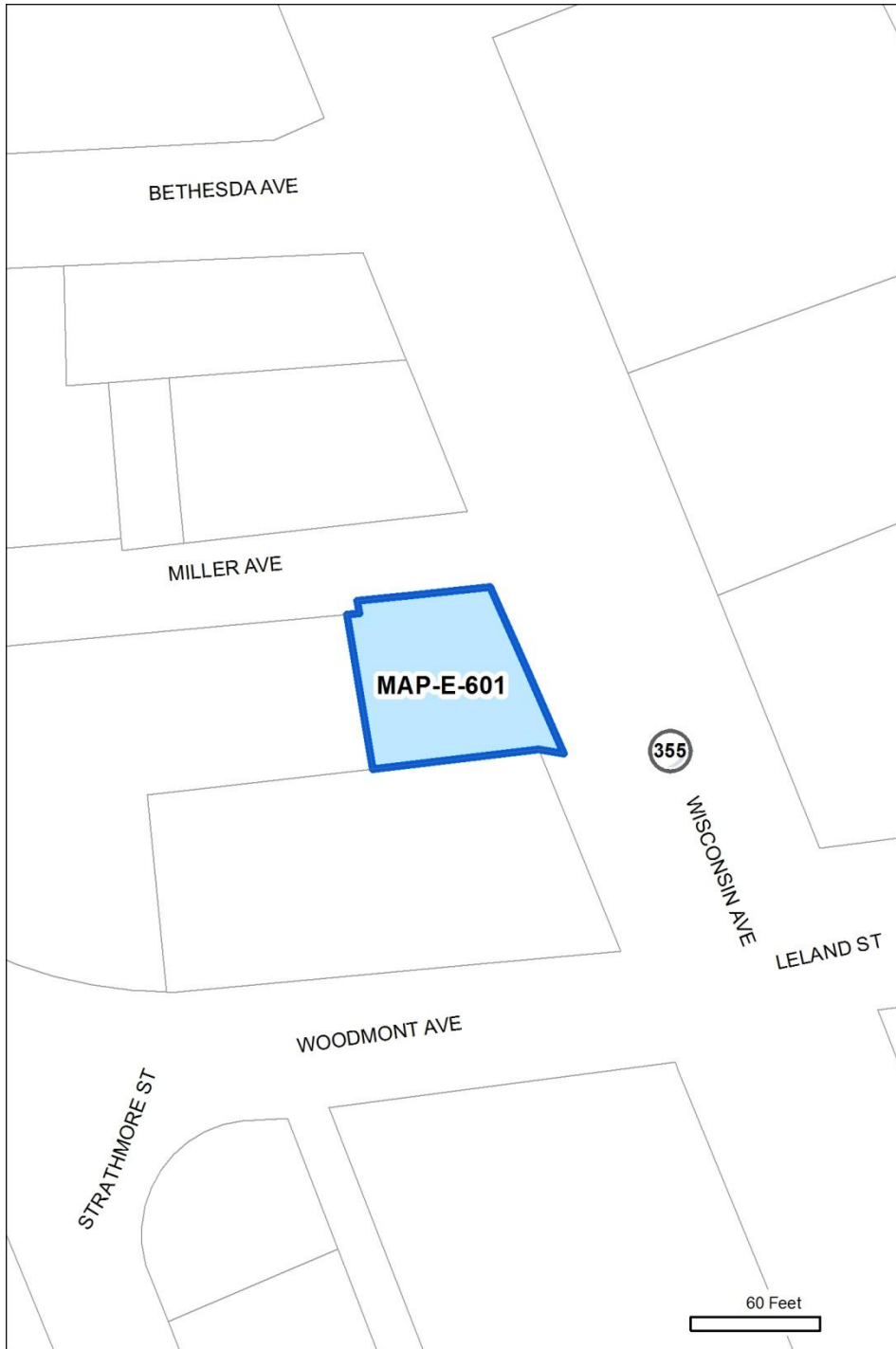


Unique ID: MAP-C-608		CMA
Master Plan ID:		
Master Plan:	Bethesda CBD	
Location:	Walsh Street and 46 th Street	
Existing Zone:	C-2	
Zone before CMA:	R-60/TDR	
SMA Rezoning:	C-2	
Prop. Revised Conv:	CRT-1.5 C-1.5 R-0.75 H-45	
Category:	CMA	
Modifications	Zone Group:	-
	Overall FAR:	-
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	-
Reason for change:		
<p><i>This property was the subject of a Corrective Map Amendment (G-816) in 2004 that was approved by the District Council under resolution 15-595.</i></p> <p><i>The CMA remapped this property from R-60/TDR to C-2.</i></p> <p><i>However, at the time the zoning map was never updated in accordance with the CMA adopted by the District Council.</i></p> <p><i>As a result, under the DMA, the proposed conversion for this site was from R-60/TDR to R-60 (with a TDR Overlay).</i></p> <p><i>An attorney for the owner brought the CMA to staff's attention, and the existing zoning map has been corrected to reflect the C-2 zoning that should have been in place. As a result, the DMA must also be amended, in this case with the standard conversion for C-2 when it abuts land in the R-60 zone.</i></p>		

Changes to proposed District Map Amendment G-956

SECTION 2: ERRORS

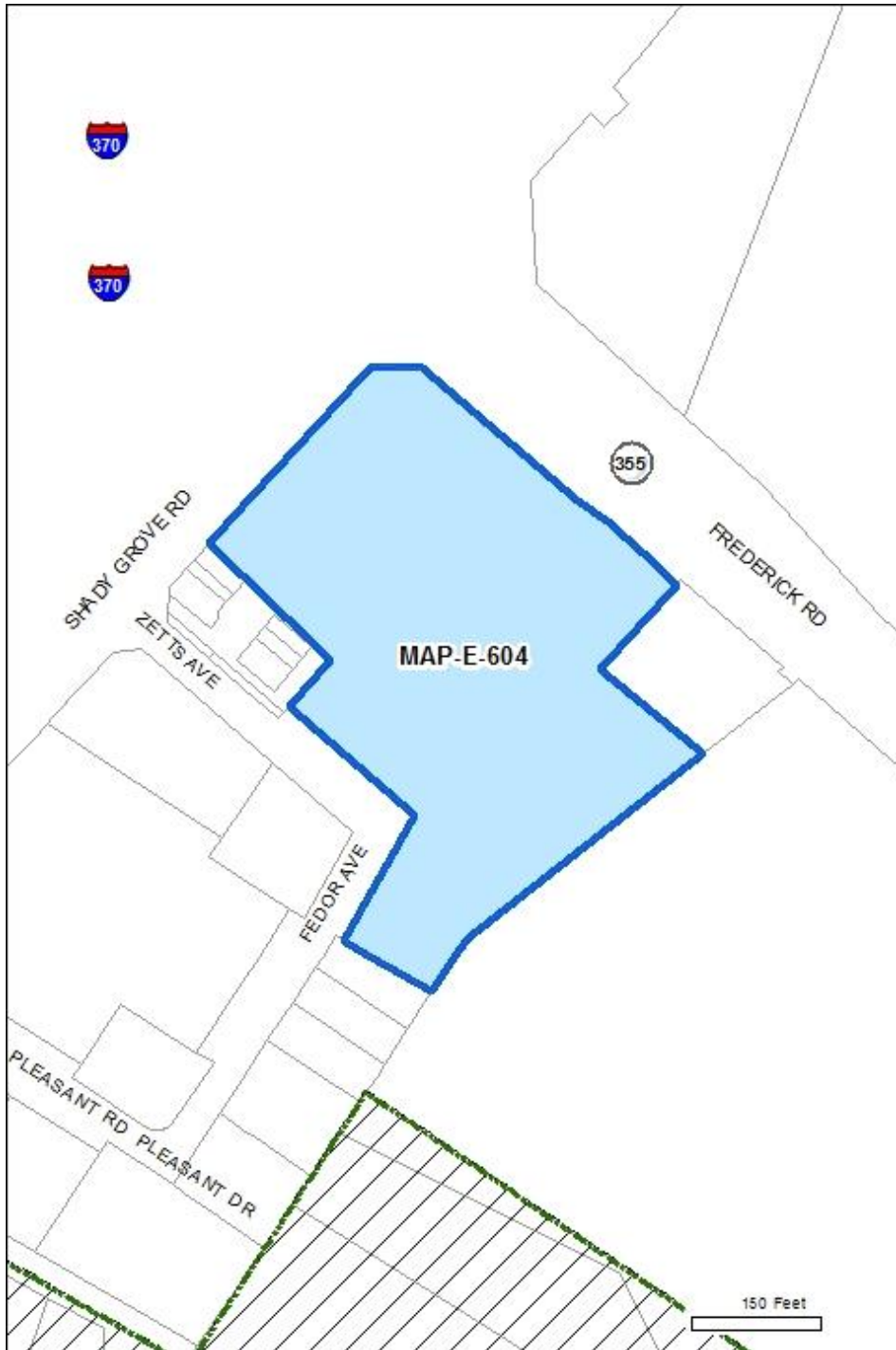
This section includes changes proposed by Planning Staff to correct **errors.**



Unique ID: MAP-E-601		staff error
Master Plan ID: BTHDA-19B		
Master Plan:	Bethesda CBD	
Location:	7100 Wisconsin	
Existing Zone:	CBD-R2	
Proposed Conv: (4/18)	CR-3.0 C-1.0 R-3.0 H-75 T	
Prop. Revised Conv:	CR-3.0 C-1.0 R-3.0 H-120 T	
Category:	Error	
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	No change
	Height:	Increased to 120'
Reason for change:		
<p><i>This property is being developed in conjunction with the property to the south, which has been approved for development up to 120' in height by site plan 8-2013-0230.</i></p> <p><i>This part of the project, highlighted in blue, was inadvertently left out when the rest of the project was given the higher height. It is a staff error, and this property should also have been given 120' in height.</i></p> <p><i>(Note: Properties under this development were given 120' in the conversion, in accordance with the direction of the PHED Committee to map approved and existing heights and densities where they exceed those mapped in the proposed conversion.)</i></p>		



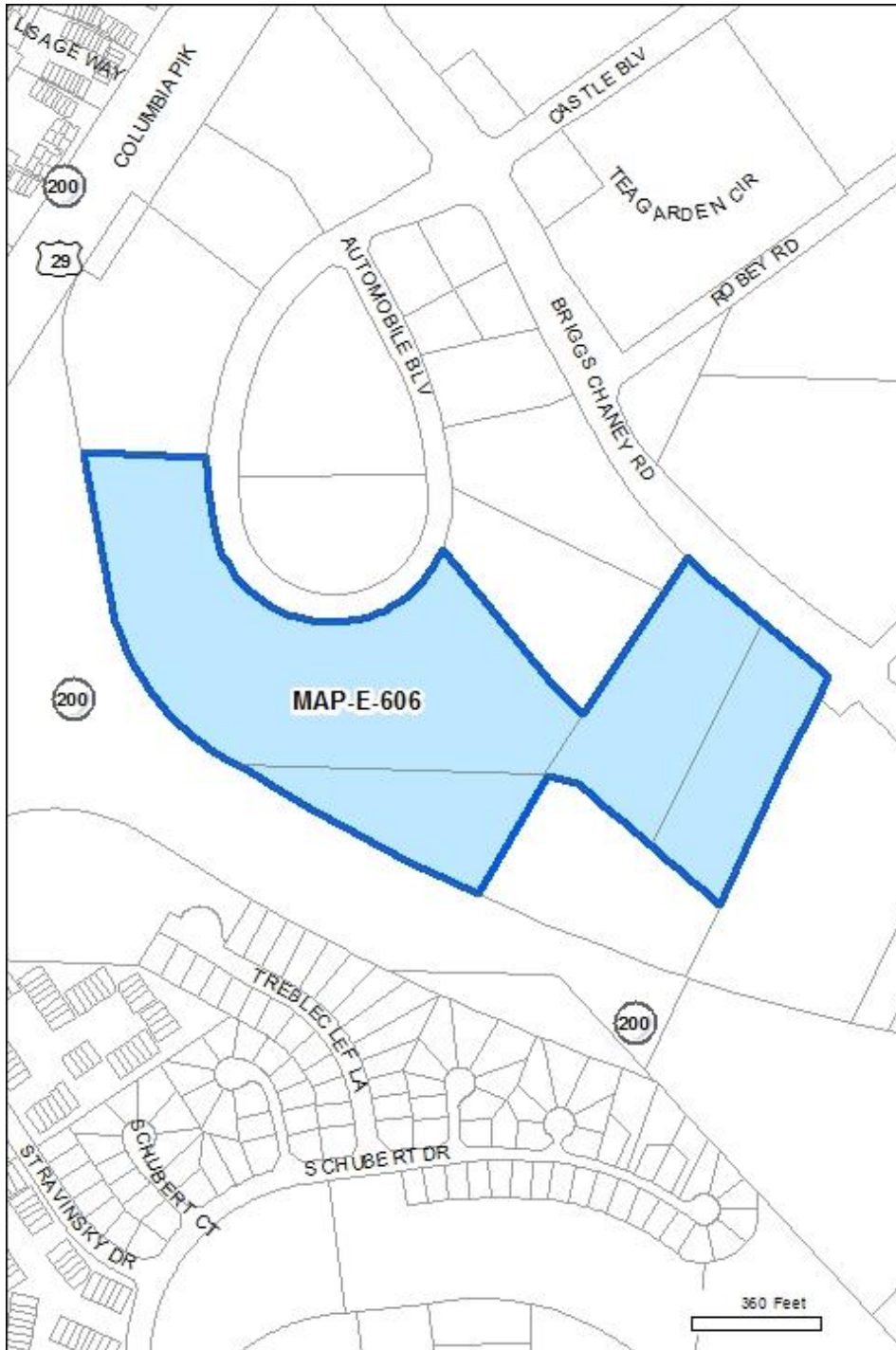
Unique ID: MAP-E-603		staff error
Master Plan ID: FSHIP-06		
Master Plan:	Friendship Heights	
Location:	Wisconsin & Western	
Existing Zone:	TS-M	
Proposed Conv: (4/18)	CR-0.75 C-0.75 R-0.5 H-40 T	
Prop. Revised Conv:	CR-0.75 C-0.75 R-0.25 H-40 T	
Category:	Error	
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	Reduced to 0.25
	Height:	No change
Reason for change:		
<p><i>This property was rezoned to TS-M under LMA G-775. That was amended by DPA-10-1.</i></p> <p><i>Development was approved for 412,000 SF of commercial uses.</i></p> <p><i>Initially, the DMA conversion gave a residential density of 0.5 FAR, which conformed to the master plan recommendations to allow either residential or commercial above the ground floor. Since DPA-10-1 did not approve this residential, the maximum residential development should be the minimum statutory limit allowed in the CR zone, 0.25 FAR.</i></p>		



Unique ID: MAP-E-604		staff error
Master Plan ID: SDYGR-15		
Master Plan:	Shady Grove	
Location:	The Grove Shopping Center	
Existing Zone:	TS-M	
Proposed Conv: (4/18)	CR-1.5 C-1.5 R-0.25 H-80 T	
Prop. Revised Conv:	CR-0.75 C-0.75 R-0.25 H-80 T	
Category:	Error	
Modifications	Zone Group:	No change
	Overall FAR:	Reduced to 0.75
	Comm'l FAR:	Reduced to 0.75
	Resid'l FAR:	No change
	Height:	No change
Reason for change:		
<p><i>This property was rezoned to TS-M under LMA G-7. That was amended by DPA-83-4.</i></p> <p><i>Development was approved for 0.588 FAR after the DPA in 1983.</i></p> <p><i>In the April amendment to the DMA, this property's FAR was revised down to 1.5 FAR. However, staff later uncovered DPA-83-4, which gave precise square footages of approval.</i></p> <p><i>Accordingly, this site should be mapped with a maximum of 0.75 FAR (the nearest 0.25 increment to 0.588).</i></p>		



Unique ID: MAP-E-605		staff error
Master Plan ID: WFLNT-04		
Master Plan:		White Flint
Location:		Old Georgetown Road & Rt 355 & Nebel
Existing Zone:		TS-M
Proposed Conv: (4/18)		CR-2.25 C-0.75 R-1.5 H-170 T
Prop. Revised Conv:		CR-2.5 C-0.25 R-2.5 H-190 T
Category:		Error
Modifications	Zone Group:	No change
	Overall FAR:	Increased to 2.5
	Comm'l FAR:	Reduced to 0.25
	Resid'l FAR:	Increased to 2.5
	Height:	Increased to 190'
Reason for change:		
<p><i>This property was rezoned to TS-M under LMA G-726. That was amended by DPA-01-1 and was subsequently amended by DPA-04-1, and DPA-06-4.</i></p> <p><i>The previous conversion was based upon the initial approvals, which allowed more commercial development. However, the later DPAs, which staff discovered after the last round of revisions, traded commercial density for residential density and increased the height.</i></p> <p><i>The site is approved for 2.4 overall FAR, with 2.39 FAR of that as residential. The site is approved for 0.1 FAR of commercial. Structures are permitted up to 18 stories.</i></p> <p><i>Therefore, the conversion should be revised to reflect the 2.39 residential FAR and 18 story height.</i></p>		



Unique ID: MAP-E-606		staff error
Master Plan ID:		
Master Plan:	Fairland	
Location:	Briggs Chaney and Automobile Bl	
Existing Zone:	C-3	
Proposed Conv: (4/18)	GR-1.5 H-45	
Prop. Revised Conv:	GR-1.5 H-85	
Category:	Error	
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	Increased to 85'
Reason for change:		
<p><i>This site is part of the Auto Sales Park off of Briggs Chaney Road. Under §59-C-4.361 of the existing Montgomery County Zoning Ordinance, building height in the C-3 zone is permitted to go up to 84' for an auto sales and service mall.</i></p> <p><i>This site is part of the auto sales and service mall, and should have been granted the higher height.</i></p> <p><i>Staff erroneously limited height here to the standard height for all other uses in the C-3 zone.</i></p>		



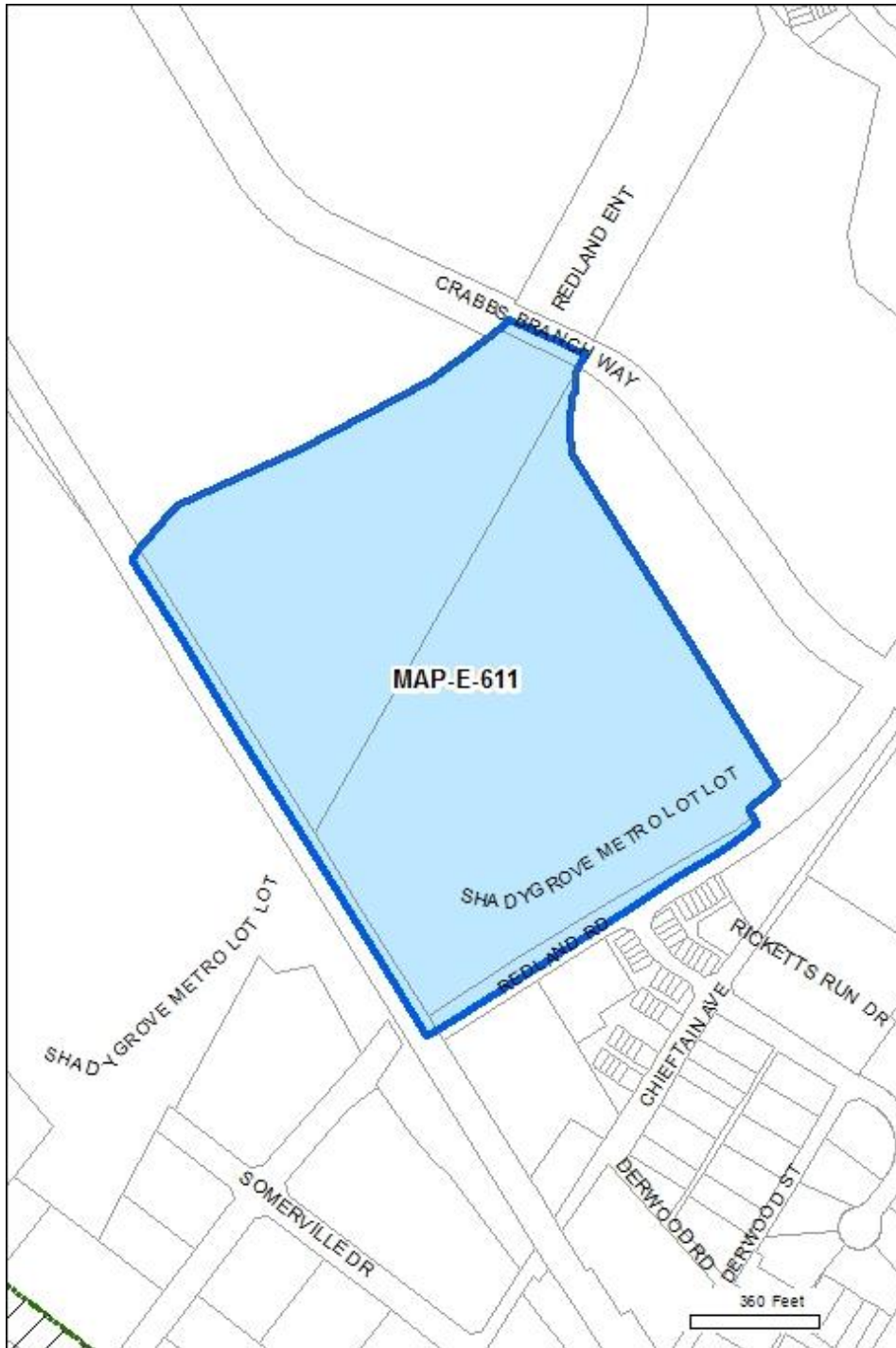
Unique ID: MAP-E-607		staff error
Master Plan ID: WFLNT-02		
Master Plan:	White Flint	
Location:	NRC Site	
Existing Zone:	TS-M	
Proposed Conv: (4/18)	CR-1.75 C-1.5 R-0.5 H-200 T	
Prop. Revised Conv:	CR-3.0 C-2.5 R-0.75 H-200 T	
Category:	Error	
Modifications	Zone Group:	No change
	Overall FAR:	Increased to 3.0
	Comm'l FAR:	Increased to 2.5
	Resid'l FAR:	Increased to 0.75
	Height:	No change
Reason for change:		
<p><i>The existing zoning translation for this property was based on G-96, as amended by DPA 87-2. The DPA authorized a total density of 1.7 FAR, including 674,000 sf of commercial development (1.26 FAR) and 200 dwelling units (approximately 0.44 FAR).</i></p> <p><i>Upon further review, staff discovered two issues with the existing translation for the site. The first issue concerns a more recent development plan amendment (DPA 92-3) which authorized an additional 202 dwelling, increasing the overall FAR on the site to 2.19. Based on DPA 92-3 the translation for the site would be CR-2.25 C-1.5 R-1.0 H-200 T.</i></p> <p><i>The second issue is that the existing translation was based on the site area originally approved for the TS-M zone by G-96, which consisted of 12.25 acres. However, a portion of the original TS-M zoned site (Lot 5, owned by HOC) has since been rezoned to CR by the White Flint Sector Plan. The portion of the site that remains in the TS-M zone is 6.646 acres. If the density is calculated based on the 6.646 acres, assuming 673,990 sf of commercial space (2.32 FAR), and 200 dwelling units (approximately 0.69 FAR, assuming an average unit size of 1000 sf).</i></p>		



Unique ID: MAP-E-609		staff error
Master Plan ID: FSHIP-03		
Master Plan:	Friendship Heights	
Location:	Wisconsin & Western	
Existing Zone:	CBD-2	
Proposed Conv: (4/18)	CR-3.0 C-2.75 R-0.5 H-145 T	
Prop. Revised Conv:	CR-3.0 C-2.75 R-3.0 H-145 T	
Category:	Error	
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	Increased to 3.0
	Height:	No change
Reason for change:		
<p><i>This property is recommended in the Friendship Heights Sector Plan for a maximum of 1,050,000 SF of development (3.0 FAR), a maximum commercial development of 900,000 SF (2.6 FAR), and a <u>minimum</u> of 150,000 SF of residential (0.4 FAR).</i></p> <p><i>Staff erroneously interpreted this as a maximum residential density rather than a minimum. As a result, the residential FAR should be increased to 3.0 (allowing all of the approved development to be residential).</i></p>		



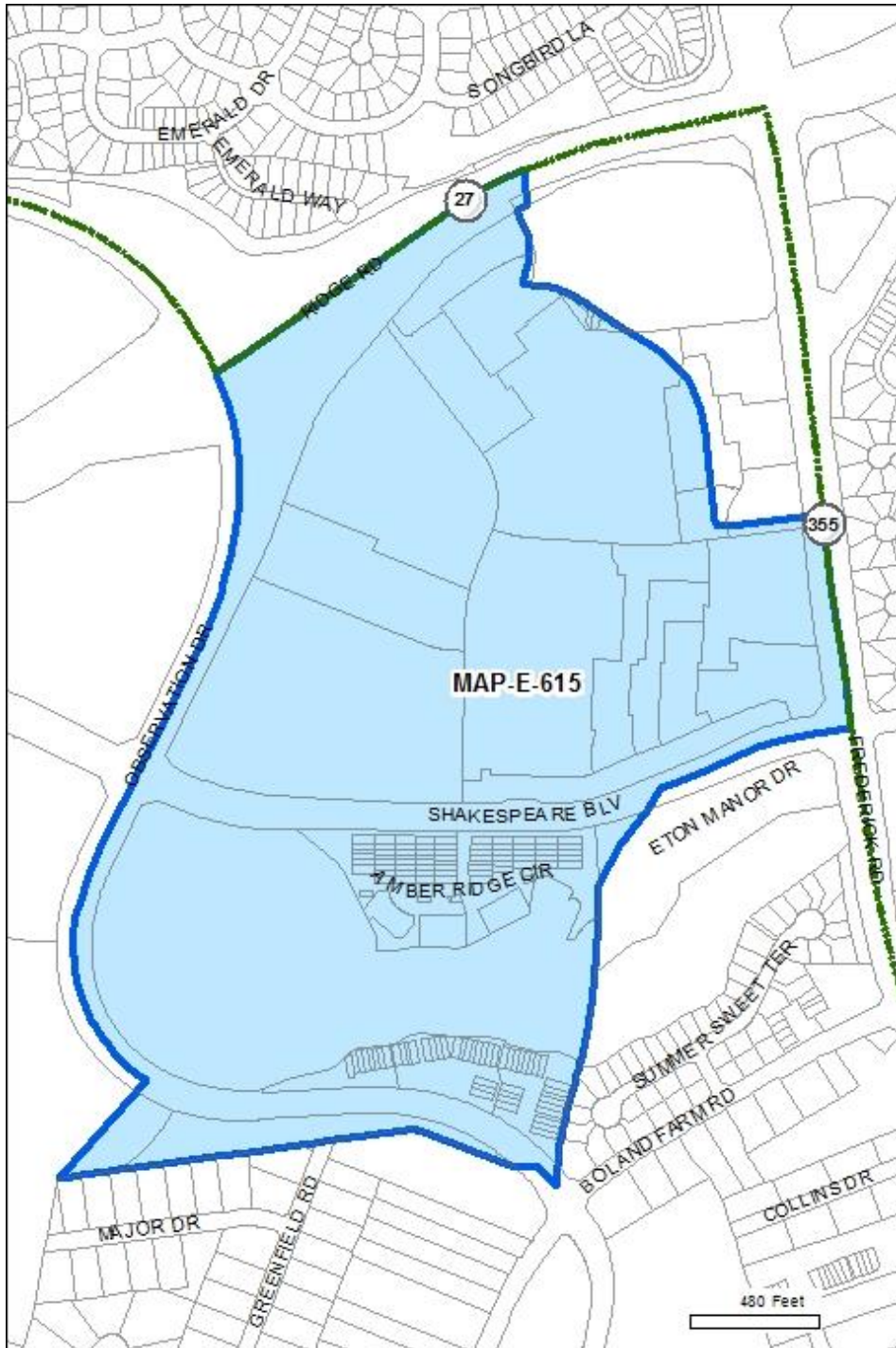
Unique ID: MAP-E-610		staff error
Master Plan ID: SDYGR-05		
Master Plan:	Shady Grove	
Location:	Crabbs Branch and Shady Grove	
Existing Zone:	TOMX-2/TDR	
Proposed Conv: (4/18)	TDR-0.9	
Prop. Revised Conv:	TDR-0.89	
Category:	Error	
Modifications	Zone Group:	-
	Overall FAR:	-
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	-
Reason for change:		
<p><i>This site is currently zoned TOMX-2/TDR. As part of the rewrite, this site will have a TDR overlay atop it (and the base zone will be rezoned to CRT).</i></p> <p><i>In the April round of changes staff adjusted the base zoning, which resulted in a change to the TDR overlay.</i></p> <p><i>The change should have remapped the TDR overlay on this site to TDR-0.89, however it was inadvertently mapped to TDR-0.9 in error.</i></p> <p><i>This change will correct the TDR designation here to the correct TDR-0.89.</i></p>		



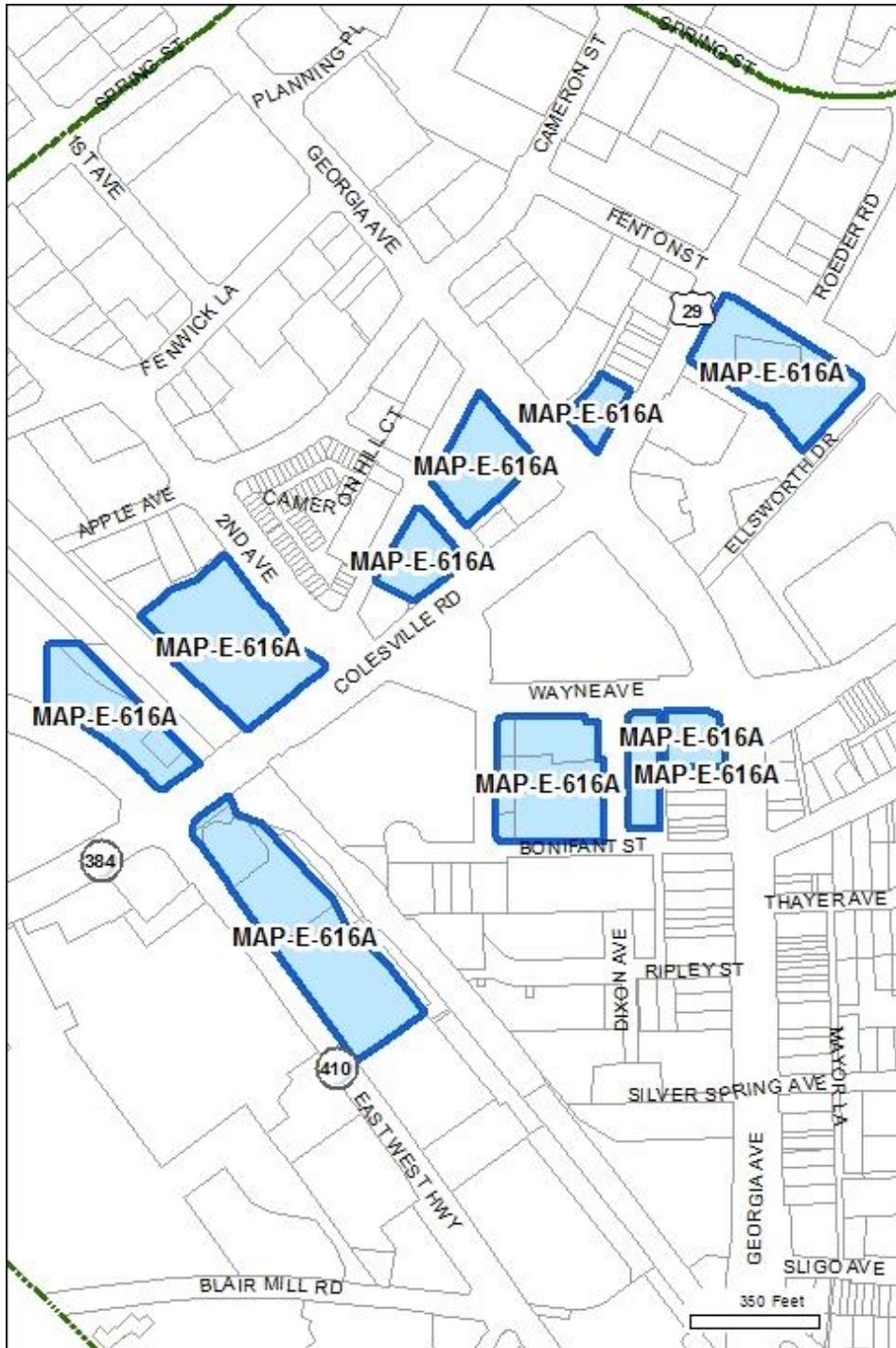
Unique ID: MAP-E-611		staff error
Master Plan ID: SDYGR-07		
Master Plan:	Shady Grove	
Location:	Shady Grove Metro Station	
Existing Zone:	TOMX-2/TDR	
Proposed Conv: (4/18)	TDR-0.89	
Prop. Revised Conv:	TDR-0.88	
Category:	Error	
Modifications	Zone Group:	-
	Overall FAR:	-
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	-
Reason for change:		
<p><i>This site is currently zoned TOMX-2/TDR. As part of the rewrite, this site will have a TDR overlay atop it (and the base zone will be rezoned to CRT).</i></p> <p><i>In the April round of changes staff adjusted the base zoning, which resulted in a change to the TDR overlay.</i></p> <p><i>The change should have remapped the TDR overlay on this site to TDR-0.88, however it was inadvertently mapped to TDR-0.89 in error.</i></p> <p><i>This change will correct the TDR designation here to the correct TDR-0.88.</i></p>		



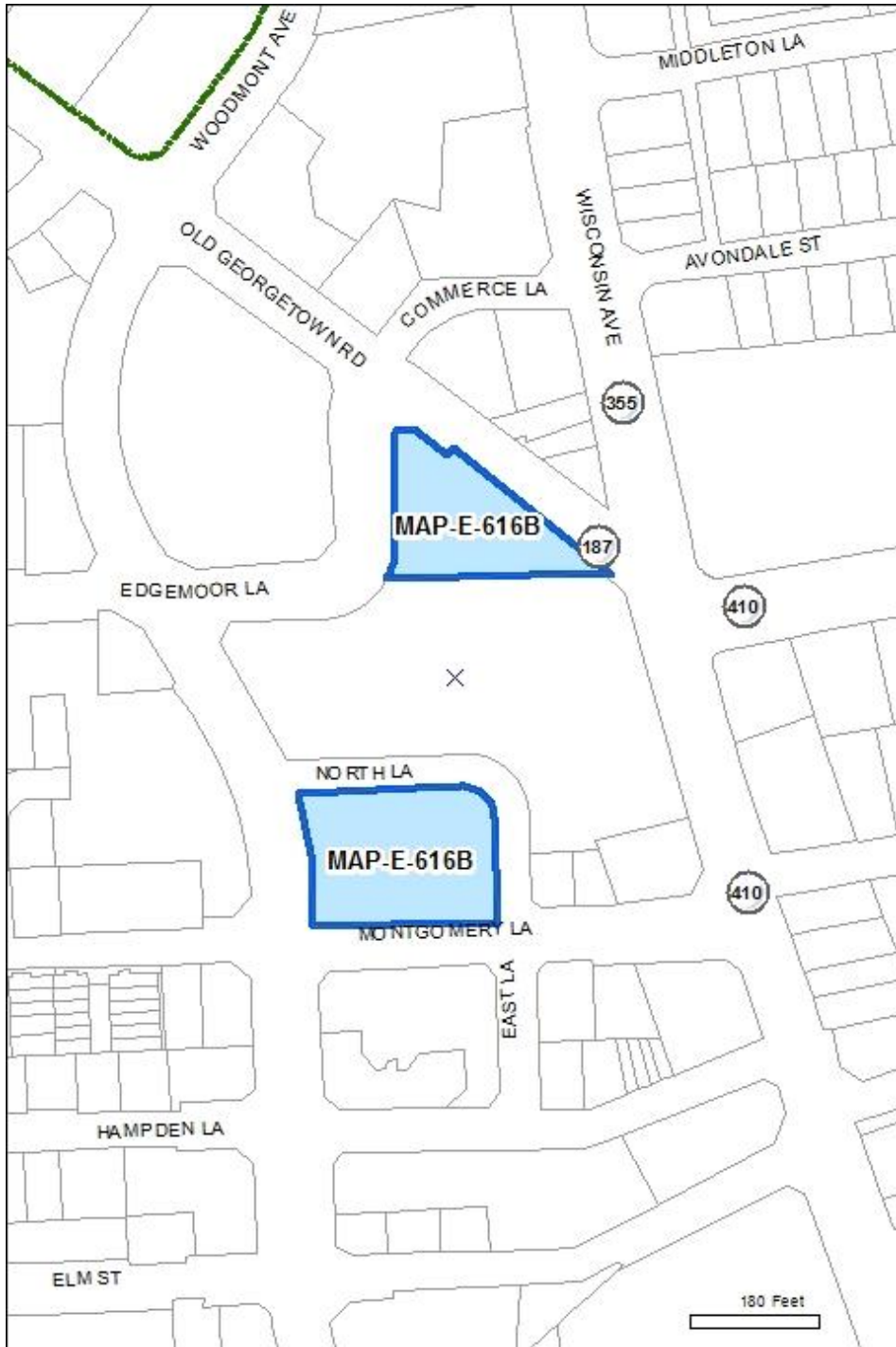
Unique ID: MAP-E-613		staff error
Master Plan ID: POTMC-07		
Master Plan:	Potomac Subregion	
Location:	Stoneyhurst Quarry	
Existing Zone:	RMX-1/TDR	
Proposed Conv: (4/18)	TDR-0.36	
Prop. Revised Conv:	TDR-0.47	
Category:	Error	
Modifications	Zone Group:	-
	Overall FAR:	-
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	-
Reason for change:		
<p><i>This site is currently zoned RMX-1/TDR. As part of the rewrite, this site will have a TDR overlay atop it (and the base zone will be rezoned to CRT).</i></p> <p><i>When crafting the TDR overlay on this site, staff initially used a multi-family dwelling unit type to convert from dwelling units per acre to FAR because this site was recommended for in the Master Plan and is being developed as a multi-family building.</i></p> <p><i>However, the extremely low dwelling units per acre and the size of the units means that staff should have used a larger unit size when converting to FAR.</i></p> <p><i>As a result, this site's TDR overlay should be remapped from TDR-0.36 to TDR-0.47.</i></p>		



Unique ID: MAP-E-615		staff error
Master Plan ID:		
Master Plan:	Germantown Town Center	
Location:	Milestone Center	
Existing Zone:	RMX-3/TDR	
Proposed Conv: (4/18)	TDR-1.34	
Prop. Revised Conv:	TDR-1.29	
Category:	Error	
Modifications	Zone Group:	-
	Overall FAR:	-
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	-
Reason for change:		
<p><i>This site is currently zoned RMX-3/TDR. As part of the rewrite, this site will have a TDR overlay atop it (and the base zone will be rezoned to CRT).</i></p> <p><i>The TDR overlay on this site should be TDR-1.29, however it was inadvertently mapped to TDR-1.34 in error.</i></p> <p><i>This change will correct the TDR designation here to the correct TDR-1.29.</i></p>		



Unique ID: MAP-E-616A		staff error
Master Plan ID:		
Master Plan:		Silver Spring CBD
Location:		
Existing Zone:		CBD-3
Proposed Conv: (4/18)		CR-8.0 C-6.0 R-6.0 H-200 T
Prop. Revised Conv:		CR-8.0 C-6.0 R-7.5 H-200 T
Category:		Error
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	Increased to 7.5
	Height:	No change
Reason for change:		
<p><i>In earlier versions of the DMA, CBD-3 was converted with 7.5 FAR of residential development. The current ordinance limits solely residential projects to 200 dwelling units per acre, however, it does not put a limit on residential density in mixed-use projects.</i></p> <p><i>After internal discussion, staff felt that the 200 dwelling units per acre limitation was a more appropriate limit, since under the CR zone it was not possible to differentiate between single-use and mixed-use projects. Therefore, staff changed the proposal to reflect a residential limit of 6.0 FAR.</i></p> <p><i>However, upon further discussion, and with input from others familiar with the zone, staff determined that reducing the FAR to 6.0 would be a significant reduction in what could actually be built, since today a project could be developed with very minimal commercial FAR and still be allowed to build almost 8.0 FAR of residential.</i></p> <p><i>Therefore, staff believes the earlier change (MAP-E-590) was in error, and is returning the CBD-3 conversion to its original CR-8.0 C-6.0 R-7.5 H-200T.</i></p>		



Unique ID: MAP-E-616B		staff error
Master Plan ID:		
Master Plan:	Bethesda CBD	
Location:		
Existing Zone:	CBD-3	
Proposed Conv: (4/18)	CR-8.0 C-6.0 R-6.0 H-200 T	
Prop. Revised Conv:	CR-8.0 C-6.0 R-7.5 H-200 T	
Category: Error		
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	Increased to 7.5
	Height:	No change
Reason for change:		
<p><i>In earlier versions of the DMA, CBD-3 was converted with 7.5 FAR of residential development. The current ordinance limits solely residential projects to 200 dwelling units per acre, however, it does not put a limit on residential density in mixed-use projects.</i></p> <p><i>After internal discussion, staff felt that the 200 dwelling units per acre limitation was a more appropriate limit, since under the CR zone it was not possible to differentiate between single-use and mixed-use projects. Therefore, staff changed the proposal to reflect a residential limit of 6.0 FAR.</i></p> <p><i>However, upon further discussion, and with input from others familiar with the zone, staff determined that reducing the FAR to 6.0 would be a significant reduction in what could actually be built, since today a project could be developed with very minimal commercial FAR and still be allowed to build almost 8.0 FAR of residential.</i></p> <p><i>Therefore, staff believes the earlier change (MAP-E-590) was in error, and is returning the CBD-3 conversion to its original CR-8.0 C-6.0 R-7.5 H-200T.</i></p>		



Unique ID: MAP-E-616C		staff error
Master Plan ID: BTHDA-24		
Master Plan:		Bethesda CBD
Location:		
Existing Zone:		CBD-3
Proposed Conv: (4/18)		CR-8.0 C-6.0 R-6.0 H-175 T
Prop. Revised Conv:		CR-8.0 C-6.0 R-7.5 H-175 T
Category:		Error
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	Increased to 7.5
	Height:	No change
Reason for change:		
<p><i>In earlier versions of the DMA, CBD-3 was converted with 7.5 FAR of residential development. The current ordinance limits solely residential projects to 200 dwelling units per acre, however, it does not put a limit on residential density in mixed-use projects.</i></p> <p><i>After internal discussion, staff felt that the 200 dwelling units per acre limitation was a more appropriate limit, since under the CR zone it was not possible to differentiate between single-use and mixed-use projects. Therefore, staff changed the proposal to reflect a residential limit of 6.0 FAR.</i></p> <p><i>However, upon further discussion, and with input from others familiar with the zone, staff determined that reducing the FAR to 6.0 would be a significant reduction in what could actually be built, since today a project could be developed with very minimal commercial FAR and still be allowed to build almost 8.0 FAR of residential.</i></p> <p><i>Therefore, staff believes the earlier change (MAP-E-590) was in error, and is returning the CBD-3 standard conversion to its original CR-8.0 C-6.0 R-7.5 H-200T. Height is limited by the Master Plan on this site to 175', however.</i></p>		



Unique ID: MAP-E-616D		staff error
Master Plan ID: BTHDA-23		
Master Plan:		Bethesda CBD
Location:		
Existing Zone:		CBD-3
Proposed Conv: (4/18)		CR-8.0 C-6.0 R-6.0 H-145 T
Prop. Revised Conv:		CR-8.0 C-6.0 R-7.5 H-145 T
Category:		Error
Modifications	Zone Group:	No change
	Overall FAR:	No change
	Comm'l FAR:	No change
	Resid'l FAR:	Increased to 7.5
	Height:	No change
Reason for change:		
<p><i>In earlier versions of the DMA, CBD-3 was converted with 7.5 FAR of residential development. The current ordinance limits solely residential projects to 200 dwelling units per acre, however, it does not put a limit on residential density in mixed-use projects.</i></p> <p><i>After internal discussion, staff felt that the 200 dwelling units per acre limitation was a more appropriate limit, since under the CR zone it was not possible to differentiate between single-use and mixed-use projects. Therefore, staff changed the proposal to reflect a residential limit of 6.0 FAR.</i></p> <p><i>However, upon further discussion, and with input from others familiar with the zone, staff determined that reducing the FAR to 6.0 would be a significant reduction in what could actually be built, since today a project could be developed with very minimal commercial FAR and still be allowed to build almost 8.0 FAR of residential.</i></p> <p><i>Therefore, staff believes the earlier change (MAP-E-590) was in error, and is returning the CBD-3 standard conversion to its original CR-8.0 C-6.0 R-7.5 H-200T. Height is limited by the Master Plan on this site to 143', however.</i></p>		



Unique ID: MAP-E-617		staff error
Master Plan ID: SDYGR-08 & SDYGR-12		
Master Plan:	Shady Grove	
Location:	Redland Road and Somerville Dr	
Existing Zone:	TOMX-2/TDR	
Proposed Conv: (4/18)	TDR-1.76	
Prop. Revised Conv:	TDR-1.77	
Category:	Error	
Modifications	Zone Group:	-
	Overall FAR:	-
	Comm'l FAR:	-
	Resid'l FAR:	-
	Height:	-
Reason for change:		
<p><i>This site is currently zoned TOMX-2/TDR. As part of the rewrite, this site will have a TDR overlay atop it (and the base zone will be rezoned to CR or CRT).</i></p> <p><i>The TDR overlay on this site should be TDR-1.77, however it was inadvertently mapped to TDR-1.76 in error.</i></p> <p><i>This change will correct the TDR designation here to the correct TDR-1.77.</i></p>		