



Silver Spring Downtown and Adjacent Communities Plan

Zoning Text Amendment (ZTA) FAQ:

What is a Zoning Text Amendment (ZTA)?

A ZTA is a formal process through which the County Council can update the language in the Zoning Ordinance (Chapter 59 of the Montgomery County Code). New Master or Sector Plans often require ZTAs to implement the recommendations in the plan.

Why is a ZTA necessary now pertaining to the Silver Spring Downtown and Adjacent Communities (SSDAC) Sector Plan?

A ZTA is necessary to implement recommendations from the SSDAC Plan. County Council Staff requested that Montgomery Planning send Council draft language based on the recommendations in the SSDAC Plan Planning Board Draft to assist Council in its consideration of the Sector Plan in April-May 2022.

What is the process for ZTAs?

For some ZTAs, draft language is first brought to the Planning Board by Montgomery Planning Staff. If the Board agrees with the request to change the zoning language, it will vote to transmit a request to the County Council for introduction of the draft language as a ZTA. The County Executive or other county agency may also request introduction of a ZTA. In other instances, the Council initiates the ZTA directly. As described below, regardless of the origination of the ZTA, once introduced it is sent to the Board for official review and comments.

- The Council formally introduces the draft ZTA at a regular Council session and sets the Council's Public Hearing date with at least 30 days' notice. The Council's introduction initiates the official ZTA process.
- The introduced ZTA is sent from Council to the Planning Board and other agencies for review and comment. The ZTA will be presented to the Planning Board by Planning Staff at a regularly scheduled Planning Board meeting. The public can provide testimony to the Board on the ZTA. The Board then votes to send comments and recommendations to the Council.
- The Council then holds a Public Hearing on the ZTA to take public comments on the introduced ZTA. The ZTA then proceeds to one or more work sessions with the Planning, Housing and Economic Development (PHED) committee. PHED reviews the ZTA in light of comments from the public, the Planning Board, and other government agencies before recommending it, with or without changes, to the full Council. The full Council then has one or more work sessions to discuss the PHED recommended version of the ZTA, before voting on adoption.

What happens if the Council makes changes to the SSDAC Sector Plan?

Council staff will review the proposed language of the ZTA and may suggest changes to it before the Council introduces the ZTA. In any event, after the Council Public Hearing and any PHED work sessions, the final ZTA language that the full Council will deliberate and vote on will reflect the Council-approved version of the SSDAC Plan.

What is in the Planning Board requested ZTA draft for the SSDAC Plan?

The draft zoning language that was reviewed on April 7 recommends removing the Ripley/South Silver Spring Overlay, making updates to the Fenton Village Overlay, and adding a new Downtown Silver Spring Overlay Zone. It also includes a handful of other items that reflect recommendations in the pending Sector Plan.

How are ZTAs noticed to the public?

Not all items voted on by the Planning Board require formal notice, or the same noticing period. Public Hearings for regulatory items such as sketch plans, preliminary plans and site plans do require notice and a posting of the completed staff report at least 10 days prior to the hearing date. Public Hearings for master or sector plans require a minimum 30-day noticing. There is no such requirement for review of draft ZTA language at the Planning Board before the ZTA is introduced at County Council. All items on the Planning Board agenda are posted online in advance of the Planning Board meeting, at www.montgomeryplanningboard.org.

When can the public comment on the ZTA for the SSDAC Sector Plan?

As described above, the public has multiple opportunities to provide comment: at the draft ZTA language presentation to the Planning Board, at the ZTA presentation to the Planning Board after the ZTA has been introduced by the Council and at the Council Public Hearing. The Planning Board role in ZTA process is advisory to the Council, which has final authority on ZTAs.

How will updates on the ZTA schedule be provided?

The SSDAC Planning Team will continue to provide updates on schedule via the e-letter.