



CLIMATE ASSESSMENT FOR ZTA 23-11, REGULATORY APPROVALS – CONDITIONAL USE

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the climate assessments is to evaluate the anticipated impact of master plans and zoning text amendments (ZTAs) on the County's contribution to addressing climate change. These assessments will provide the County Council with a better understanding of the potential climate impacts and implications of proposed master plans and ZTAs at the county level. The scope of the climate assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas (GHG) emissions, and how actions proposed by master plans and ZTAs could improve the County's adaptive capacity to climate change and increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed master plans and ZTAs may impact GHG emissions and community resilience.

SUMMARY

ZTA 23-11, Regulatory Approvals – Conditional Use, will streamline the Office of Zoning and Administrative Hearing's (OZAH) processes by:

- a. Allowing limited use approval in certain zones for the following uses: Equestrian Facility, Home Health Practitioner, Home Occupation (Major Impact), Retail/Service Establishment, Rural Country Market, and Automobile Storage Lot
- b. Increasing Family Day Care from 8 to 12 persons and eliminating Group Day Care (9-12Persons)
- c. Consolidating Home Health Practitioner (Low Impact) and Home Health Practitioner (Major Impact)
- d. Consolidating Retail/Service Establishment (85,001 SF and Over) and Retail/Service Establishment (120,001 SF and Over)
- e. Not requiring additional notice for waiver of a parking requirement
- f. Not requiring landscaping plans that provide more than the minimum requirements to go through the alternative method of compliance
- g. Allowing the Hearing Examiner to dismiss inactive applications and
- h. Allowing the Hearing Examiner to waive or refund conditional use fees.

It is anticipated that ZTA 23-11 will result in an overall minor indeterminate climate impact resulting from an aggregate of minor local negative and positive climate-related impacts toward the County's goals of addressing greenhouse gas emissions and ensuring resilience, and a small positive impact on the adaptive capacity of our communities.

The number and site locations of future approvals issued under this ZTA are unknown, therefore the ZTA would likely have indeterminate small positive or negative impacts on some greenhouse gas emissions-related variables in the transportation sector, and small positive impacts on several community adaptive capacity-related variables. In view of the small-scale nature of these uses, which for the most part would take advantage of existing structures, these potential impacts would likely be minor on both a local and countywide scale.

BACKGROUND AND PURPOSE OF ZTA 23-11

The purpose of ZTA 23-11 is to help streamline the conditional use review process. As noted in the summary above, there are a number of changes to code including consolidating similar uses, establishing new limited use standards and process for certain uses, and providing the Hearing Examiner with new processes for dismissing applications and waiving fees under certain circumstances. These modifications are intended to reduce the number of conditional use applications, and to simplify the process for many smaller businesses by eliminating unnecessary reviews.

VARIABLES THAT COULD AFFECT THE ASSESSMENT

CLIMATE-RELATED VARIABLES

Greenhouse Gas-related Variables:

Transportation-related: Vehicle Miles Traveled (VMT); Number of Trips; Non-vehicle Modes of Transportation; and Public Transportation Use

Resilience-related Variables:

Exposure-Related: Activity in Urban Heat Islands

Adaptive Capacity-Related Variables:

Change in Availability or Distribution of Economic and Financial Resources; Change to Community Connectivity; and Change in Distribution of Resources and Support

OTHER VARIABLES

Other variables include the number, site locations, and transportation options associated with future approvals issued pursuant to the ZTA.

ANTICIPATED IMPACTS

GREENHOUSE GAS EMISSIONS, CARBON SEQUESTRATION, AND DRAWDOWN

The proposed limited use approvals (see a. in the Summary above) and the other proposed process streamlining changes (b. – d.) share similar features in that they primarily serve to simplify OZAH’s existing review and approval processes. The ZTA does not significantly redefine uses or create uses that do not currently exist. To the degree that applicants take advantage of a more streamlined process created by this ZTA there could be minor increases in approvals by allowing the limited uses and through the other streamlining provisions. This in turn could cause minor indeterminate increases or decreases in the transportation-related greenhouse gas variables indicated above, depending on the number and location of approvals under the ZTA and any associated changes in use and modes of transportation. These variables include vehicle miles traveled, number of trips, non-vehicle modes of transportation, and public transportation use. In view of the small-scale nature of these uses, which for the most part would take advantage of existing structures, these potential impacts would likely be minor on both a local and countywide scale.

Proposed non-land use process-related changes (e. – h.) listed in the Summary above are procedural changes and are not expected to have climate change impacts per ZTA climate assessment criteria.

COMMUNITY RESILIENCE AND ADAPTIVE CAPACITY

As with the greenhouse gas emission discussion above, the proposed limited use approvals (see a. in the Summary above) and the other proposed process streamlining changes (b. – d.) share similar features in that they primarily serve to simplify OZAH’s existing review and approval processes. The ZTA does not significantly redefine uses or create uses that do not currently exist. To the degree that applicants take advantage of a more streamlined process created by this ZTA there could be minor increases in approvals by allowing the limited uses and through the other streamlining provisions. This in turn could cause minor indeterminate increases or decreases in the exposure-related variable: activity in urban heat islands. In view of the small-scale nature of these uses, which for the most part would take advantage of existing structures, these potential impacts would likely be minor on both a local and countywide scale.

To the degree that applicants take advantage of a more streamlined process created by this ZTA, the amendment is anticipated to have a minor indeterminate positive impact on several adaptive capacity-related variables including change in availability or distribution of economic and financial resources, change to community connectivity, and change in distribution of resources and support. This is due to potential enhancements in household and business incomes, employment, income equality, business size and diversity, social connections, sense of place and belonging, and availability of resources and support. In view of the small-scale nature of these uses, which for the most part would take advantage of existing structures, these potential impacts would likely be minor on both a local and countywide scale.

Proposed non-land use process-related changes (e. – h.) listed in the Summary above are procedural changes and are not expected to have community resilience and adaptive capacity impacts per ZTA climate assessment criteria.

RELATIONSHIP TO GHG REDUCTION AND SEQUESTRATION ACTIONS CONTAINED IN THE MONTGOMERY COUNTY CLIMATE ACTION PLAN (CAP)

ZTA 23-11 does not involve any GHG or sequestration activities that relate to the GHG reduction and sequestration actions from the County’s Climate Action Plan.

RECOMMENDED AMENDMENTS

Planning staff does not have any recommended climate-related amendments to ZTA 23-11 because the ZTA would likely result in an overall indeterminate aggregate of minor positive and negative local impacts on greenhouse gas emissions and resilience. Moreover, other than the anticipated minor positive impacts on community adaptive capacity as discussed above, the ZTA does not offer obvious additional opportunities for significantly enhancing positive climate change impacts beyond the potential benefits associated with the proposed use as discussed in this assessment.

SOURCES OF INFORMATION, ASSUMPTIONS, AND METHODOLOGIES USED

The climate assessment for ZTA 23-11 was prepared using the methodology (tables 1, 2, and 8, in particular) for ZTAs contained within the [*Climate Assessment Recommendations for Master Plans and Zoning Text Amendments in Montgomery County, December 1, 2022.*](#)