



Montgomery Planning Countywide Planning and Policy

05/16/2024

Agenda Item # 05

Attainable Housing Strategies

Work Session #9 Large Scale and Other Topics

Agenda

Staff requests feedback on the current recommendations for the large scale attainable housing, and on other code revisions including:

- Redefining large scale housing to align with a corridor focused planning approach
- Zoning – existing zones or a new zone
- Adding multiplex buildings to other zones
- Highlighting other codes and policies that may need to be adjusted to implement attainable housing
- Catalyst policies to consider to assist in housing creation
- Other topics Planning Staff have heard from the community that should be discussed in the report



Work Session #8 Summary

The Board agreed to the following in work session #8:

- Allow duplexes anywhere in the R-200, R-90, R-60 and R-40 zones
- Allow triplexes anywhere in the R-90, R-60, and R-40 zones
- Allow quadplexes in the PHD
- Redefine townhouse living to be 5 or more dwellings, and multi-unit living to include the multiplex building type
- Set multi-unit living as a limited use in the R-90, R-60, and R-40 zones with conformance to a pattern book
- Require a pattern book for all small scale housing



Work Session #8 Summary

The Board agreed to the following in work session #8:

- Add duplex and multiplex buildings to the standard method development tables
- Rename section 1 of the standards table to Building Site and Lot
- Remove minimum lot area and minimum lot width at front building line instead set a minimum Building Site area and minimum Building Site width
- Remove the density standards
- Change lot coverage to Building Site coverage
- Keep a specification to allow for substandard sized lots to have attainable housing
- Reduce parking by 50% in areas with on-street parking outside the PLD or areas without on-street parking within the PLD, and reduce parking by 75% inside the PLD in areas with on-street parking
- Create a new minor subdivision to subdivide individual lots
- Create a new administrative subdivision and administrative site plan for 19 or fewer dwellings utilizing attainable housing provisions



Work Session #8 Summary

The Board requested Planning Staff follow up on the following:

- Consider expanding the PHD to ¼ mile from the Growth Corridors – provide lot counts for current and proposed PHD geographies
- Consider adding R-200 to the PHD
- Revisit requiring lot frontage and instead allow Building Site frontage
- Examine if there is a threshold where too much concentrated attainable housing may reduce the quality of life in existing neighborhoods
- Conduct an analysis in 3-5 years evaluating the outcomes from any adopted AHS policies



What is 'Large Scale'

- Current draft AHS report defines it as 4-5 story small apartments, stacked flats and live-work units, achieved through master plan recommendations for zoning changes.
- Planning Staff proposes redefining large scale as generally 4 or more stories and removing the specific reference to 'small' apartments.

Recommendation: Modify the definitions of large scale to 4 or more stories, replacing 'small' apartments with apartments.



Large Scale: Current Zoning

Current plans with corridors include the *University Boulevard Corridor Plan* and the *Eastern Silver Spring Communities Plan* and may rely on existing zones along the corridors.

- Recommend AHOM in areas not captured by AHS recommendations
- Townhouse, apartment, or CRN zones as appropriate
- Overlay zone to modify building form, uses, and process as necessary

Recommendation: Endorse the current process above for corridor planning in the short term.



Large Scale: A Corridor Approach

- The Planning Department intends to shift its planning focus to corridor planning along identified Growth Corridors.
 - A strategic plan would help better understand our different types of corridors and what some best practices may be in land use, urban design, transportation, and the environment.
 - Form based zone(s) would help with increasing density along corridors without needing complicated overlay zones to control building form.

Recommendations:

- Pursue a corridor planning strategic plan.
- Consider developing new zone(s) to use along corridors for increased residential density.



Additional AH Recommendations

Recommendation: Add the multiplex building type (triplex and quadplex) in all Cluster and MPDU Optional Method development standards tables.

	Ag	Rural Residential			Residential													Commercial/ Residential			Employment			
					Residential Detached							Residential Townhouse			Residential Multi-Unit									
	AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF
Cluster						X	X	X	X	X														
MPDU				X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X



Additional AH Recommendations

Recommendation: Add the multiplex building type (triplex and quadplex) in all zones that allow townhouses under the standard method of development.

	Ag	Rural Residential			Residential												Commercial/ Residential			Employment				
					Residential Detached							Residential Townhouse			Residential Multi-Unit									
	AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF
Townhouse in standard method				X								X	X	X	X	X	X	X	X	X	X	X	X	X



Additional AH Recommendations

Recommendations:

- Add the multiplex building type for up to quadplexes for all properties with a TDR density designation of 3 or more.
- Set 1 TDR to equal two dwellings in a multiplex in a Metro-Station Policy Area, and one dwelling in a Non Metro-Station Policy Area.

TDR Density Designation	Size of Development	Building Type (minimum required as a percentage of total units)					Common Open Space (Min)
		Detached House	Duplex	Multiplex	Townhouse	Apartment	
1	Any size	100%	0%	0%	0%	Not permitted	0%
2	Any size	100%	0%	0%	0%	Not permitted	0%
3-5	< 800 units	30%	0%	0%	0%	Not permitted	20%
	800+ units	30%	0%	0%	0%	0% (20% max)	20%
6-10	< 200 units	15%	0%	0%	0%	Not permitted	20%
	200+ units	15%	0%	0%	0%	0% (35% max)	20%
11-15	< 200 units	0%	0%	0%	0%	0%	25%
	200+ units	0%	0%	0%	0%	35% (60% max)	25%
16-28 <	200 units	0%	0%	0%	0%	0%	25%
	200+ units	0%	0%	0%	0%	25% (60% max)	25%
> 28	Any size	0%	0%	0%	0%	25%	25%



Other Code and Policy Considerations

Driveway Standards

- Current residential driveways must be 10-20 feet wide and include a 5-foot-wide driveway apron flair per side.
- Driveway flairs are not to cross in front of adjacent property, and excessive driveway width makes small scale housing difficult on narrow lots.
- Standards should require attainable housing driveways to be single width (10 feet) wide and reduce or eliminate the driveway flairs.

Street Trees and Tree Canopy

- Existing regulations require 50 foot on center placement of major species trees in the right-of-way, and 400 square feet of open area for on-lot canopy trees to maximize soil volumes.
- Consideration should be given to reducing tree spacing and required open area to reduce the tree canopy impact of all residential redevelopment activities including attainable housing.



Other Code and Policy Considerations

Fire and Rescue

- In 2019 the County adopted the “Fire Access Performance-Based Design Guidelines” to better coordinate fire access requirements into new community design.
- Concerns still surround fire access requirements for multiplex building types and the guidelines should be revisited to include context sensitive solutions.

Stormwater Management

- Existing rules require small lots (under 15,000 SF) to address lot-to-lot drainage for new building areas, for detached houses and duplexes.
- Code should be updated to include the multiplex building type.



Other Code and Policy Considerations

Recommendation: include in the final AHS report the brief descriptions of other issues identified by Planning Staff that should be considered to maximize the effectiveness of the AHS, acknowledging there may be additional issues not directly raised in the report.



Catalyst Policies and Programs

Owner-Occupied Conversions

- Property Tax Refunds or Credits
 - For converting existing single-family detached homes into small scale attainable housing.
- Owner-Occupied Conversion Loan Fund
 - Short term low interest loan to assist with the costs of converting a detached home into small scale attainable housing.
- Conversion Assistance Toolkit
 - A how-to toolkit created by a multi-agency team that can be shared.

Recommendation: Include in the final report the above owner-occupied conversion incentives.



Catalyst Policies and Programs

Community Level Incentives

- Improvement Grant Program
 - A grant program accessible to homeowners in the neighborhoods with the highest number of attainable housing typologies to fund things such as stormwater/runoff mitigation, fire safety improvements, and emergency efficiency upgrades.
- Community Improvement Program
 - A set aside of county funds to provide targeted infrastructure improvements such as sidewalks, stormwater retrofits, lighting, and street trees to the neighborhoods experiencing the most number of attainable housing permits.

Recommendation: Include in the final report the above community level incentives.



Other Topics

Role of HOAs

- Many HOAs have restrictions that limit unit rentals, or allowing additional dwellings on a property, which would exclude attainable housing from these communities.

Role of Municipalities

- Local municipal governments often have more restrictive development requirements including allowed building types, setbacks, structure size, lot coverage and parking that would not necessarily change with the adoption of attainable housing recommendations.

Recommendation: The county should explore the necessary local or state level code changes necessary to ensure attainable housing can be built equitably across all the intended areas.



Other Topics

Collection of Impact Taxes and Applicable Rates

- New attainable housing units would be subject to the collection of impact taxes. Planning Staff recommend setting the rate equal to that of single-family attached. Student generation rates will be tracked going forward for this type to see if a different rate should be considered in the future.

Recommendation: Retain recommendation in the report to assess impact taxes on new attainable housing dwellings should apply and be calculated, based on the rate for a single-family attached unit.



Other Topics

Adequate Public Facilities: GIP

- APF is often assessed during development review but can be done at building permit if preliminary plans are not required.
 - Schools – Evaluated for school system inadequacies and if necessary, may require mitigation in the form of Utilization Premium Payments, based on the School Adequacy Analysis Report.
 - Transportation – Projects that generate 50 or more new net peak hour person trips are subject to LATR requirements. It is unlikely small or medium scale projects would meet this threshold. Impact taxes would still be assessed.

Recommendation: Provide a narrative in the final report explaining the relationship between the APF and attainable housing types.



Other Topics

Limitations and conditions of Preliminary and Site plans

- Preliminary and site plans frequently use conditions to limit total density, and what building types are allowed on a site. To implement small scale attainable housing, it would require amendments to these plans.

Recommendation: Add to the report that the Board recommends exemptions to both chapters 50 and 59 exempting small scale attainable housing from conditions limiting density or building types.



Engagement

- Since the report was published, the Planning Department has completed related initiatives on Neighborhood Change and Income Change that Planning Staff recommends including in the report.
- **Recommendation:** Include language related to Neighborhood Change and Income Change in the final AHS report.



Stakeholder Concerns

- Planning Staff has completed additional engagement events since the last report was drafted.
- **Recommendation:** Update the report with new, completed engagement activities.



Next Steps

Tentative Attainable Housing Strategies Schedule (2024)	
May 16, 2024	Planning Board Work Session #9 – large scale and other policies
May 30, 2024	Planning Board Work Session #10 – Follow-up items
June 13, 2024	Planning Board Work Session #11 – Transmittal to the Council
Summer 2024	Planning, Housing, and Parks Briefings
Fall 2024	Possible ZTA(s) introduction

