

AGENDA ITEM #14
May 18, 2010

Public Hearing

MEMORANDUM

May 14, 2009

TO: County Council

FROM: Marlene Michaelson, Senior Legislative Analyst *MM sm*

SUBJECT: Public Hearing for the White Flint Sector Plan Sectional Map Amendment (G-889)

Attached is the application for a Sectional Map Amendment (SMA) to implement the recommendations of the recently Approved and Adopted White Flint Sector Plan. The SMA would put into effect zoning changes recommended in the Sector Plan.

Councilmembers should remember that the SMA is restricted by ex parte rules. Therefore, Councilmembers should not engage in off-the-record communications.



MONTGOMERY COUNTY PLANNING BOARD
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OFFICE OF THE CHAIRMAN

April 8, 2010

RECEIVED
 MONTGOMERY COUNTY
 COUNCIL
 APR 12 AM 9:58

The Honorable Nancy Floreen
 President
 Montgomery County Council
 Stella B. Werner Council Office Building
 100 Maryland Avenue
 Rockville, Maryland 20850

Dear Ms. Floreen:

At its regular meeting on March 25, 2010, the Montgomery County Planning Board approved the filing of the Sectional Map Amendment (SMA) for the implementation of the Approved White Flint Sector Plan. The Planning Board believes that the Sectional Map Amendment, as filed, appropriately implements the zoning recommendations of the Plan.

Subsequent to the County Council establishing a public hearing date for the Sectional Map Amendment, and at least two weeks prior to the public hearing, the Planning Board will make available to the public a Technical Staff Report on the SMA. It will include the appropriate index map and tabular data on all areas proposed to be rezoned.

The Planning Board looks forward to working with you on this application

Sincerely,

Royce Hanson
 Chairman

RH:pw:ha

1. Three (3) copies of signed Application Form
2. Staff Memorandum Request to File SMA from Planning Board Meeting 3/25/10
3. Mailing Labels for Property Owners Affected by SMA
4. Two (2) Letters From Property Owners Requesting RT-12.5 Zoning

①

Application to File

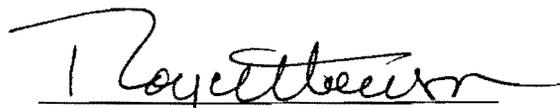
APPLICATION NUMBER: G-889
DATE FILED: 4/12/10
HEARING DATE: 5/18/10 1:30 pm

APPLICATION FOR A SECTIONAL MAP AMENDMENT TO AMEND THE "ZONING MAP FOR THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN MONTGOMERY COUNTY, MARYLAND" FILED IN ACCORDANCE WITH ARTICLE 59-H OF THE ZONING ORDINANCE FOR MONTGOMERY COUNTY, MARYLAND.

The Maryland-National Capital Park and Planning Commission makes application with the County Council, sitting as the District Council, for that portion of the Maryland-Washington Regional District within Montgomery County, for a Sectional Map Amendment to implement the White Flint Sector Plan as approved by the County Council, sitting as the District Council on March 23, 2010. The Sector Plan Area is in Planning Area 30 and Election District 4.

The proposed classifications are contained in one volume, keyed to the Zoning Atlas. The proposed changes in zoning classifications are shown on the overlays to the existing zoning pages. The White Flint Sector Plan being implemented by this Sectional Map Amendment amends the Approved and Adopted 1992 North Bethesda/Garrett Park Master Plan, as amended; the General Plan for the Physical Development of the Maryland-Washington Regional District, as amended; the Master Plan of Highways within Montgomery County, as amended; and the Countywide Bikeways Functional Master Plan, as amended.

The existing and proposed zoning classifications are shown on the accompanying maps. The total area covered by the Sectional Map Amendment is approximately 430 acres. The area proposed for reclassification is approximately 264 acres. The remaining acreage is recommended to be reconfirmed at the existing zoning classifications.


Royce Hanson, Chairman
Montgomery County Planning Board



ATTACHMENT 2

MCPB
Item #
3/25/10

MONTGOMERY COUNTY PLANNING DEPARTMENT THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 18, 2010

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief *GK*
Vision Division

FROM: *PW* Piera Weiss (301-495-4728) for the Montgomery County Department of
Park and Planning

SUBJECT: Application to File a Sectional Map Amendment to Implement the
Approved White Flint Sector Plan

STAFF RECOMMENDATION: Approval to file a Sectional Map Amendment (SMA) to
implement the recommendations of the Approved
White Flint Sector Plan.

PURPOSE OF AN SMA

There are two reasons an SMA may be filed. The first is to implement zoning changes recommended by an approved comprehensive plan. The second is to correct inaccurate description of zoning lines on an adopted zoning map that are known or become apparent as the result of technical information. In either case, the SMA must contain a statement describing the rationale in support of the proposed zoning changes or adjustments and must include the total acres in the application and the total acres proposed for rezoning, reconfirmation, or adjustment.

BACKGROUND

On March 23, 2010, the County Council, sitting as the District Council, approved the White Flint Sector Plan. The White Flint Sector Plan contains a number of rezoning recommendations that would be implemented through the SMA process:

The total acreage within the boundary of the White Flint Sector Plan is approximately 430 acres. This SMA would propose rezoning approximately 286 acres with the remainder being reconfirmed in the existing zoning. Attachment A is a map of parcels for which there is a recommended zoning change.

There are no pending zoning cases within the boundaries of the White Flint Sector Plan area.

③

Proposed Rezoning

This Sectional Map Amendment proposes to rezone properties with the recently approved mixed-use CR Zone. The CR zone is characterized by a total FAR, a commercial (C) FAR, a residential (R) FAR and a Height Limit (H). Each CR zone is designed to accommodate planning and design conditions on each property as recommended in the Approved White Flint Sector Plan. In addition, this SMA proposes rezoning one property from the R-90 to the RT-12.5 Zone. Table 1 indicates the areas designated for each discrete zoning change.

Zoning Adjustments

In accordance with the Zoning Ordinance, zoning lines are generally drawn to property lines. Property lines change over time through the process of subdivision. Changes in property boundaries occur more often compared to changes to zoning maps, which can only occur through District Council action. The Planning Department is responsible for maintaining zoning maps and uses the State Tax Assessor's property maps as the base on which to draw zoning lines. In the past, maps were hand drawn and since it took time to update maps, the State updated the property maps infrequently.

In the early 1990's, the Planning Department converted to a digitized mapping technology (AUTOCAD) in place of hand drawn mapping and later that decade completely upgraded the mapping effort to a comprehensive geographic data system, the Geographic Information System (GIS). The Planning Department also took over the responsibility for updating the property information layers. Given the capabilities of GIS, property layers can now be updated whenever a plat is recorded. As a result, there are now more differences between adopted zoning maps and property maps. This situation will continue to exist countywide because, as stated earlier, zoning maps can only be updated by District Council action, which occurs at a much slower pace than changes to property lines.

Acknowledging that periodic technological advances might create inconsistencies in adopted zoning maps over time, the District Council created a Corrective Map Amendment (CMA) procedure that could be combined with an SMA since the comprehensive and technical analysis required of the SMA process should uncover any inconsistencies in mapping. Corrections in the CMA procedure are, according to the Zoning Ordinance, line adjustments or revisions based on technical analysis of line work and not related to a more substantive error.

There are four official zoning sheets for the White Flint SMA. All are hand drawn and date to SMA G-706 approved in 1992, which implemented the 1992 North Bethesda/Garrett Park Master Plan. The approved White Flint Sector Plan amends the 1992 Plan. The property information on the official zoning maps is eighteen years old. As a result of comparing the current property information with the official zoning, the newer information indicated some line differences. This SMA includes three zoning adjustments. Table 2 indicates those places where there is a zoning line adjustment based on more current property information.

Table 1: Parcels to be Rezoned

Area #	Existing Zoning	Proposed Zoning
1	C-2	CR-2 C-1.5 R-0.75 H-100'
2	C-2	CR-3 C-1.5 R-2.5 H-200'
3	C-2	CR-4 C-3.5 R-3.5 H-300'
4	C-2,R-90,O-M	CR-3 C-1.5 R-2.5 H-70'
5	TS-R,C-2	CR-4 C-2.0 R-3.5 H-250'
6	C-2,TS-R	CR-4 C-3.5 R-3.5 H-300'
7	R-90,C-2	CR-3 C-2.5 R-1.5 H-200'
8	R-H,C-2,I-4	CR-3 C-1.5 R-2.5 H-200'
9	I-4	CR-3 C-1.5 R-2.5 H-200'
10	TS-M	CR-4 C-3.5 R-3.5 H-300'
11	TS-M,R-90	CR-4 C-2.0 R-3.5 H-250'
12	TS-M,I-1	CR-3 C-1.5 R-2.5 H-250'
13	I-1	CR-3 C-1.5 R-2.5 H-200'
14	TS-M,C-2	CR-4 C-3.5 R-3.5 H-300'
15	TS-M,C-2	CR-4 C-3.5 R-3.5 H-300'
16	TS-M,C-2	CR-4 C-2.0 R-3.5 H-250'
17	C-2,I-1	CR-3 C-1.5 R-2.5 H-200'
18	C-2	CR-3 C-1.5 R-2.5 H-100'
19	R-90	CR-3 C-1.5 R-2.5 H-200'
20	R-90	CR-3 C-1.5 R-2.5 H-100'
21	C-2	CR-4 C-1.5 R-2.5 H-150'
22	C-2	CR-4 C-3.5 R-3.5 H-300'
23	C-2	CR-4 C-3.5 R-2.0 H-250'
24	C-2	CR-3 C-1.5 R-2.5 H-200'
25	C-2,R-90	CR-2.5 C-1.25 R-2.0 H-70'
26	R-90	CR-1.5 C-0.25 R-1.5 H-50'
27	TS-M	CR-3 C-1.5 R-2.5 H-100'
28	TS-M	CR-4 C-3.5 R-3.5 H-300'
29	C-O	CR-4 C-3.5 R-3.5 H-150'
30	C-O	CR-4 C-3.5 R-3.5 H-250'
31	C-O	CR-3 C-2.5 R-1.0 H-150'
32	O-M	CR-2.5 C-2.0 R-1.25 H-150'
33	O-M	CR-1.25 C-1.0 R-0.75 H-100'
34	C-2,R-90	CR-1.0 C-0.75 R-0.5 H-50'
35	R-90	RT-12.5
36	C-2	CR-0.5 C-0.25 R-0.25 H-50'
37	C-T	CR-1.5 C-0.25 R-1.5 H-50'

Table 2: Locations for Zoning Line Adjustments

Corrective SMA Designation	Parcel I.D.	Notes
Item A	Parcel 614	Existing zoning map shows this property as a right-of-way and with no zoning classification. Research in the land records indicated that the property is privately owned, is not a public right-of-way and zoning classification should be indicated.
Item B	Parcel 736	The outline of the Local Map Amendment granted for PD-9 zoning obscured the property lines.
Item C	Parcel N269	Existing zoning map shows this project as right-of-way with no zoning classification. Research in the land records indicates that the property is owned by SHA, but it is not a public right-of-way and, therefore, the zoning classification should be shown.

PW:ha: M:\White Flint Plan production file\WF SMA req to file staff report.doc

Attachment A: Index for the White Flint Sector Plan Sectional Map Amendment

INDEX FOR THE WHITE FLINT SECTOR PLAN SECTIONAL MAP AMENDMENT

NW06

NW05

Area #	Existing Zoning	Proposed Zoning	Acres
1	C-2	CR-2 C-1.5 R-0.75 H-100'	1.78
2	C-2	CR-3 C-1.5 R-2.5 H-200'	22.48
3	C-2	CR-4 C-3.5 R-3.5 H-300'	5.46
4	C-2, R-90, O-M	CR-3 C-1.5 R-2.5 H-70'	3.61
5	TS-R, C-2	CR-4 C-2.0 R-3.5 H-250'	15.77
6	C-2, TS-R	CR-4 C-3.5 R-3.5 H-300'	7.97
7	R-90, C-2	CR-3 C-2.5 R-1.5 H-200'	5.62
8	R-H, C-2, I-4	CR-3 C-1.5 R-2.5 H-200'	19.74
9	I-4	CR-3 C-1.5 R-2.5 H-200'	9.29
10	TS-M	CR-4 C-3.5 R-3.5 H-300'	12.05
11	TS-M, R-90	CR-4 C-2.0 R-3.5 H-250'	15.56
12	TS-M, I-1	CR-3 C-1.5 R-2.5 H-250'	4.36
13	I-1	CR-3 C-1.5 R-2.5 H-200'	2.13
14	TS-M, C-2	CR-4 C-3.5 R-3.5 H-300'	5.35
15	TS-M, C-2	CR-4 C-3.5 R-3.5 H-300'	8.71
16	TS-M, C-2	CR-4 C-2.0 R-3.5 H-250'	3.61
17	C-2, I-1	CR-3 C-1.5 R-2.5 H-200'	18.92
18	C-2	CR-3 C-1.5 R-2.5 H-100'	3.76
19	R-90	CR-3 C-1.5 R-2.5 H-200'	2.65
20	R-90	CR-3 C-1.5 R-2.5 H-100'	3.65
21	C-2	CR-4 C-1.5 R-2.5 H-150'	1.22
22	C-2	CR-4 C-3.5 R-3.5 H-300'	3.10
23	C-2	CR-4 C-3.5 R-2.0 H-250'	10.24
24	C-2	CR-3 C-1.5 R-2.5 H-200'	43.13
25	C-2, R-90	CR-2.5 C-1.4 R-2.0 H-70'	6.38
26	R-90	CR-1.5 C-0.25 R-1.5 H-50'	2.60
27	TS-M	CR-3 C-1.5 R-2.5 H-100'	1.83
28	TS-M	CR-4 C-3.5 R-3.5 H-300'	2.89
29	C-O	CR-4 C-3.5 R-3.5 H-150'	1.65
30	C-O	CR-4 C-3.5 R-3.5 H-250'	0.89
31	C-O	CR-8 C-2.5 R-1.0 H-150'	2.79
32	O-M	CR-2.5 C-2.0 R-1.25 H-150'	2.59
33	O-M	CR-1.25 C-1.0 R-0.75 H-100'	1.15
34	C-2	CR-1.0 C-0.75 R-0.5 H-50'	1.20
35	R-90	R-90/TDR	2.15
36	C-2	CR-0.5 C-0.25 R-0.25 H-50'	0.65
37	C-T	CR-1.5 C-0.25 R-1.5 H-50'	7.79

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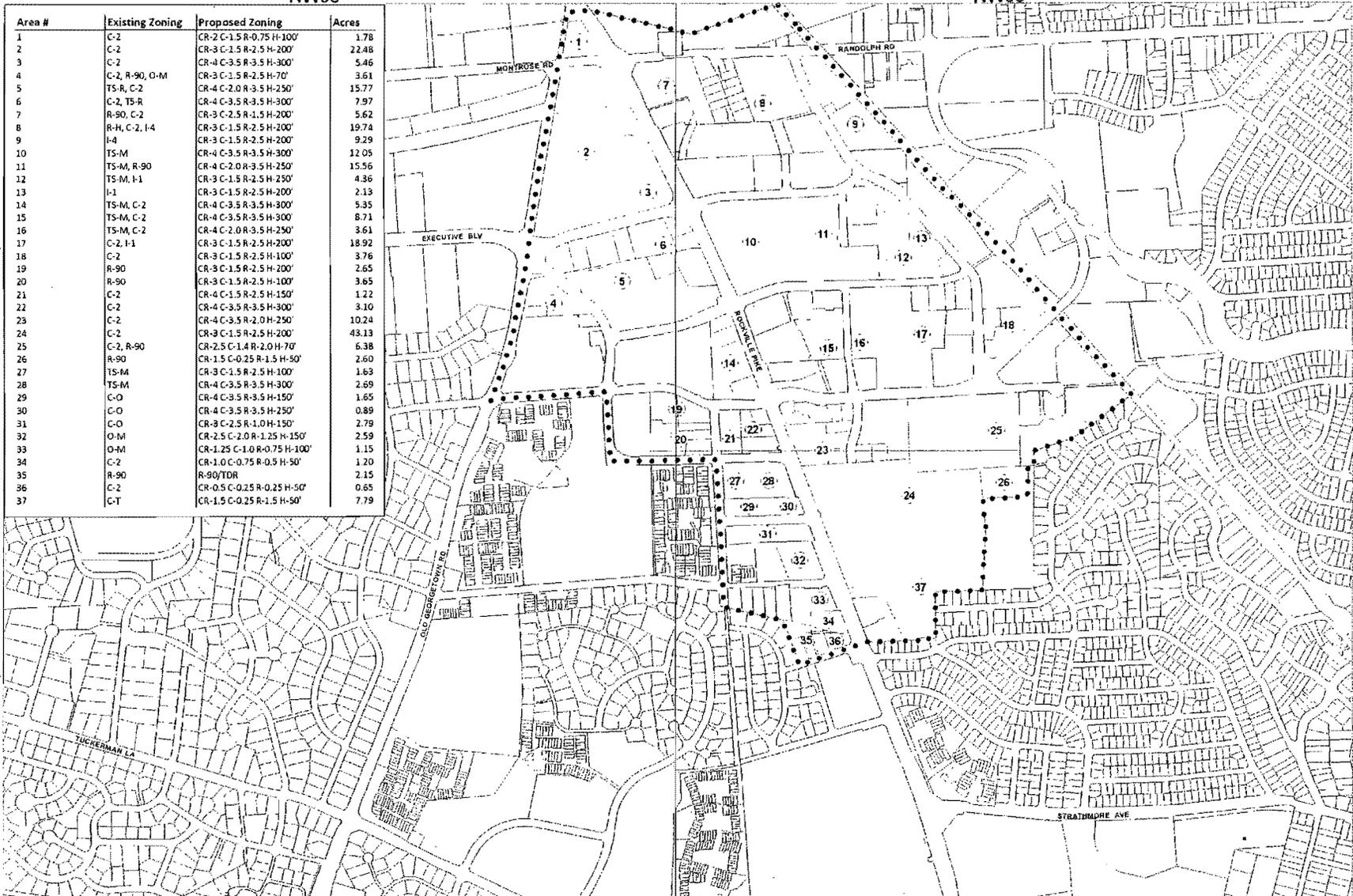
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NW06

NW05



ATTACHMENT A