



Committee: PHED
Committee Review: At a future date
Staff: Livhu Ndou, Legislative Attorney
Purpose: To receive testimony – no vote expected
Keywords: #R-30 #OptionalMethod #CommonOpenSpace

AGENDA ITEM #14
July 26, 2022
Public Hearing

SUBJECT

Zoning Text Amendment (ZTA) 22-07, Residential Multi-Unit Low Density, R-30 – Optional Method Development

Lead Sponsors: Councilmembers Friedson, Navarro, Katz

Co-Sponsors: Councilmember Jawando, Hucker, Riemer, Council President Albornoz, Council Vice-President Glass

EXPECTED ATTENDEES

Members of the public

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A; to receive testimony

DESCRIPTION/ISSUE

ZTA 22-07 will amend the optional method development standards in the R-30 zone for apartment buildings that provide at least 30% MPDUs. It will also add standards for common open space under optional method development.

SUMMARY OF KEY DISCUSSION POINTS

- For apartment building-types providing at least 30% MPDUs, ZTA 22-03 will allow increased site coverage, reduced parking setbacks, and additional height under optional method development.
- ZTA 22-03 creates standards for common open space under optional method development.
- A Planning, Housing, and Economic Development Committee Worksession is tentatively scheduled for September 12, 2022.

This report contains:

ZTA 22-07
Map of R-30 Zones

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Ordinance No.:
Zoning Text Amendment No.: 22-07
Concerning: Residential Multi-Unit
Low Density, R-30 –
Optional Method
Development
Draft No. & Date: 1 – 5/10/2022
Introduced: June 14, 2022
Public Hearing:
Adopted:
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

Lead Sponsors: Councilmembers Friedson, Navarro, Katz
Co-Sponsors: Councilmembers Jawando, Hucker, Riemer, Council President Albornoz, Council Vice-President Glass

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- amend the optional method development standards in the R-30 zone;
- amend the common open space requirements for optional method development;
- and
- generally amend the provisions for R-30 zoned property.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 4.4.	“Residential Zones”
Section 4.4.14.	“Residential Multi-Unit Low Density - 30 Zone (R-30)”
Division 6.3	“Open Space and Recreation”
Section 6.3.5.	“Common Open Space”

EXPLANATION: **Boldface** indicates a Heading or a defined term.

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

* * * indicates existing law unaffected by the text amendment.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-4.4 is amended as follows:**

2 **Section 4.4.14. Residential Multi-Unit Low Density - 30 Zone (R-30)**

3 **A. Intent Statement**

4 The intent of the R-30 zone is to provide designated areas of the County for higher-
 5 density, multi-unit residential uses. The predominant use is residential in an
 6 apartment building, although detached house, duplex, and townhouse building
 7 types are allowed.

8 * * *

9 **C. R-30 Zone, Optional Method Development Standards**

1. Site	MPDU Development							
	Detached House	Duplex	Townhouse	Apartment				
Dimensions (min)								
Usable area	11,700 SF							
Density (max)								
Density (units/acre)	See Specification for Density							
Specification for Density								
The density allowed for any application that includes more than 12.5% MPDUs, qualified under Chapter 25A and rounded up to the nearest whole number of units, equals the density allowed under Sec. 4.4.14.B.2 plus an increase of:								
<ol style="list-style-type: none"> 0.88% for each 0.1% increase in MPDUs above 12.5%, up to and including 15%; 22% plus 0.16% for each 0.1% increase in MPDUs above 15%, up to and including 20%; or 30% plus 0.1% for each 0.1% increase in MPDUs above 20%. 								
Open Space (min)								
Common open space (% of usable area) (See Section 6.3.5)	25%							
Site Coverage (max)								
Site coverage	n/a	n/a	30%	18%				
Specification for Site Coverage								
<ol style="list-style-type: none"> In a development with townhouse or apartment building types, site coverage is calculated based on the area of the site minus any area for detached house and duplex lots. <u>In a development with the apartment building type, the Planning Board may increase the site coverage to 30% of a site's usable area if the Planning Board finds that the application is providing at least 30% MPDUs, the increased site coverage is necessary for the redevelopment, and that there is</u> 								

<u>still adequate open space for recreation and stormwater management.</u>				
2. Lot				
Dimensions (min)				
Lot area	1,500 SF	1,000 SF	800 SF	12,000 SF
Lot width at front building line	Determined at site plan			
Lot width at front lot line	15'	15'	14'	50'
Frontage on street or open space	Required			
Coverage (max)				
Lot	75%	75%	n/a	n/a
3. Placement				
Principal Building Setbacks (min)				
Front setback from public street	10'	10'	10'	Determined at site plan
Front setback from private street or open space	4'	4'	4'	Determined at site plan
Side street setback	10'	10'	5'	Determined at site plan
Side or rear setback	Determined at site plan			
Side or rear setback, abutting property not included in application	Equal to required setback for a detached house building type in the abutting zone under standard method			Equal to required setback for a detached house building type in the abutting zone under standard method and Section 4.1.8.A
Rear setback, alley	4'	4'	4'	n/a
Accessory Structure Setbacks (min)				
Front setback	5' behind front building line			n/a
Side street setback	Side street setback of principal building			n/a
Side or rear setback	Determined at site plan			n/a
Side or rear setback, abutting property not included in application	Equal to required setback for a detached house building type in the abutting zone under standard method			n/a
Rear setback, alley	4'	4'	4'	n/a
Parking Setbacks for Surface Parking Lots (min)				
Front setback	n/a	n/a	n/a	30'

Side street setback	n/a	n/a	n/a	10'
Side or rear setback	n/a	n/a	n/a	0'
Side or rear setback, abutting property not included in application	n/a	n/a	n/a	[Equal to required setback for a detached house building type in the abutting zone under standard method and Section 4.1.8.A] <u>10'</u> <u>If the abutting</u> <u>property is a</u> <u>residential detached</u> <u>zone, the applicant</u> <u>must install the</u> <u>screening required</u> <u>under Section</u> <u>6.5.3.C.6 options A</u> <u>or B.</u>

Specifications for Parking Setbacks for Surface Parking Lots

a. The Planning Board may reduce the front setback or side street setback for surface parking lots if:

- the associated development is providing a minimum 30% MPDUs;
- the Board finds the reduced setback is necessary for development due to a unique site constraint; and
- the Applicant provides either the perimeter planting under Section 6.2.9.C.3., regardless of the underlying zone, or some other combination of landscaping and vegetated stormwater management facilities to meet the section's intent.

4. Height

Height (max)				
Principal building	40'	40'	40'	35'
Accessory structure	25'	25'	25'	25'

Specification for Height

a. In a development with the apartment building type, building heights may be increased up to a maximum height of 45' if the application is providing a minimum of 30% MPDUs and the structure is built with a pitched roof.

10 * * *

Sec. 2. DIVISION 59-6.3 is amended as follows:

Division 6.3.5. Common Open Space

13 * * *

B. Design Requirements

15 **1. Standard Method Development**

16 [1]a. Common open space must be located in a central position or
17 central positions in the neighborhood bordered by streets or
18 building lots. It may be public or private. Common open space
19 may also be placed in a location taking advantage of an
20 important adjacent natural feature or open space.

21 [2]b. The minimum width for any required common open space is 50
22 feet unless the deciding body grants an exception for items such
23 as a trail easement, a mid-block crossing, or a linear park, by
24 finding that its purpose meets the intent of Division 6.3.

25 [3]c. A minimum of 50% of the required common open space must
26 be in one contiguous area or only separated by a residential
27 street. Any other areas must be a minimum of 2,000 square feet
28 each and connected by sidewalks, paths, or trails.

29 **2. Optional Method Development**

30 Common open space must:

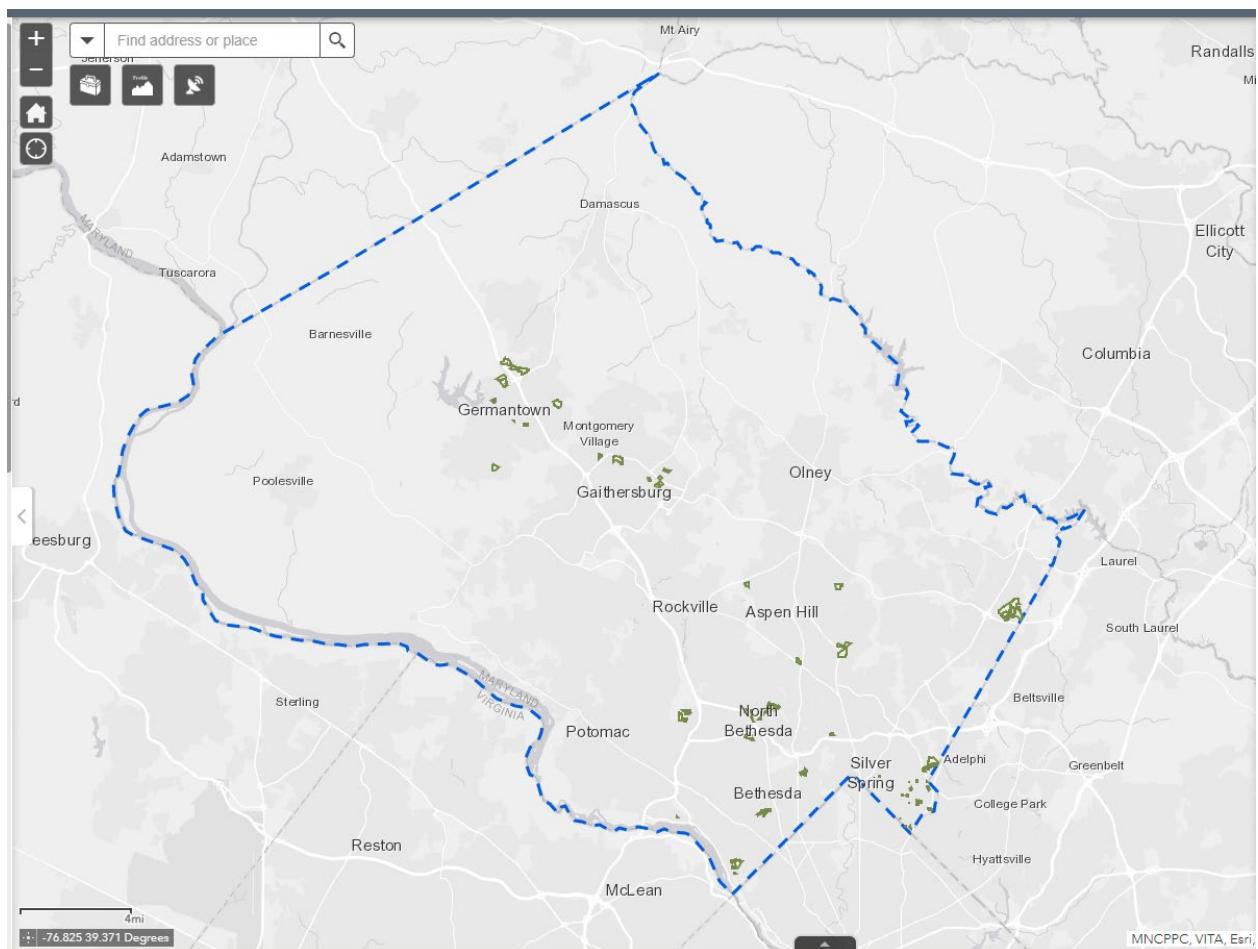
31 a. abut a public sidewalk or other public pedestrian route that
32 provides easy access to all planned dwellings;

33 b. include space for pedestrian circulation, landscaping, seating,
34 shade, or recreation; and

35 c. be in a contiguous space or spaces that abut other open space,
36 adjacent or on-site natural features, or sidewalks or pedestrian
37 routes, and are not so fragmented and disconnected by
38 structures, parking, or stormwater management that they do not
39 satisfy Section 6.3.1.

40 * * *

41 **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the
42 date of Council adoption.



Montgomery County – R-30 Zones