

Request to File a Sectional Map Amendment (SMA H-139), Germantown Plan for the Town Sector Zone

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Completed: 03/4/2021

Staff Recommendation

Approval to submit a sectional map amendment (SMA), to amend the official Montgomery County Zoning Map in order to implement recommendations contained in the 2020 *Germantown Plan for the Town Sector Zone*.

Summary

Staff requests approval to file an SMA with the Montgomery County District Council in order to amend the official zoning map, as recommended in the approved and adopted 2020 *Germantown Plan for the Town Sector Zone*.

Background

The purpose of the *Germantown Plan for the Town Sector Zone* is to replace the existing Town Sector (TS) zoning with current zoning classifications for the Churchill Village community of Germantown. The master plan recommends appropriate zoning categories and policies to protect the community's open space and recreation areas, while maintaining the overall residential character of Churchill Village. Additionally, rezoning minimal areas of non-Town Sector zones (along the plan's boundary) is recommended to correct zoning inconsistencies caused mostly by right-of-way alignments and the creation of Little Seneca Lake.

The project was initiated in April 2018 followed by community engagement, analysis and by the approval of the Scope of Work in November 2018. The following recent milestone dates are noted below:

- On July 17, 2019, the Planning Board held a public hearing on the public hearing draft.
- On February 4, 2020, the County Council held a public hearing on the planning board draft.
- On February 25, 2020 the Planning, Housing, and Economic Development Committee (PHED) of the County Council held a work session to review the planning board draft.
- On July 21, 2020, the County Council adopted Resolution No. 19-543, which approved the plan with amendments.

- On July 30, 2020 the Planning Board adopted Resolution of Adoption No. 20-081, which adopted the plan as amended by the county council.
- On September 19, 2020, the Maryland-National Capital Park and Planning Commission (M-NCPPC) approved and adopted the Germantown Plan for the Town Sector Zone by Resolution No. 20-019.

Recommended Sectional Map Amendment

The SMA will implement the goals and recommendations contained in the 2020 *Germantown Plan for the Town Sector Zone*. The recommendations will achieve the plan's stated goals to 1) maintain the residential core, 2) protect open spaces and recreation areas, and 3) support neighborhood-serving commercial uses.

The SMA proposes zone changes for 1,272 acres of land in Churchill Village, Germantown (see attached maps). There are no pending local map amendment applications in the plan area. The SMA also includes the mapping of the Germantown-Churchill Village Overlay Zone, which is shown on the attached maps. Under a separate application and action by the Planning Board, a zoning text amendment application will be made in order to create the overly zone. The overlay zone will address irregularities with respect to development standards and land uses resulting from the SMA (rezoning).

SMA Process

An SMA rezones or confirms the zoning of an area of the county as recently adopted and approved by a master plan. Section 59.7.2.3 (Sectional and District Map Amendment) of the Montgomery County Zoning Ordinance provides that the Planning Board may apply for a sectional map amendment to the District Council. First, the planning director must publish a report and recommendation at least 10 days before a Planning Board public meeting on the rezoning application. Then, the Planning Board's recommendation on the application must be submitted to the District Council. After which, the District Council conducts a public hearing and may approve with or with or without modification, deny, or remand the application to the Planning Board for additional analysis. If approved, the District Council must issue a resolution and opinion reflecting its decision within 60 days after the close of record, unless the time is extended by the District Council. The decision of the District Council is final.

Conclusion

Staff recommends that the Planning Board approve the submittal of an SMA, to implement the zoning recommendations contained in the 2020 *Germantown Plan for the Town Sector Zone*.

Attachments: Proposed zoning map reclassifications with index maps.