



Silver Spring Downtown Design Advisory Panel

Draft Rules of Procedure

Revised February 2, 2023

Purpose

The Design Advisory Panel (DAP) is established by the Downtown Silver Spring Overlay Zone (Overlay Zone) in Section 59.4.9.8. The primary goal of the DAP is to provide advice and recommendations that will improve the quality of architecture, urban design and landscape architecture and increase design excellence overall in downtown Silver Spring. The DAP will be guided by the Silver Spring Downtown and Adjacent Communities (SSDAC) Sector Plan and the related Design Guidelines. To remain competitive within the greater Washington, DC region and to create an attractive urban environment and public realm, it is essential to design great places that will serve people of all ages, abilities, incomes, and backgrounds. The DAP will help to achieve this by ensuring that future Optional Method development projects in downtown Silver Spring meet the Plan goal of Design Excellence.

Relationship to CR Zones

The Commercial – Residential Zones (CR Zones) were created and adopted with an emphasis on creating great mixed-use, walkable places. Optional Method of Development proposals under the CR Zones are required to provide Public Benefits, which in Silver Spring include Design Excellence.

Relationship to the Downtown Silver Spring Overlay Zone

The Overlay Zone requires all Optional Method applications to earn the maximum 10 points for the Design Excellence Public Benefit. The DAP will advise Planning staff and the Planning Board on this determination.

Design Advisory Panel Composition

Per the Overlay Zone, the DAP will have five members and be “composed of independent professionals with relevant design experience and expertise, representing the diversity of the community, including at least one resident of Silver Spring.” The DAP will also include a representative from the Director’s office as an ex-officio member, and another Planning Department staff member as a liaison to the panel.

Staff will solicit nominations for DAP members from professional, academic, and community associations, including but not limited to those listed below, as well as the general public:

- American Institute of Architects
- American Society of Landscape Architects
- Regional colleges and universities
- Neighborhood associations
- National Association of Industrial and Office Parks
- Silver Spring Chamber of Commerce and Citizens Advisory Board.

Collectively, the DAP should have the following expertise:

- A registered/experienced architect from the greater Montgomery County community
- A registered/experienced landscape architect from the greater Montgomery County Community
- An architect/urban designer representing academia
- A Silver Spring community member who has a personal or professional interest in urban design, architecture, and/or landscape architecture
- A member of the development community. This person may be a developer, real estate professional or involved in real estate investment.

Overall, the DAP must reflect the diversity of the community. Members of the DAP will act in a professional manner, provide comments to applicants, Planning Department staff and the Planning Board, and be mindful of any conflicts of interest from associations with development teams, property owners or associations. If conflicts of interest arise, the specific panel members will recuse themselves from the discussion and recommendations. For reviews of Site Plan application projects that require an official vote on the number of Design Excellence Public Benefit points, if the quorum of voting members results in a split vote, the Director's Office representative may cast the deciding vote.

DAP members must be approved by the Planning Board and will serve three-year staggered terms. At initial appointment, two members will serve for two years, two members will serve for three years, and one member will serve for four years. The terms of membership will be staggered from this point onward.

Upon official acceptance of an appointment, each voting member may serve two consecutive three-year terms. After serving two terms, DAP members must take a one-year absence at a minimum from service before being considered for an additional term. Prior to completion of their first term, DAP members interested in remaining on the panel must submit a letter requesting to renew their term to the Planning Board for approval. If a DAP member's term is ended early, a new member may be approved by the Planning Board to serve the remainder of the term. If approved, the new panel member may renew for two additional terms.

Role of the Design Advisory Panel in the Regulatory Process

The DAP will review all Optional Method of Development projects in the Downtown Silver Spring Overlay Zone. Although the optional method typically begins with Sketch Plan submission, applicants are strongly encouraged to go through the Concept Plan process and meet with the DAP at the Concept Plan stage. If the applicant does not wish to file a Concept Plan, they must meet with the DAP to review their project early in the Sketch Plan process.

The DAP will be guided by the Downtown Silver Spring Sector Plan, Design Guidelines, and Overlay Zone, as well as the CR Zone criteria for granting density incentives for exceptional design.

The DAP will meet generally once a month in person and/or virtually. This is a significant time commitment and panel members will need to respond within the timelines set forth by our zoning ordinance and development application schedules. The DAP will receive all the review drawings and/or access to the drawings one week in advance of the review meeting.

The assigned staff liaison will prepare written comments reflective of the DAP meeting discussion and will circulate them to the panel members for review. These comments will become part of the staff recommendation for the development application to the Planning Board. At Sketch Plan, these will include the panel's "straw vote" on whether the project is on track to achieve the 10 required Public Benefit points for Design Excellence. At Site Plan, they will include the number of points recommended by the Panel.

Design Advisory Panel Meetings

DAP meetings are primarily for panel members to consider and comment on proposed developments. Meetings should be collaborative, and input from developers, their consultants, staff, and members of the public is encouraged.

The staff liaison or designee will coordinate each meeting agenda with Downcounty administrative staff. Staff will post the agenda, application materials, and staff memo online in advance of each meeting. If no projects have been submitted for a particular meeting, staff may cancel that meeting. Generally, applicants present projects to the DAP at Sketch Plan and Site Plan, but prospective projects not subject to a development application may also be presented for comment.

The staff liaison will facilitate the DAP meetings. The liaison will open the meeting by reviewing the agenda. For each project to be discussed, the agenda will generally allot a maximum of one hour. Administrative or other matters may require less time.

The applicant (or a representative member of the team) will present the proposed project to the DAP, and the panel members and/or staff liaison will facilitate the discussion. At the close of the meeting the staff liaison will orally summarize the main comments and any issues that remain to be addressed and assess if the Panel is prepared to take the necessary vote appropriate to the Sketch Plan or Site Plan or wants to see the project again. At the Sketch Plan review stage, the Panel will be voting to recommend that the project is on track to achieve the required 10 Design Excellence Public Benefit

points. At the Site Plan review stage, the Panel will be voting to recommend that the design has achieved the required 10 points.

The liaison is responsible for meeting notes. The meeting notes and meeting recording will be posted on the website.

All DAP meetings are open to the public. Members of the public who wish to participate in a DAP meeting should notify the DAP's staff liaison before the meeting. Those who have not notified the staff liaison in advance may sign up to participate the day of the meeting. Citizens will be invited to participate in the order in which they sign up. In certain cases, there may not be sufficient time for all interested citizens to participate. Members of the public who wish to ensure their comments are considered by the DAP should submit them in writing to the DAP's staff liaison no later than twenty-four hours before the DAP meeting. Any written comments submitted to the DAP will also be sent to the Planning Board before the Board meets to consider the proposed development.

Although DAP meetings are intended to be informal, it may be necessary in certain cases, such as meetings with many interested citizens, for the DAP to impose equitable time limits on public comments or other reasonable rules of order. When possible, the staff liaison will announce time limits at the start of the DAP meeting.

Reconsideration Requests

The DAP will only entertain requests from the Planning Board to reconsider votes on Public Benefit Points.

Modification of the Rules of Procedure

As necessary, the DAP may modify these Rules of Procedure by a majority vote of Panel members. At their discretion, the staff liaison may present proposed changes to the Planning Board for their review and approval.