

A. UNIVERSITY BOULEVARD CORRIDOR PLAN WORK SESSION #8

B. UNIVERSITY BOULEVARD OVERLAY ZONE



Description

During the eighth work session, staff will present the revisions to the Public Hearing Draft discussed during the previous seven work sessions and provide a briefing on the Zoning Text Amendment for the University Boulevard Overlay Zone. At the conclusion of the work session, staff will request approval to publish and transmit the revised draft as the Planning Board Draft to the County Council and the County Executive. Staff will also request that the Planning Board transmit the draft Overlay Zone for introduction.

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SUMMARY

- The Planning Board received public testimony on the University Boulevard Public Hearing Draft during the public hearing on February 27, 2025, and received written testimony through March 13, 2025. The first seven work sessions were held on March 20, April 3, April 24, May 1, May 15, May 22, and May 29, 2025, and included discussions on the public testimony received, land use, zoning, urban design, transportation, housing, community facilities, schools, historic resources, environmental sustainability, and parks, trails, and open space.
- During the eighth work session, staff will present the revisions to the Public Hearing Draft discussed during the previous work sessions and request approval to publish and transmit the revised draft as the Planning Board Draft to the County Council and the County Executive.
- The eighth work session will also include a briefing on the Zoning Text Amendment (ZTA) for the University Boulevard (UB) Overlay Zone. The proposed ZTA will help implement the zoning and land use recommendations of the University Boulevard Corridor Plan.
- The recommendations addressed by the UB Overlay Zone include modified development standards in the CRN zone on sites under 15,000 square feet, allowing CRN properties to be improved with non-residential uses allowed by the R-60 Zone, and limitations on auto-centric uses.

MASTER PLAN INFORMATION

Draft

University Boulevard Corridor Plan
Public Hearing Draft Work Session #8

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Date

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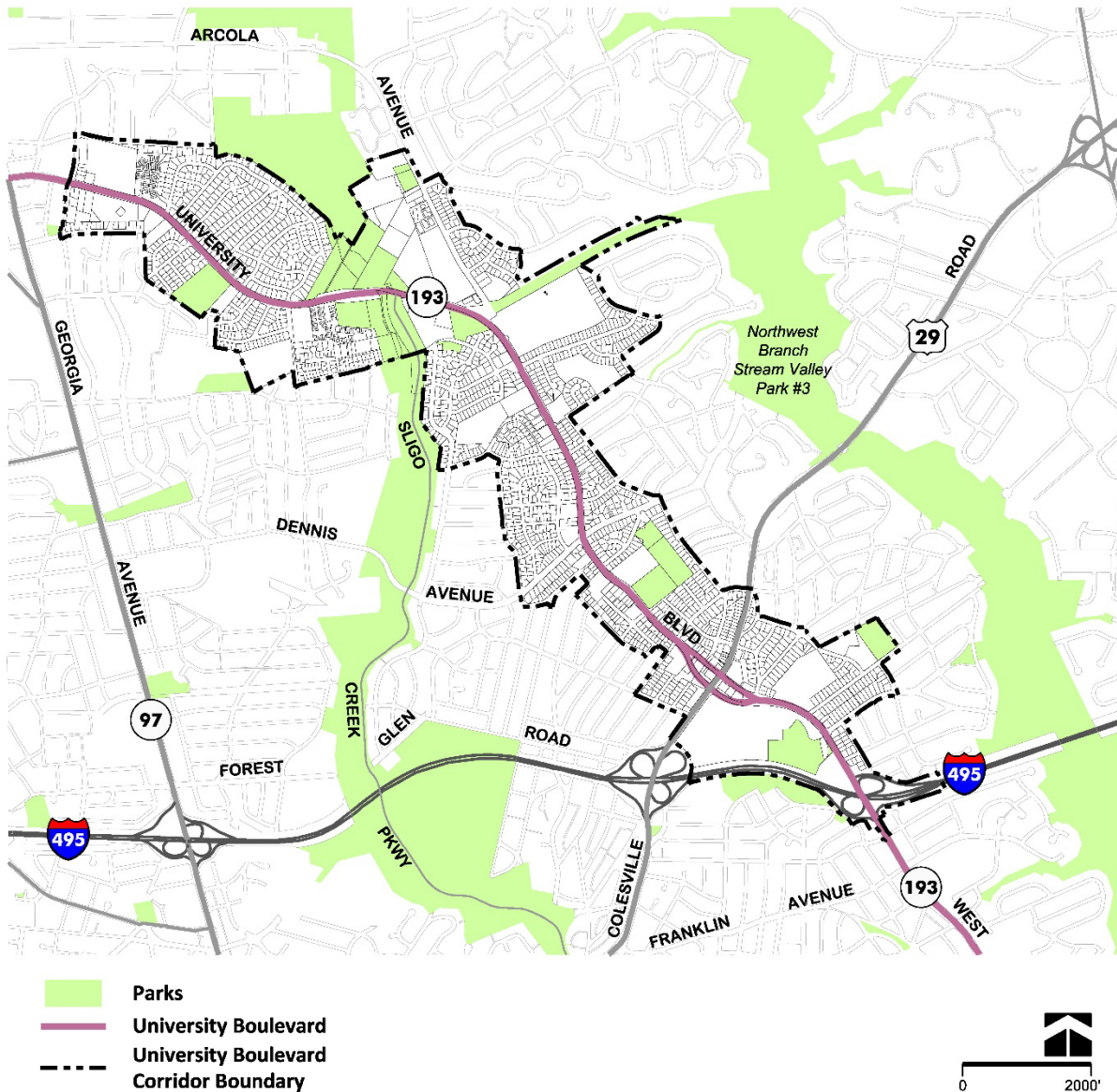
Midcounty Planning

Planning Board Information

MCPB

Item No. 8

June 12, 2025



WORK SESSION #8 – BACKGROUND AND OVERVIEW

The Planning Board Public Hearing for the University Boulevard Corridor Plan (Draft Plan) was held on February 27, 2025, and the public record remained open for written testimony through March 13, 2025. The first seven work sessions included the following:

- The first work session was held on March 20, 2025, during which the Planning Board discussed the public testimony received as well as the organization and schedule of the remaining work sessions.
- The second work session was held on April 3, 2025, and focused on the land use, zoning, and urban design recommendations for properties with existing commercial uses, residential buildings, and properties near planned Bus Rapid Transit stations at Amherst Avenue, Inwood Avenue, Arcola Avenue, Dennis Avenue, and Four Corners. The work session also included a discussion on the zoning recommendations for the Kemp Mill Shopping Center.
- The third work session, held on April 24, 2025, continued discussions on the Kemp Mill Shopping Center, and focused on the transportation recommendations for the Draft Plan.
- The fourth work session, held on May 1, 2025, focused on the land use, zoning, and urban design recommendations for the residential blocks between planned Bus Rapid Transit stations and the recommended overlay zone.
- The fifth work session, held on May 15, 2025, focused on the housing, community facilities, and schools recommendations in the Draft Plan.
- The sixth work session, held on May 22, 2025, focused on the historic resources, environmental sustainability, and parks, trails, and open space recommendations in the Draft Plan. The work session also revisited transportation recommendations discussed during the third work session.
- The seventh work session, held on May 29, 2025, revisited the Commercial Residential Neighborhood (CRN) zoning recommendations in the Public Hearing Draft of the University Boulevard Corridor Plan, the Draft University Boulevard Overlay Zone, and the zoning recommendations for the Four Corners area.

The staff reports, attachments, and videos of the first seven work sessions are available on the Montgomery County Planning Board website at www.montgomeryplanningboard.org/agendas.

During the eighth work session, staff will present the revisions to the Public Hearing Draft discussed during the previous work sessions and request approval to publish and transmit the revised draft as the Planning Board Draft to the County Council and the County Executive. The eighth work session will also include a briefing on the Zoning Text Amendment for the University Boulevard Overlay Zone. Following the briefing, staff will request that the Planning Board transmit the draft Overlay Zone for introduction.

Additionally, during the fifth work session, the Planning Board expressed concerns about the term “naturally occurring affordable housing” (NOAH), highlighting that it implies affordability is a passive

or inevitable condition. Instead, the term “market-rate affordable housing” (MRAH) emphasizes affordability as a measurable aspect of housing—independent of subsidies—while avoiding the implication that it arises unintentionally or without planning.

Planning Staff concurs and recommends using “market-rate affordable housing” (MRAH) as a framework to enhance discussions around housing policy, replacing the use of NOAH in the University Boulevard Corridor Plan. While *Thrive Montgomery 2050* defines NOAH as “*Market-rate residential units that are affordable to low- and middle-income households without public subsidies. It generally refers to rental housing but can include ownership properties as well*” it does not provide specific federal affordability thresholds or area median income (AMI) benchmarks.

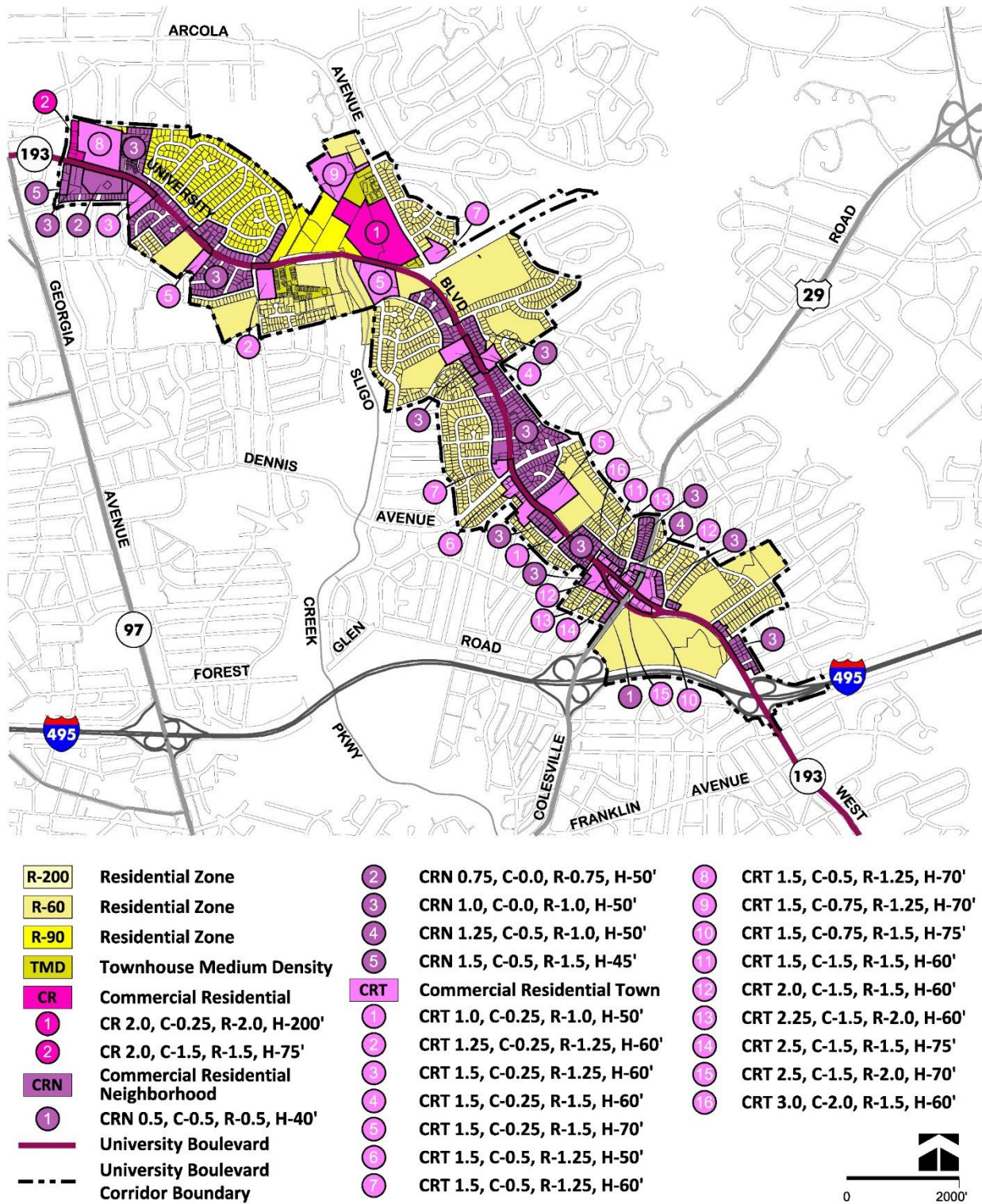
For the purposes of this Plan, MRAH is defined as *residential units that are affordable to low- and middle-income households while meeting federal affordability standards without relying on public subsidies*.

This terminology promotes a more structured, data-driven approach to addressing housing affordability for low- and moderate-income households. It highlights the importance of acknowledging how past policies and plans have contributed to current affordability challenges. Additionally, it underscores the critical role of future policies and strategies in mitigating these issues.

ZONING TEXT AMENDMENT – BACKGROUND

This Zoning Text Amendment (ZTA) for the University Boulevard Corridor Plan (UB) Overlay Zone is being introduced as part of the implementation of the University Boulevard Corridor Plan. The UB Overlay Zone is envisioned as a new overlay zone that would apply to properties recommended for the Commercial Residential Zones in the University Boulevard Corridor Plan. While the Commercial Residential Zones allow a variety of residential building types, the overlay zone is needed to adjust permitted land uses and development standards to ensure that new growth transitions from the corridor to the existing neighborhoods.

Figure 1: Properties Recommended for Commercial Residential Zones where UB Overlay Zone Applies



UB OVERLAY ZONE

The following sections of this report describe each of the sections in the proposed ZTA for the UB Overlay Zone.

PURPOSE

The first section of the UB Overlay Zone is the purpose section, beginning on line 5 of the ZTA. The purpose section intends to provide a brief overview of why the overlay zone is created, mirroring themes from the University Boulevard Corridor Plan. The purpose, amended based on feedback from the Planning Board during the May 29 work session reads as follows:

The purpose of the UB Overlay Zone is to increase the diversity and supply of housing in a compact, transit-oriented form of growth that supports Bus Rapid Transit on University Boulevard and Colesville Road, creates complete communities, and improves safety for all travelers

LAND USES

The land uses section of the overlay zone, starting on line 11 of the ZTA, is divided into two sections. The first applies only to properties that will be zoned CRN and includes provisions allowing Accessory Dwelling Units on properties improved with single-unit living, and allowing properties to develop with non-residential uses as allowed in the R-60 zone. The intent of these two provisions is to ensure that any uses allowed in the current R-60 zone are not taken away with the rezoning to CRN. Examples of non-residential uses allowed in the R-60 zone as a limited or conditional use include various home-based occupations, daycare centers, and small professional services offices.

The second section within land uses is a list of uses prohibited within the entire UB Overlay Zone, regardless of the underlying zone. The prohibition applies to new applications; any existing instances of these prohibited uses will remain protected by Section 7.7.2. Nonconforming Uses. Uses recommended for prohibition in the UB Overlay Zone include:

Table 1: Land Uses Prohibited in the UB Overlay Zone

Vehicle / Equipment Sales and Rental
<ul style="list-style-type: none"> • Light Vehicle Sales and Rental (Indoor) • Light Vehicle Sales and Rental (Outdoor)
Vehicle Service
<ul style="list-style-type: none"> • Car Wash • Filling Station • Repair (Major) • Repair (Minor)
Accessory Commercial Uses
<ul style="list-style-type: none"> • Drive-Thru
Manufacturing and Production
<ul style="list-style-type: none"> • Medical / Scientific Manufacturing and Production
Warehouse
<ul style="list-style-type: none"> • Self-Storage • Storage Facility

The uses listed in Table 1 are primarily auto-oriented uses or uses that do not support the vision of the Draft University Boulevard Corridor Plan, which *“envision[s] University Boulevard as a pedestrian-oriented, multimodal corridor that supports safe, accessible, and healthy travel options and connects vibrant communities with a diverse range of housing options, supported by Bus Rapid Transit (BRT).”*

During the May 29 work session, the Planning Board directed staff to reevaluate the prohibited uses, specifically related to the vehicle service, accessory commercial uses, and manufacturing and production use groups. Based on this guidance, staff revisited the uses, including their definitions and associated development standards, and revised the list accordingly.

While staff continues to recommend prohibiting the auto-oriented uses listed in Table 1, staff recommends that the UB Overlay Zone permit Artisan Manufacturing and Production, as well and Light Manufacturing and Production as a limited use, consistent with the underlying zones. Definitions of these uses, as well as the limited use standard outlined in Section 3.6.4 of the Zoning Ordinance are included below for reference:

- Artisan Manufacturing and Production is “a structure used for the manufacture and production of commercial goods by a manual worker or craftsperson, such as jewelry, metalwork, cabinetry, stained glass, textiles, ceramics, or hand-made food products. Artisan Manufacturing and Production does not include any activity that causes noise, odor, or vibration to be detectable on a neighboring property.”
- Light Manufacturing and Production is: “a building used for the manufacturing of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products and parts, and incidental storage, sales, and distribution, where all manufacturing processes and noise, odor from processes other than food or beverage

production, smoke, heat, glare and vibration resulting from the manufacturing processes are contained entirely within a building.”

- In the CRN, CRT, and CR zones, the only light manufacturing uses allowed are 1) brewing alcoholic beverages up to 22,500 barrels a year; and 2) distilling alcoholic beverages up to 50,000 gallons per year.

These uses, with their applicable use standards, can contribute to furthering the vibrancy of the communities within the University Boulevard Corridor Plan area.

DEVELOPMENT STANDARDS

The Development Standards section of the UB Overlay Zone, starting on line 34, has three sections specific to development on CRN zoned sites. One for sites less than 15,000 square feet in size, one for sites 15,000 square feet or larger in size, and one that applies to all sites.

For sites that are less than 15,000 square feet in size, the overlay zone requires developments to follow the development standards for a duplex building type, regardless of which building type is proposed. Additional requirements include limiting lot coverage to 35 percent, requiring at least one entrance of any building face a street, waiving open space requirements, and requiring parking to be screened pursuant to the design requirements of 6.2.9.B. conditional uses in a residential zone. The intent of these standards is to provide clarity to both developers and existing residents on what type and form of development can be expected on smaller infill sites. The combination of duplex standards and 35 percent site lot coverage provides adequate room for development projects at an FAR of around 1.0, while also ensuring setbacks between buildings and space to provide parking and stormwater.

Development sites 15,000 square feet or larger may follow the underlying zoning standards of the CRN zone for the applicable building type, however, the build-to-area would be standardized to a maximum of 10 feet. These larger sites have more opportunity to be creatively designed with higher intensity development and provide better opportunities for transitioning the UB corridor into a more dense, walkable community. To achieve the vision of the Draft Plan, however, the build-to-area needed to be reduced, ensuring that buildings are pulled closer to the street, creating a continuous street edge.

Finally, all sites in the CRN zone, regardless of size, should locate parking behind the front building line. This helps meet the design goals of the University Boulevard Corridor Plan and makes for a better pedestrian experience along the sidewalks and side paths.

CONCLUSION

This overlay zone is a major component in implementing the recommendations of the University Boulevard Corridor Plan. Passage of this overlay zone is necessary to align with the passage of the University Boulevard Corridor Plan and before the Sectional Map Amendment to avoid a development review process that is not aligned with the vision of the master plan.

Staff Recommendation: A. Discuss, review, and approve the Planning Board Draft for transmittal to the County Council and County Executive.

Staff Recommendation: B. Transmit the Draft Overlay Zone for Introduction.

NEXT STEPS

Staff will prepare the Planning Board Draft Plan, including technical corrections and non-substantive edits for clarity, consistency, and readability. Figures, maps, and tables will be updated and added, as applicable, to correspond to the revisions discussed during the Planning Board's work sessions on the Public Hearing Draft.

ATTACHMENTS

Attachment A: Revisions to the University Boulevard Corridor Plan Public Hearing Draft

Attachment B: Figures that will be removed, replaced, or added to the Planning Board Draft

Attachment C: Zoning Text Amendment 25-## UB Overlay Zone