



Attachment A

Committee: PHP

Committee Review: At a future date

Staff: Livhu Ndou, Senior Legislative Attorney

Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #3E

September 9, 2025

Introduction

SUBJECT

Zoning Text Amendment (ZTA) 25-12, Overlay Zones – University Boulevard (UB) Overlay Zone

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- To introduce agenda item – no vote expected

DESCRIPTION/ISSUE

ZTA 25-12 will create a new University Boulevard (UB) Overlay Zone that implements the recommendations found in the University Boulevard Corridor Plan (UBCP).

SUMMARY OF KEY DISCUSSION POINTS

- The Planning Board transmitted the University Boulevard Corridor Plan (UBCP) on June 27, 2025. The plan covers 3.5 miles of University Boulevard East and West (MD 193) between the Capital Beltway (I-495) and Amherst Avenue. The plan recommends a new range of residential housing options for existing detached residential properties and new infill development on larger institutional and commercial properties. The Planning Board draft of the plan can be found here: <https://montgomeryplanning.org/wp-content/uploads/2025/07/Planning-Board-Draft-Final-7-23-Comm.pdf>.
- To implement the zoning changes recommended by a master plan, a zoning text amendment (ZTA) is needed. ZTA 25-12, as recommended by the Planning Board, provides development standards for sites less than 15,000 square feet and for sites 15,000 square feet or larger that consider building placement, site coverage, and open space. The ZTA also allows accessory dwelling units (ADUs), allows R-60 development standards on CRN sites with no commercial FAR, and prohibits certain auto-centric land uses. Lastly, the ZTA updates cross-references to reflect a renumbering of subsequent sections.
- ZTAs associated with master plans follow the regular ZTA process. This includes introduction, public hearing, Committee worksession, and Council action; separate from review of the master plan. Any changes made to the master plan during the Council's review that impact the ZTA will be made at a later ZTA worksession.
- A public hearing on ZTA 25-12 is tentatively scheduled for October 14, 2025. The public hearing will be limited to the contents of the ZTA. Public hearings on the plan itself will be held on September 10th and September 16th.

This report contains:

ZTA 25-12

© 1

Planning Board Recommendation

© 10

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Ordinance No.: _____
Zoning Text Amendment No.: 25-12
Concerning: Overlay Zones –
University Boulevard
(UB) Overlay Zone
Revised: 8/5/2025 Draft No.: 1
Introduced: September 9, 2025
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 Sponsor: Council President at the Request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- (1) establish the University Boulevard (UB) Overlay Zone; and
- (2) generally amend the provisions for overlay zones.

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

Division 2.1.	“Zones Established”
Section 2.1.3.	“Establishment of Zones”
Division 4.9.	“Overlay Zones”
Section 4.9.20.	“Upper Paint Branch (UPB) Overlay Zone”
Section 4.9.21.	“Upper Rock Creek (URC) Overlay Zone”
Section 4.9.22.	“White Flint 2-Parklawn (WF-P) Overlay Zone”

And adding the following Section:

Division 4.9.	“Overlay Zones”
Section 4.9.20.	“University Boulevard (UB) Overlay Zone”

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:

Sec. 1. DIVISION 59-2.1 is amended as follows:

Division 2.1. Zones Established

* * *

Section 2.1.3. Establishment of Zones

* * *

G. Overlay Zones

1. There are 21 Overlay zone classifications:

- a. Bethesda (B)[,];
- b. Burtonsville Employment Area (BEA)[,];
- c. Chevy Chase Neighborhood Retail (CCNR)[,];
- d. Clarksburg East Environmental (CEE)[,];
- e. Clarksburg West Environmental (CWE)[,];
- f. [Community-serving Retail (CSR),] Downtown Silver Spring (DSS);
- g. Fenton Village (FV)[,];
- h. Garrett Park (GP)[,];
- i. Germantown-Churchill Village (GCV);
- j. Germantown Transit Mixed Use (GTMU)[,];
- k. Great Seneca Life Sciences (GSLs);
- [k]. Montgomery Village (MV)[,];
- [l]. Regional Shopping Center (RSC)[,];
- [m. Ripley/South Silver Spring (RSS),]
- n. Rural Village Center (RVC)[,];
- o. Sandy Spring/Ashton Rural Village (SSA)[,];
- p. Takoma Park/East Silver Spring Commercial Revitalization (TPESS)[,];
- q. Transferable Development Rights (TDR)[,];

- r. Twinbrook (TB)[,];
- s. University Boulevard (UB);
- [s]t. Upper Paint Branch (UPB),
- [t]u. Upper Rock Creek (URC), and
- [u]v. White Flint 2-Parklawn (WF-P).

- 2. Building types, uses, density, height, and other standards and requirements may be modified by the Overlay zones under Section 4.9.2 through Section [4.9.21] 4.9.23.

* * *

Sec. 2. DIVISION 59-4.9 is amended as follows:

Division 4.9. Overlay Zones

* * *

Section 4.9.20 University Boulevard (UB) Overlay Zone

A. Purpose

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.

B. Land Uses

- 1. The following modifications apply to properties located in the CRN Zone:
 - a. Accessory dwelling units are permitted on properties improved with Single-Unit Living.
 - b. On properties with no mapped commercial FAR, non-residential uses are allowed if they satisfy the permitted, limited, or conditional use standards for the R-60 zone under Section 3.1.6.

2. The following uses are not allowed except as protected by Section 7.7.2, Nonconforming Use:

- a. Light Vehicle Sales and Rental (Indoor);
- b. Light Vehicle Sales and Rental (Outdoor);
- c. Car Wash;
- d. Filling Station;
- e. Repair (Major);
- f. Repair (Minor);
- g. Drive-Thru;
- h. Medical / Scientific Manufacturing and Production;
- i. Self-Storage; and
- j. Storage Facility.

C. Development Standards in the CRN Zone

1. Except as modified below, any development in the CRN zone on a net site less than 15,000 square feet must use the development standards for the duplex building type regardless of the proposed building type.

- a. Lot coverage is limited to 35%.
- b. A minimum of one entrance per building is required to front a street or an open space.
- c. Minimum open space requirements do not apply.
- d. Screening of any exterior surface parking must meet the requirements under Section 6.2.9.B.

2. Any development on a net site 15,000 square feet or larger shall follow the development standards for the applicable building type; except the maximum build-to-area setback for any building edge on University Boulevard is 10 feet unless modified by the Planning Board at site plan.

3. All on-site parking must be located behind the front building line.

* * *

Section [4.9.20.] 4.9.21. Upper Paint Branch (UPB) Overlay Zone

* * *

B. Exemptions

The following are exempt from Section [4.9.20] 4.9.21:

* * *

C. Land Uses

1. Except as listed in Section [4.9.20.C.2] 4.9.21.C.2 and Section [4.9.20.C.3] 4.9.21.C.3, the land uses of the underlying zone apply. The use standards of the underlying zone apply unless the development standards in Section [4.9.20.D] 4.9.21.D are more restrictive, in which case Section [4.9.20.D] 4.9.21.D must be followed.

* * *

3. If validly existing on July 1, 1997, the uses in Section [4.9.20.C.2] 4.9.21.C.2 may be continued under the requirements in effect at the time the use was established. Any expansion requires compliance with the UPB Overlay zone.

* * *

E. Waiver

The applicable review body may grant a waiver of the development standards in Section [4.9.20.D] 4.9.21.D if it finds that:

* * *

4. Alternative water quality and control techniques are used to meet the purposes of Section [4.9.20] 4.9.21.

* * *

Section [4.9.21.] 4.9.22. Upper Rock Creek (URC) Overlay Zone

* * *

B. Exemptions

1. The following are exempt from Section [4.9.21] 4.9.22:

* * *

D. Waiver

The applicable review body may grant a waiver of the development standards in Section [4.9.21.C] 4.9.22.C if it finds that:

* * *

4. Alternative water quality and quantity control techniques are used to meet the purposes of Section [4.9.21] 4.9.22.

* * *

Section [4.9.22.] 4.9.23. White Flint 2-Parklawn (WF-P) Overlay Zone

* * *

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

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council

June 27, 2025

To: The Honorable Kate Stewart
President, Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 501
Rockville, Maryland 20850

From: Montgomery County Planning Board

Subject: Proposed Zoning Text Amendment – University Boulevard (UB) Overlay Zone

BOARD RECOMMENDATION

The Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission met on June 12, 2025, and by a vote of 4:0 (Commissioner Hendrick absent) recommended transmitting a new draft Zoning Text Amendment (ZTA) to the County Council for introduction. This ZTA would create a new University Boulevard (UB) Overlay Zone, implementing recommendations found in the University Boulevard Corridor Plan (UBCP), which is also being transmitted from the Board to the District Council. The overlay zone includes three main sections which include Purpose, Land Uses, and Development Standards. Land use and zoning recommendations from the UBCP are reflected across these three sections.

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. This purpose section closely aligns with the overall vision of the UBCP and is the foundation for the rest of the overlay zone.

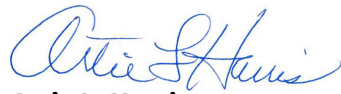
Recommendations in the land use section include both permitted and prohibited uses. The overlay zone contains provisions intended to allow sites that are used for Single-Unit Living to have similar land use provisions under the recommended CRN zone that they have in the current R-60 and R-90 zones. Specifically, on CRN properties recommended to include a commercial FAR of 0, any non-residential uses allowed in the R-60 and R-90 zones would follow the procedures and standards of the R-60 zone under the proposed overlay zone. The overlay zone also permits Accessory Dwelling Units and contains a prohibition on certain new auto-centric land uses, while recognizing the rights associated with uses under Section 7.7.2. Nonconforming Uses.

The Development Standards section of the UB Overlay Zone has standards for both small sites under 15,000 square feet and large sites over 15,000 square feet. Small sites must follow the Duplex building type standards in the CRN zone, provide at least one entrance facing the street, do not need to provide open space, and must screen parking facilities. Larger sites will follow the standards of the CRN zone, except that build-to-area setbacks are reduced to 10 feet, and parking must be located behind the front building line.

The Planning Board appreciates the Council's consideration in introducing this draft ZTA for the University Boulevard Overlay Zone, implementing recommendations of the University Boulevard Corridor Plan. Planning Staff are available to assist with any questions or concerns as this ZTA is considered for adoption.

CERTIFICATION

This is to certify that the attached report is a true and correct copy of the technical staff report and the foregoing is the recommendation adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission, at its regular meeting held in Wheaton, Maryland, on Thursday, June 12, 2025.



Artie L. Harris
Chair

Attachment: A – Draft ZTA for UB Overlay Zone

cc: County.Council@montgomerycountymd.gov
Councilmember Will Jawando, Council Vice President
Cecily Thorne, Council President Stewart's Chief of Staff
Pamela Dunn, Senior Legislative Analyst
Sara Tenenbaum, Clerk of the Council
Jason K. Sartori, Planning Director
Carrie Sanders, Midcounty Division Chief
Zubin Adrianvala, Planner III

ATTACHMENT A

Ordinance No.: _____
Zoning Text Amendment No.: 25-xx
Concerning: University Boulevard
(UB) Overlay Zone
Revised: _____ Draft No.: _____
Introduced: _____
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 Sponsor: Councilmember _____
Co-Sponsors: Councilmembers _____

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- (1) establish the University Boulevard (UB) Overlay Zone; and
- (2) generally amend the provisions for overlay zones.

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

Division 4.9.	“Overlay Zones”
Section 4.9.22.	“White Flint 2-Parklawn (WF-P) Overlay Zone”

And adding the following Section:

Division 4.9.	“Overlay Zones”
Section 4.9.22.	“University Boulevard (UB) Overlay Zone”
Section 4.9.23.	“White Flint 2-Parklawn (WF-P) Overlay Zone”

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* * * 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:

DRAFT

Sec. 1. DIVISION 59-4.9 is amended as follows:

Division 4.9. Overlay Zones

* * *

Section 4.9.22 University Boulevard (UB) Overlay Zone

A. Purpose

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.

B. Land Uses

1. The following modifications apply to properties located in the CRN Zone:

- a. Accessory Dwelling Units are permitted on properties improved with Single-Unit Living.
- b. On properties with no mapped commercial FAR, non-residential uses allowed in the R-60 zone following the permitted, limited, or conditional use standards for the R-60 zone under Section 3.1.6.

2. The following uses are prohibited within the University Boulevard Overlay Zone except as protected by Section 7.7.2. Nonconforming Uses:

- a. Light Vehicle Sales and Rental (Indoor) (Section 3.5.12.B)
- b. Light Vehicle Sales and Rental (Outdoor) (Section 3.5.12.C)
- c. Car Wash (Section 3.5.13.B)
- d. Filling Station (Section 3.5.13.C)
- e. Repair (Major) (Section 3.5.13.E)
- f. Repair (Minor) (Section 3.5.13.F)

- g. Drive-Thru (Section 3.5.14.F)
- h. Medical / Scientific Manufacturing and Production (Section 3.6.4.D)
- i. Self-Storage (Section 3.6.8.D)
- j. Storage Facility (Section 3.6.8.E)

C. Development Standards

1. CRN Development

- a. Except as modified below, any development in the CRN zone on a net site less than 15,000 square feet shall use the development standards for the Duplex building type regardless of the proposed building type.
 - i. Lot coverage is limited to 35%.
 - ii. A minimum of one entrance per building is required to front a street or an open space.
 - iii. Minimum open space requirements do not apply.
 - iv. Screening of any exterior surface parking must meet the requirements set forth under Section 6.2.9.B.
- b. Any development on a net site 15,000 square feet or larger shall follow the development standards for the applicable building type except as follows:
 - i. Unless modified by the Planning Board at Site Plan, the maximum Build-to-Area setback for any building edge on University Boulevard is 10 feet.
- c. All on-site parking shall be located behind the front building line.

* * *

Section 5.9.[22]23. White Flint 2-Parklawn (WF-P) Overlay Zone

* * *

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

DRAFT

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council

DRAFT