

# ZTA 26-02

## OVERLAY ZONES – REGIONAL SHOPPING CENTER (RSC)



### Description

This ZTA amends the Regional Shopping Center (RSC) Overlay Zone to exempt household living from the 30% cap on residential development in the underlying zone, provided a Regional Shopping Center containing at least 600,000 square feet of retail space is maintained within the Overlay Zone area.



ZTA 26-02 Completed: 2-12-26	MCPB Item No. 6 2-19-26	2425 Reddie Drive Floor 14 Wheaton, MD 20902
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ZTA SPONSORS

Sponsors:  
Council President Fani-González and  
Councilmember Friedson

INTRODUCTION DATE

January 27, 2026

COUNCIL PUBLIC HEARING DATE

March 3, 2026

REVIEW BASIS

Chapter 59

**Summary**

- There are two Regional Shopping Center (RSC) Overlay Zone areas in the County, the Westfield Wheaton, and Westfield Montgomery malls.
- The underlying zone for both properties is predominantly GR, which has a 30% cap on the amount of gross floor area that may be a residential use
- This ZTA would exempt applications from the residential cap if a Regional Shopping Center (600,000 square feet or more of retail space) is maintained within the Overlay Zone area.

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## SECTION 1 – BACKGROUND

### Rationale For Introduction

Zoning Text Amendment (ZTA) 26-02, Overlay Zones – Regional Shopping Center (RSC) was introduced on January 27, 2026, by Council President Fani-González and Councilmember Friedson (Attachment A). The ZTA is scheduled for a District Council Public Hearing on March 3, 2026.

ZTA 26-02 amends the RSC Overlay Zone to exempt applications from the 30% limit on Household Living uses of the underlying GR Zone, provided the Overlay Zone maintains a Regional Shopping Center of at least 600,000 square feet in size. This 30% limit on Household Living was briefly lifted from the GR Zone as part of ZTA 25-03 in an effort to expand residential development opportunities in the County, but was reinstated with ZTA 25-13 Omnibus after the negative impacts that decision could have on community serving retail centers were raised. In this instance, the limit on residential development would only be lifted within the RSC Overlay Zone areas. There are two such overlay zones in the County, one covering most of Westfield Wheaton Mall, and the other covering Westfield Montgomery Mall. These two sites represent major opportunities to increase residential density without impacting access to community retail services.

## SECTION 2 – ZTA 26-02 ANALYSIS AND RECOMMENDATIONS

### ZTA 26-02 As Introduced

#### 4.9.14.C. DEVELOPMENT STANDARDS

The ZTA adds one new clause to the Development Standards (lines 30-34). This does not subject Household Living uses to the 30% cap on gross floor area in Section 3.3.1.E.2.a.i. This specific section reference made in the ZTA is the limited use standards applicable to the GR, NR, and EOF zones for Multi-Unit Living, a subsection of Household Living. Both RSC Overlay Zones have the GR zone as the underlying zone, making this section applicable.

The other types of Household Living under Section 3.3.1. include Single-Unit Living, Two-Unit Living, and Townhouse-Living. These uses are all subject to the same standard: “gross floor area of all Household Living uses is limited to 30% of the gross floor area on the subject site.”

As introduced, Planning Staff are concerned that there could be confusion by only amending the code to lift the cap on Household Living under the Multi-Unit Living section, without being explicit that the cap is only being lifted if an application is providing Multi-Unit Living. Additionally, if the intent is to only lift the cap for Multi-Unit Living, does this mean only Multi-Unit Living can be provided with an

application, or can other types of Household Living be included below 30%, and any amount above 30% is credited toward Multi-Unit Living?

Planning Staff also note the same code provision placing a 30% cap on Household Living can be found in Section 4.6.3.C., the Standard Method Development standards table for the GR Zone.

To address these concerns, Planning Staff are recommending that the new Development Standard C.3. be amended to include a reference to Section 4.6.3.C, and to allow all forms of Household Living to be not subject to the restrictions. These amendments in total would read as follows:

Residential development is not subject to ~~the any~~ limitations in Section 3.3.1.E.2.a.i. or Section 4.6.3.C. that restricts Household Living uses to no more than 30% of the gross floor area on the subject site, provided a regional shopping center containing at least 600,000 square feet of gross floor area is maintained within each overlay zone.

### SECTION 3 – CLIMATE ASSESSMENT

Bill 3-22, passed by the County Council on July 12, 2022, requires the Planning Board to prepare a climate assessment for each Zoning Text Amendment, Master Plan, and Master Plan Amendment, effective March 1, 2023. Each Climate Assessment must include the potential positive or negative effects a ZTA may have on climate change (including greenhouse gas emissions) and on community resilience and adaptive capacity. The climate impact assessment for ZTA 26-02 is attached in Attachment B.

The Climate Assessment anticipates minor positive and negative impacts on greenhouse gas emissions, no impact on carbon sequestration, and minor indirect impacts on community resilience and adaptive capacity. The impacts on greenhouse gas emissions include a slight negative impact due to increased building emissions associated with increased development, but likely offset by minor positive impacts on reduced transportation needs from locating additional residential uses in areas with transit access and commercial services. Minor positive impacts to community resiliency and adaptive capacity are also transportation related. New residents who can live in areas that are walkable and transit accessible will have better access to essential services during periods of extreme weather or climate events. There are only a couple of potential relationships to actions in the county's Climate Action Plan, related to new construction standards focusing on all-electric construction and net zero energy. There are no amendments or strategies recommended to mitigate the ZTA's climate impacts, but the assessment broadly supports efforts to require or incentivize lower carbon producing building materials, waste management, and energy efficiency.

### SECTION 4 – CONCLUSION

Planning Staff recommends the Planning Board support ZTA 26-02 with Planning Staff's proposed amendments. The ZTA exempts Multi-Unit Household Living from the 30% gross floor area cap for

properties within an RSC Overlay Zone provided it maintains a minimum 600,000 square feet of commercial space. The recommended amendments clarify that the exemption is intended for all types of Household Living and also ensure an exemption from the 30% Household Living Cap in the development standards table for the GR Zone.

## SECTION 5 – ATTACHMENTS

*Attachment A: Zoning Text Amendment 26-02 Intro Packet*

*Attachment B: Climate Assessment 26-02*