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5104 Elm St., Bethesda MD 20814 (301)652-6359 email--theelms518@earthlink.net

Civic Federation Testimony to Council on Zoning Code Rewrite and District Map Amendment

I am Jim Humphrey, testifying on behalf of the Montgomery County Civic Federation as Chair of the Planning and Land Use Committee. First, we thank the Council for holding this follow-up hearing after the initial round of PHED worksessions. At our November 11 meeting, MCCF delegates approved the following position for transmittal to Council.

Of utmost importance to us, the Federation urges the Council to split the Zoning Code Rewrite and the District Map Amendment apart and consider them separately. Although the efforts are linked, we believe Councilmembers should first devote their attention to any changes still to be made to the new Code, after which you could hold worksessions focusing on various concerns that community residents and property owners may have with the District Map Amendment.

The MCCF has two suggestions for improving the proposed new Zoning Code. First, we suggest the Council retain existing Commercial zones (C1 through 5, CT, etc.). They could be included in Article 59-H of the new code, the section entitled "Zones retained from previous code." These commercial zones would then not be applied to new properties in future, but the zoning and zone standards could remain as they are currently applied to properties. Existing commercial zoning on properties could then be changed at some future time through the master plan process, with fuller community engagement and outreach. This would silence those critics who say the Code Rewrite is circumventing the master plan process. And it would prevent mixed-use CR zoning being globally applied to commercial properties, a process that could result in elimination of neighborhood serving retail as a result of redevelopment and also allow residential use in inappropriate locations, such as where inadequate transit exists.

Second, the Federation strongly urges Council to delete the Residential Floating Zones. If up to a doubling of density, or alternative building types such as townhouses or duplexes, are to be allowed in existing single-family detached home neighborhoods, we feel it should be done through a master plan process with full community engagement, not through LMA rezoning.

We also have concerns about the zone conversions proposed for several properties, but many of these would be resolved by retaining existing commercial zones, as we suggested above. Thank you for considering the Federation's concerns and comments.