

Land Use Committee Tasks 2014-2015

Special Tasks for 2014-2015

Task 1. Monitor Bethesda CBD Sector Plan update in conjunction with the Long Range Planning Committee. This is a long-term project that will involve attending meetings sponsored by the county planning staff, reviewing materials, writing testimony/commentary, etc. analyzing impacts on the Town of aspects of the Sector Plan particularly on border areas of the Town.

- One or more members of the LUC attended all of the county sponsored public workshops/hearings regarding the Bethesda Sector Plan during 2014-2015 (except the hearing in June) and shared information obtained with the LRP.
- One or both of the LUC co-chairs attended all LRP meetings and participated in discussions related to the Bethesda Sector Plan.
- Members of the LUC reviewed the several versions of the draft Bethesda Sector Plan and provided feedback to the LRP.
- The LUC co-chairs reviewed the Town testimony for the June Planning Board meeting and provided suggested edits/corrections to the LRP.

Task 2. Work with the Climate and Environment Committee to consider amendments to open space acquisition goals, criteria and procedures (e.g. purchase of conservation easements).

- Members of the LUC reviewed the open space/conservation easement document prepared by the Climate and Environment committee and submitted comments to that committee.

Task 3. Review the new County Water Ordinance and how it impacts the Town's water ordinance. Note: This is a priority project and will involve comparison of the Town and County water ordinances to see how they differ and an analysis of the pros and cons of 1) dropping the Town ordinance in favor of the County ordinance, 2) opting out of the County ordinance in favor of the current Town ordinance, 3) opting out of the County ordinance in favor of a modified Town ordinance, 4) keeping both ordinances, 5) some other option?

The LUC has collaborated with members of the Climate and Environment Committee, the Water Board and with Town staff on this task. This joint group will be referred to as the Collaborative Group. To move this task along in a timely manner, the Collaborative Group has held meetings in addition to the usual monthly LUC meetings.

- The Town and County water ordinances were compared to ascertain substantive differences and the pros and cons of these differences were determined.
- The pros and cons of the differences in implementation of key aspects of the Town's and County's ordinances were determined.
- A report was prepared and presented to the Town Council along with the Collaborative Group's recommendation that the Town opt-out of the County

ordinance after modifying its ordinance, if required to do so by the State. The Town Council approved the recommendation.

- The Town ordinance was sent to the State for review. The State informed the Town that its ordinance did not meet the current State requirements and that the Town would need to adopt an ordinance that included required elements of the State's model stormwater ordinance.
- Other municipalities were consulted about their state-approved stormwater ordinances. The Collaborative Group chose Rockville's ordinance to work with.
- The LUC informed the Town Council that in order to opt out of the County stormwater ordinance the Town would have to adopt an ordinance modeled after the State's model ordinance and that the Collaborative Group recommended doing this and recommended using Rockville's ordinance as the starting point and modifying it to include as many aspects of the Town's current ordinance as possible. The Town would leave sediment control up to the County as it does currently. The Town Council approved this approach and action.
- The Collaborative Group reviewed the Rockville stormwater ordinance and executive regulations to remove unneeded provisions.
- The Collaborative Group is working on the draft ordinance and anticipates presenting it to the Town Council this fall.

Task 4. Work with the Community Relations Committee to explore opportunities for expanding play areas in Town, with particular attention to toddler lots. The goal would be to examine open spaces in Town to identify potential places where a toddler play lot could be constructed and analyze the pros and cons of the various locations.

- The LUC confirmed that there was a need in Town for toddler play structures. It identified a number of sites in Town where a tot lot could potentially be located, including use of the WONDERS childcare center tot lot. The pros and cons of each site were identified and summarized in a report.
- Meetings were held with WONDERS staff to explore use (and possible improvement) of their facility and with County staff to explore adding tot play structures to the Lawton Center playground.
- The LUC presented its findings to the Town Council and recommended that tot play structures be added to the Lawton Center playground. The Council approved this proposal and the equipment and a tot play area has been added to the Lawton Center playground.

Task 5. Work with the Long Range Planning Committee to consider implications of "floating zones" if sought in Town. This will involve careful review of the portions of the new county zoning ordinance that deal with floating zones to see what the development parameters of floating zones are and to consider how current Town regulations would impact any floating zone development and the whether there is a need for any additional regulations to control any such development.

- This task has not been completed.
- To date, the LUC has reviewed the final County revised zoning code to confirm that properties in Town are eligible for floating zones.

- Current affected streets are Elm St. and portions of Oakridge Lane and Lynn Drive. If the County rezones Elm St. Park, and the parking lots on the west side of 46th Street between Walsh and Willow, then 46th Street lots also will be affected.
- The LUC needs to review County zoning code in detail to determine possible impacts of floating zones being established on lots or groups of lots in Town. Town building code also must be reviewed to determine if any modifications are needed to ensure that Town setbacks, FAR, etc. would apply to any floating zone development.

Task 6. Create pamphlets to support the Town's Land Use handbook. This will involve creating 1-2 page clear, brief informational hand outs on targeted topics. We have identified several possible topics to start with

- Pre-permit application meeting;
- Site management meeting;
- What types of projects do I need a permit for
- What is the established building line and how is it calculated.
- What is the difference between a house location survey and a boundary survey? How much does each cost? When is each required by the Town?

The pamphlets would be posted online and in some cases mailed to residents who will be involved in the subject activity (pre-pac meeting, etc.)

- This task has not been completed.
- Several members of the LUC thought that an immediate and helpful first step would be for the LUC to review the Town's web site and make it easier for residents to find relevant land use materials.
- The LUC reviewed the sections of the Town website related to its codes and ordinances, construction (including trees and stormwater management). The review resulted in a list of recommendations for addition of links, update of materials, changes in labels, etc., which were presented to Town staff and implemented.
- The LUC would like to prepare several pamphlets to see if these can also be helpful, for example, a pamphlet explaining the pre-application permit meeting. If residents report that they are useful, additional pamphlets can be prepared.