

Action Committee for Transit

www.actfortransit.org

P.O. Box 7074, Silver Spring, MD 20907

July 14, 2008

Mr. Royce Hanson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Subject: Zoning Text Amendment 08-14

Dear Mr. Hanson:

The Action Committee for Transit is a strong advocate of transit-oriented development. One of the greatest obstacles to the county's efforts in this direction has been our automobile-oriented zoning code. Therefore, we endorse the concept of a new zone for transit-oriented mixed-use development.

We are concerned, however, that the proposed zoning text amendment will not accomplish that goal. We have several concerns.

Lack of nexus to transit - The greatest defect of the proposed zone is that the needed tie to transit is lacking. If the amendment is adopted as written, development will be allowed anywhere near a planned transit station, regardless of whether the transit station is likely to be built. Our county has a history of putting transit lines on planning maps and not building them. The North Bethesda Transitway is the most extreme example of this, but it is not the only one.

We believe that optional method development should only be allowed to proceed within walking distance (1/2 to 3/4 mile) of a rail transit station that (1) is in operation or fully funded for construction, and (2) offers or will offer service with 15 minute headways at least 16 hours per day, seven days per week.

We cannot support allowing development in this zone along so-called Bus Rapid Transit lines because there is no clear distinction between BRT and a simple express bus. Allowing so-called transit-oriented development near Bus Rapid Transit stations, especially BRT that is merely planned or shares traffic lanes with automobiles, would mean that a paper study of Bus Rapid Transit becomes a trigger for unchecked sprawl development.

Standard method development in the zone - The proposed standard method development rules would allow suburban-type buildings that are inappropriate in a transit-oriented zone. The footprint of standard-method developments in this zone should be limited to one-third of the floor area. This would allow subsequent infill of the rest of the plot without the need to destroy the standard-method building.

Minimum lot size - There should not be a minimum lot size for mixed-use development. This is a very pernicious requirement that forces small local merchants to sell their property. This change goes hand-in-hand with allowing other amenities to be substituted for public-use-space

requirements — a change that is needed in any case to abate the plague of street-deadening plazas that has done so much damage to the streetscapes of downtown Bethesda and Silver Spring.

Parking - The amendment applies the same parking requirements as currently apply in other zones. The parking rules in the current zoning code are utterly outdated, and they are especially pernicious when applied to transit-oriented development. The provision in the zoning text amendment is justified only on the assumption that the parking chapter of the zoning code will be thoroughly rewritten before development proceeds in the zone. But there has been little visible progress in rewriting the parking rules. We therefore recommend that the new zone have a sunset date beyond which the current parking rules will not apply in the zone.

We urge you to make the necessary changes in this zoning text amendment. Without them, we fear that the zone will not accomplish its purpose.

Sincerely,

Ben Ross
President