

Action Committee for Transit

www.actfortransit.org

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

July 28, 2008

Mr. Michael Knapp
President, Montgomery County Council
100 Maryland Ave.
Rockville, MD 20850

Subject: Zoning Text Amendment 08-14

Dear Mr. Knapp:

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 attached table summarizes this history.

We believe that optional method development in the TMX zone 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 parking article of the Zoning Code should not apply in the new zone until the parking rules are thoroughly rewritten. In the interim, parking on any lot in the zone should not exceed the number of cars that will arrive on an average day in the buildings on that lot, assuming that the building complies with all Master Plan mode share targets and assumptions.

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,

\signed\

Ben Ross
President

Planned Transitways in Montgomery County

Transitway	Targeted Transportation Market	Relationship of Transit to Development	Preservation of Right of Way	Placement of Development near Transitway Stations	Current Status
US 29	From multi-family and townhouse residences to jobs in Silver Spring & on Red Line	Justified extensive townhouse and apartment development along U.S. 29, although no transit built.	Overpasses on US 29 will have room for light rail due to Action C'tee for Transit initiative. Planners made no effort to preserve right of way under bridges.	Highway overpasses later built at potential station locations, making future stations hard for pedestrians to access.	No activity
North Bethesda	Reverse commuting from Red Line to Rock Spring Park	Justified auto-oriented office buildings in Rock Spring Park, although no transit built.	Terminus later relocated to edge of mall property, eliminating requirement to preserve right of way.	Development in Rock Spring Park set back from roads; poor pedestrian access. Transit center relocated away from destination at mall.	Removed from county priorities list
Georgia Avenue	From single-family residential neighborhoods to Red Line at Glenmont	Justified sprawl development in Olney area, although no transit built.	No right of way dedicated for access into Glenmont Metro.	Designed only for through traffic; transitway corridor served by buses in regular traffic lanes.	On county wish list but low priority; no other activity
Corridor Cities	From housing in Germantown and Clarksburg to jobs in "R&D Village" near Quince Orchard Rd & Great Seneca Highway	Justified office buildings in "R&D Village" & housing in Germantown and Clarksburg, although no transit built.	Right of way designated for preservation, but office buildings were built on site of planned Quince Orchard Park station.	Clarksburg, Kentlands, and Lakelands built far from stations. Land next to Middlebrook station used for motorcycle dealership.	In active MTA study, but no construction funding and not competitive for Federal funding
Georgetown Branch (Purple Line)	Many	Project-dependent development banned until construction of rail line is funded.	Preserved	Walter Reed Annex expansion relocated to adjoin future station.	In active study; competitive for Federal funding but not yet funded.