

Jan. 5th, 2024

Industry Feedback Letter - Zoning Text Amendment (ZTA) 23-10: Parking, Queuing, and Loading

As advocates for homebuilders, we applaud the sponsors of Zoning Text Amendment 23-10 for proposing reforms to the parking provisions of Montgomery County's zoning code. We are concerned, however, about the potential unintended implications of ZTA 23-10 on the incentive density system applicable in the "CR" family of mixed use zones, which call for the provision of public benefits – such as reduced parking – under the optional method of development. We write to commend the spirit of this provision, voice our concern, and to suggest revision to the draft language to ensure that these reforms have their intended effect of making development in urban areas more efficient rather than inadvertently adding to the cost of building housing.

We are in full agreement with the sentiments expressed by Council Members Glass, Friedson, and Mink in introducing ZTA 23-10. In particular, we are pleased that the sponsors recognize that requiring excess parking drives up the cost of housing, undercuts efforts to encourage alternatives to driving, and makes it harder to build more livable, walkable communities. Eliminating unnecessary costs and regulatory redundancy while maintaining the high standards will be essential to providing more housing; this ZTA is aligned with that direction.

Our concern centers on how ZTA 23-10 may inadvertently increase the cost of building housing in zones where incentives are currently in place to reduce parking. All properties in the CR, CRT, LSC or EOF zones, and any properties in the CRN, NR and GR zones that are within one mile of a Metrorail / Purple Line / BRT Station, are in "Reduced Parking Areas" that already significantly reduce the minimum number of parking spaces that otherwise would be required under the code. Optional method applicants can receive incentive density points for providing less than the "minimum" number of spaces specified in the code. If the "minimum" number of spaces is zero, then parking reductions will no longer receive incentive density points, making the optional method of development more difficult and expensive in precisely the areas where the county is most interested in encouraging the construction of more housing.

To address these concerns, we suggest modifying ZTA 23-10 and the Zoning Code as follows:

6.2.3.I.1.b - Adjustments under Section 6.2.3.I to the minimum number of required parking spaces must not result in a reduction below 50% of the baseline parking minimum or shared parking model minimum; **except as permitted within section 6.2.3.I.8.**

4.7.3.C.2 - **Minimum Parking:** Up to 10 points for providing fewer than the maximum allowed number of parking spaces, where a maximum is applicable. **For the purposes of calculating Public Benefit Points, the minimum number of allowed parking spaces is equal to the minimum indicated in the Section 6.2.4.B.**

By making these changes, the Council can ensure that ZTA 23-10 will not make construction of badly-needed transit-oriented development more cumbersome and expensive, nor remove incentives for reduced parking. Thank you for considering these suggestions.

Sincerely,
Rodgers Consulting