

Comprehensive Rewrite of Rockville’s Zoning Ordinance

Project Charter

Introduction

The Mayor and Council, the City Manager, Planning Commission, staff, residents, and various other stakeholders are keenly interested in the implementation of the City’s Rockville 2040 Comprehensive Plan. Initiating and completing a Zoning Ordinance Rewrite is a must for implementing the Plan. Completing a Zoning Ordinance Rewrite will more effectively guide the City’s growth, preserve key environmental and historic areas, and promote the types of housing and jobs that are recommended in the Plan Elements and the Planning Areas. A consultant will be needed to support staff in carrying out this multi-faceted project. The implementation of a new Zoning Ordinance should be limited to 18-24 months from the kickoff meeting to ensure the residents and other community stakeholders have a user-friendly, modern ordinance that can effectuate the changes envisioned in the Comprehensive Plan. A zoning consultant will bring best practices to the City not only on policy issues that many jurisdictions are facing, but also on organization and display so that the code is user-friendly and understandable to all customers.

This multi-department project requires an agreed-upon plan to unify staff in dedicating the time and working effectively together to successfully complete the Ordinance Rewrite. This Project Charter, a roadmap for completing this initiative, describes who, what, when, where, why, and how the City will complete this important project.

Project Charter

The first step to initiate this project is to establish a “plan to do the project” in the form of a Project Charter. This document contains information on:

1. Reason and purpose, and outcomes for the project;
2. Organizational structure with roles, responsibilities, decision-making authority, and project assignments;
3. Description of the community outreach and engagement strategy;
4. Reasonable schedules for project components;
5. Process for how public outreach will be implemented;
6. Companion Codified Codes and Standards; and
7. Implementation and Monitoring Plan

1. Reason and Purpose

The recently adopted Rockville 2040 Comprehensive Plan establishes new land use vision and policy guidance for future development with respect to the rights and expectations of the public, private business, and other stakeholders. As a result, the current Zoning Ordinance requires a thorough review and update to ensure that the Plan and Zoning Ordinance are aligned. Below expresses the reason and purpose to rewrite the 2009 Zoning Ordinance:

- Implement many of the recommended actions within the adopted Rockville 2040 Comprehensive Plan;
- Accomplish the FAST initiative (Faster, Accountable, Smarter and Transparent - Improving the Development Review and permitting Process);
- Incorporate planning and zoning best practices that have become common in the field of urban planning and in other similarly-situated communities;
- Create a modern ordinance that can accommodate the changing living, working, and lifestyles of the 21st century; and
- Create a user-friendly, accessible and well-organized document that provides appropriate graphics and information links to aid in its understanding.

In keeping with one of the City’s values, it is important that the process of developing a rewrite of the Zoning Ordinance be understandable, fair, and provide information that is accessible to the public in order to create a truly transparent process. This process must maintain trust with the citizens and customers we serve.

Project Name:

With the importance of this significant project for the City of Rockville and the future land use initiatives, the name of the project is the “Zoning Ordinance Rewrite” (ZOR).

2. Organizational Structure

The organizational structure is composed of:

- **Mayor and Council (M&C)** – The Mayor and Council has made ZOR a significant priority initiative for the City. The Mayor and Council must be kept informed of staff efforts and progress, as the Mayor and Council will approve and adopt the new ordinance and zoning map. The Mayor and Council must ultimately decide the appropriate balance needed to respect both public and private interests when developing a new ordinance, including process changes for development projects. The Mayor and Council will also provide overall guidance and direction on policy and changes.
- **City Manager (Rob DiSpirito)** – The City Manager provides overall direction to the Executive Team and Project Manager at key points throughout the project. The City Manager is also one of the Mayor and Council’s main contacts regarding this project.
- **Project Manager (PM)** – The project manager is the Chief of Zoning, Jim Wasilak, accountable to the Executive Team and the City Manager to ensure that the Project Charter is implemented, progress reports are provided, and adherence to the project timeline. He will be assisted by Seth Rivard, Deputy Zoning Administrator. The Project Manager and Deputy will promote engagement, collaboration, and accountability among the Project Teams. They are also accessible and available to the Consultants and each Team and Team Leaders for support, guidance, and direction.
- **Zoning Ordinance Rewrite Consultants** – The development of a new Zoning Ordinance will require an intensive amount of effort to develop a document that reflects the Rockville 2040 Comprehensive Plan, the FAST Initiative, best practices for planning and zoning, and effective graphic design. A Request for Proposals (RFP) will be developed for the retaining of services of

a consultant that will write and initial draft of the new Zoning Ordinance, and then incorporate the input received from the Executive Team as the draft is reviewed by staff. In addition to the Procurement Division, the RFP responses will be reviewed and assessed by a selection team.

- **Executive Team** – This team is composed of:

Ricky Barker, Director of Community Planning and Development Services
Craig Simoneau, Director of Public Works
Tim Chesnutt, Director of Recreation and Parks
Asmara Habte, Director of Housing and Community Development
Jim Wasilak, Zoning Manager
Seth Rivard, Deputy Zoning Administrator
John Foreman, Development Services Manager
Katie Gerbes, Comprehensive Planning Manager

This team is responsible for the development and execution of the Project Charter, making executive decisions for the Project Teams when appropriate, providing overall communication to staff within their departments, providing resources, encouragement, and support for staff working on ZOR. The Executive Team, in conjunction with the City Manager, will provide direction on recommendations and the work plan and will consult extensively with the City Attorney's Office. This Team will also play a critical role in making key decisions among competing objectives. This Team will also provide quarterly progress reports to the Mayor and Council.

- **Project Teams** – ZOR is a city-wide project and will require specific work teams to develop sections of the ordinance based on staff expertise. Topics include transportation, sustainability (including our forestry ordinance requirements), housing, and Planning Areas implementation. Each Project Team will have a team leader and be composed of team members from the necessary departments as is needed. Team Leaders are responsible for leading the team to review draft text and proposing revisions as necessary, collecting the agreed-upon edits, and providing feedback to the Executive Team and Consultants. It is important for each team to take a fresh and creative look at the current situation and achieve the best recommendations. These recommendations are not limited and should include innovative concepts and best practices.
- **Planning Commission and Other Boards and Commissions** - The Planning Commission will play a key role in reviewing important recommendations to ensure that the document adheres to the implementation recommendations in the Plan. Additional boards and commissions, such as the Board of Appeals, Recreation and Parks Advisory Board, Traffic and Transportation Commission, Rockville Pedestrian Advisory Commission, Rockville Bike Advisory Commission, and the Environment Commission, will also be involved in reviewing draft sections of the ordinance. Many of these bodies will also be involved with the adoption process.

3. Community Outreach and Engagement Strategy

The outreach and engagement strategy to develop the Rockville 2040 Comprehensive Plan process was successful. Some of the reasons for success include active engagement with the public, including but not limited to, stakeholder groups, civic and homeowner associations, developers, businesses, and other interested parties. Staff recommends that we learn from this success and incorporate a comprehensive engagement process with ZOR as well. This outreach process will include:

- A Kickoff meeting to inform the public of the process and to gather feedback on the process and outreach strategy.
- A comprehensive communication strategy that utilizes all of the resources available to the City to allow any stakeholder to participate in the review process, including in-person and virtual meetings, surveys and 24-hour feedback opportunities through Engage Rockville.
- Opportunities for public to review the draft ordinance and provide comments before final submission to the Planning Commission and subsequently Mayor and Council for planned public hearings and work sessions.

There is a distinction between the public process of the ZOR from the Comprehensive Plan. The Comprehensive Plan public process resulted in numerous visioning sessions for how and what Rockville will be in 2040. The Plan provided the direction and strategies to implement the vision. The near-term implementation strategies identified from the Plan, which are to be approved by Mayor and Council, will provide direction for the drafting of the ZOR. The ZOR is an implementation strategy of the Plan and is not a new visioning process. The public process for the ZOR will be to ensure that development of the new zoning ordinance is meeting the expected outcomes as envisioned in the adopted Rockville 2040 Comprehensive Plan.

The feedback received from each outreach effort will be used to ensure that the new ordinance reflects the needs and desires of the citizens and other community stakeholders based on the near-term implementation strategies outlined in the Comprehensive Plan. Specifically, staff wants to ensure that residents feel that their recommendations included in the Plan are being effectively implemented. This feedback will be used to ensure that the recommended ordinance changes address topics and issues identified by the public. This public engagement strategy will support the Planning Commission and Mayor and Council in their decision-making process. Provided in the “Process” section of this Charter, is a detailed overview of the community outreach and engagement roadmap.

Staff will develop an extensive communication plan to use the most effective strategies that yields the most opportunities for engagement. The Executive Team will join with the Office of Communication and Engagement before and during the process.

4. Zoning Ordinance Rewrite Schedule

As noted above, the process to draft a new ZOR will take approximately 18 to 24 months from the kickoff meeting. Once a consultant is retained, a more detailed schedule will need to be developed to ensure project deadlines are met, expectations managed, and be accountable for results. The overall schedule should be endorsed by the Mayor and Council. The schedule should include milestones to ensure that the process of rewriting the ordinance is achieved. If the scope and schedule need to be modified, Mayor and Council will need to consider the impacts on the timeline, budget, and resource capacity. A refined schedule developed with staff and the consultant will provide a more accurate timeframe for the project, which may result in the project timeline to increase.

5. Process

Provided below is a general overview of the process from drafting the Request for Proposals (RFP) to the adoption of a new Zoning Ordinance and Map, with significant milestones and opportunities for public input noted. The schedule is at a high level, with each section roughly corresponding to a quarter of the year. While this process highlights the general order of how the rewrite of the ordinance will occur

during this process, the consultants and staff will develop a detailed schedule for review and approval before work commences. Draft chapters or topic areas of the new Zoning Ordinance will be developed by the consultant and refined by staff. Those drafts will be presented to the public for their review and feedback. This process will continue until all chapters/topic areas of the ordinance are completed and can be compiled into a new draft Zoning Ordinance.

Process
Develop the request for proposals (RFP) package.
Award contract to a consultant for the rewrite of the Zoning Ordinance. Community Planning and Development Services, Public Works, Housing and Community Development and Recreation and Parks assess the strengths and weaknesses of the current Zoning Ordinance.
Consultant meets with Mayor and Council. Consultant and staff create a more detailed schedule for the process to complete the Zoning Ordinance Rewrite. Project kick-off meeting with consultant team and staff Public kickoff meeting (various times and venues plus virtual)
First draft of text of the new document developed First draft of text to be presented at public meetings, to include Planning Area meetings
First draft of text amended based upon feedback from the public meetings Second draft text developed Second draft of text to be presented at public meetings, to include Planning Area meetings
Second draft of text amended based upon feedback from the public meetings Third draft text developed Third draft of text to be presented at public meetings, to include Planning Area meetings
Completion of the draft Zoning Ordinance

Mayor and Council authorizes text amendment and comprehensive map amendment

Planning Commission is presented with the initial public review draft of the ZOR.

Planning Commission holds a series of public hearings on ZOR draft reviews

Planning Commission holds numerous work sessions to make changes in response to public hearing comments

Planning Commission provides a its recommended ZOR to the Mayor and Council for its required review and adoption process

Mayor and Council conducts public hearings on ZOR and Comprehensive Map Amendment

Mayor and Council holds numerous work sessions and recommend changes to produce a draft for possible adoption

Mayor and Council adopts the ZOR and the Comprehensive Map Amendment

6. Companion City Code Chapters and Standards

With the ZOR there will be related chapters of the City code and adopted standards that need to be amended or updated to effectuate the near-term implementation and other action strategies of the Plan in the development of a new Zoning Ordinance. With the significant number of recommendations and policy changes detailed in the Rockville 2040 Comprehensive Plan, other documents may need to be amended to implement those recommendations that are integral to implementing the ZOR initiatives. Examples of such changes may include chapters on Forest and Tree Preservation and Moderately Priced Housing; other documents such as the Environmental Guidelines, Historic District Design Guidelines; and other standards and/or guidelines.

7. Implementation and Monitoring Plan

The long-term success of this project depends upon the effectiveness of adhering to the project timeline and ensuring that there is a robust public process. With the overview shown above and the more detailed schedule to be presented by the consultants, we will be able to monitor our schedule and ensure we meet the implementation deadline. It will be important to monitor the schedule and provide justification if additional changes are needed.

Monitoring of ZOR will not end with the adoption of a new Zoning Ordinance. Once the new ordinance is implemented and utilized on a regular basis, there will be effects that were not anticipated. This may result in the need for zoning text amendments to address those circumstances that could not have been expected without daily use of the ordinance. Implementing any necessary changes is a commitment to the citizens, Mayor and Council, and other stakeholders, that the City of Rockville has a Zoning Ordinance that achieves the desired outcomes and provides for a fair and equitable process for all.