



July 26, 2011

Civic Federation comments to Planning Board on Kensington Plan Design Guidelines--  
Item #4 on Board's agenda for July 28, 2011

On December 3, 2009, the MCCF testified before the Planning Board in opposition to the proposal to develop a separate set of design guidelines to accompany master and sector plans, guidelines that would only require Board approval as compared to plans that require approval by the District Council. That testimony read, in part:

"At their November 18 (2009) meeting, the Federation's Executive Committee voted unanimously to share with the Planning Board our reservations about this new process of splitting apart the creation of design guidelines from a master or sector plan revision, and our concerns about the way in which this first attempt at the new process has been handled with regard to public input.

"With regard to the new process, our Executive Committee members do not see the benefit in separating the creation and approval of design guidelines from the master or sector plan revision process. Traditionally, one focus of the design guidelines section of master plans has been on recommendations to insure the compatibility of future building projects with existing and planned adjacent development. Guidelines routinely recommend lower building height or less mass on properties, or portions of them, than the maximum allowed by the zoning, in order to insure compatibility. Design guidelines are a critical element of master plans that can greatly impact the future development of communities. We believe the County Council should consider and approve them; they should not be separated from the master plan process and adopted by the Planning Board alone.

"We see no time saving or cost saving benefit in splitting design guidelines apart from master plans, since Planning staff and this Board must still draft and consider them. There is no advantage in reducing the size of the master plan document. A great deal of the text in these draft guidelines is a repetition of information in the Germantown Sector Plan, so their inclusion in the plan may have added 8 to 10 pages to its length. The idea that this new process will allow flexibility to make future changes in the guidelines, without reopening a master plan and taking it to Council for approval, is not needed. Since zoning is the only legally enforceable element of master plans, the Board has not considered itself bound by such guidelines when approving development plans, so the Board already has the authority to waive any design recommendation, based on a change

in conditions in the area or any other reason, without the need to approve an amendment to the guidelines or plan."

At the Board's worksession for the Germantown Design Guidelines, the Federation suggested creation of a single set of *County Design Guidelines* to contain a section each for high density urban areas, medium density suburban areas, and low density rural areas. We also recommended that site-specific design guidelines aimed at achieving compatibility with nearby existing or proposed development be placed in master or sector plans.

The Federation continues to believe that creation of a single set of *County Design Guidelines* would save a great deal of staff time, and we still strongly recommend it. In the event this recommendation is not followed, we suggest the following key change be made to the Kensington Design Guidelines:

- We urge Planning staff to stop using the terms "urban design guidelines" and "design guidelines" interchangeably. In the set of *County Design Guidelines* we have suggested, urban design guidelines would apply only to urban areas (perhaps those with development allowed at 2.5 to 8.0 FAR), while suburban design guidelines might be created for those areas with development capped at 2.5 FAR or less.

The Kensington Guidelines PowerPoint notes that the theme for this plan area is "garden suburb" (pp. 55 and 57). And the Plan notes "the neighborhoods of Kensington and its Antiques Row illustrate the Town's scale" ("Design" section--Plan, pg. 11), and applies a maximum of 2.5 FAR in the area (Map 13 "Proposed CR Zone"--Plan, pg. 32). The Federation therefore recommends the word "urban" be struck from the title (in fact, from the entire document) and it read simply "Kensington Design Guidelines." We then suggest that both the Plan and Design Guidelines, if you must have a separate set, should freely and repeatedly admit that "garden suburb" is the theme for the redevelopment of Kensington at a sub-urban level of density.

We believe the design guidelines for Kensington, as proposed in the PowerPoint under discussion, would be a good foundation for the "medium density suburban areas" section of the single set of *County Design Guidelines* that we suggest be created.

Thank you for considering the comments of the Montgomery County Civic Federation in this matter.

Respectfully submitted,

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