



Joint Hearing - MCC & PC
 CTAM-9739-2024
 Ex 48

Retool Gaithersburg

Revised Zoning Ordinance - CTAM-9739-2024

Mayor and City Council Regular Session
 Joint Public Hearing - May 20, 2024



Retool Gaithersburg: Project Summary



What is Retool Gaithersburg?

Retool Gaithersburg is a comprehensive initiative to update the City of Gaithersburg's Zoning Ordinance to ensure that the regulations better accommodate the implement the City's vision and goal to support the vibrancy and innovation of the City of Gaithersburg.

Why Retool Gaithersburg?

Cities are always changing.

Zoning should support current policy and trends.

Zoning should be easy to use.

Public Hearing April 15, 2024

April 15th: Held Public Hearing on draft CTAM-9739-2024

- During course of the hearing Council and Planning Commission proposed amendment to create SDP approval expirations
- SDPs would be good for 10 years
- Amendment is more restrictive than proposed requiring an additional public hearing
- Focus of public hearing is the amendment, but any aspect of the ordinance may be discussed



Revised CTAM-9739-2024 Draft

- Revised draft posted 4-23-24 on Retool Project page
- Email notice of posting sent to registered stakeholders 4-25-24
- City Communication & Public Engagement Division issued notice of release on social media and in newsletter



Revised CTAM-9739-2024 Draft

Revised Section 24-12.5(A):

- (1) Schematic Development Plans and amendments thereto approved after the effective date of this chapter shall expire ten (10) years after the subject plan's approval date if during that time no associated final site plan application is submitted for Planning Commission review.
- (2) If a final site plan is submitted during the ten (10) year period specified in (1) above, the subject schematic development plan shall:
 - (a) If the final site plan is approved, upon expiration of the final site plan in accordance with Section 24-12.6(O)(1) without commencement of construction, also expire if and when the ten (10) year period specified in (1) above has passed.
 - (b) Upon denial of a submitted final site plan, expire if the ten (10) year period specified in (1) above has passed at the time of final site plan denial.
 - (c) Otherwise remain valid until the ten (10) years specified in (1) above has passed, during which time new final site plans may be submitted if others are denied.
- (3) Expired schematic development plans may be reapplied for in accordance with Section 24-4.2(C) and this section.

Revised CTAM-9739-2024 Draft

Revised Section 24-12.5(A): What does it mean?

A final site plan must be submitted for **PC review** (not approved and constructed) within the 10 years (1). If submitted, a final site plan approval is good for two years, with the ability to seek a one year extension (2) so:

- If (a) occurs, an approved final site plan was never acted upon and “vested” within its 3 year window and it is longer than 10 years since the SDP approval: SDP expires
- If (b) occurs, the final is denied and it is longer than 10 years since the SDP approval: SDP expires
- If (c) occurs, the final is denied or an approved expires without vesting, but it is hypothetically only 7 years since SDP approval, an applicant still has 3 years to resubmit a new final site plan before the SDP could expire.

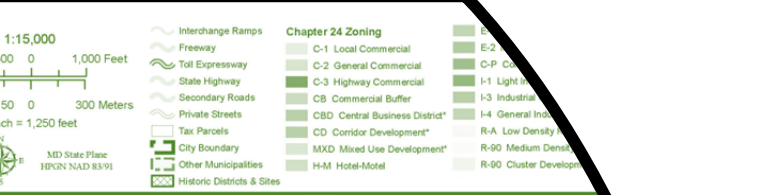
An expired SDP may be reapplied for review and approval

Next Steps

Retain Previous Records:

- June 7th 5 PM: Planning Commission Record Closes
- June 20th: Planning Commission Recommendation
- June 28th 5 PM: Mayor & City Council Record Closes
- July 15th: Mayor & City Council Final Action





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