Resolution No.:	20-1231
Introduced:	September 29, 2026
Adopted:	October 6, 2026

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN MONTGOMERY COUNTY, MARYLAND

By: District Council

SUBJECT: Opinion and Resolution on Application No. H-161 for Amendment to the Zoning Ordinance Map, Elizabeth C. Rogers, Esq., Attorney for the Applicant, 495 Self Storage LLC.; Tax Account No. 04-00055063.

Opinion

495 Self Storage, LLC ("Applicant") submitted Local Map Amendment ("LMA") Application Number H-161 ("Application") on January 30, 2026, for the property located at 12330 Parklawn Drive in Rockville, Maryland 20852, Tax Account Number 04-00055063 ("Subject Property"). The Application seeks to rezone the subject Property from its current IL-1.0, H-50'zoning classification to the ILF-2.25, H-50' zoning classification. (Exhibit 1).

Planning Staff recommended approval of the application. (Exhibit 20). At a meeting held on May 7, 2026, the Planning Board recommended approval of the LMA Application. The Property is subject to the requirements of Chapter 22A of the Montgomery County Code - Forest Conservation Law. A Forest Conservation Plan Exemption No. 42026077E was approved on November 21, 2025. As confirmed by Staff, the Project is exempt from Article II, Chapter 22A as it meets the requirements of Section 22A-5(S)(2) of the Code. (Exhibit 20, p.12). On April 16, 2026, the Office of Zoning and Administrative Hearings (OZAH) issued notice scheduling a public hearing for May 28, 2026. The public hearing was held as noticed on May 28, 2026. The Record closed on June 11, 2026.[1] The Hearing Examiner issued her report recommending approval on August 17, 2026.

To avoid unnecessary detail in this Opinion, the Hearing Examiner's Report is incorporated herein by reference, including the Errata issued on August 24, 2026, which made technical corrections to the Report. Based on its review of the entire record, the District Council finds that the application meets the standards required for approval of the requested rezoning for the reasons set forth by the Hearing Examiner.

Subject Property and Surrounding Area

[1] On July 27, 2026, the Hearing Examiner issued an Order extending time to issue report and recommendation until August 17, 2026 pursuant to Article 59, Appendix A, Rule 12 of the OZAH Rules of Procedure.

The Subject Property is surrounded by other industrial zoned land within the 2009 Approved and Adopted Twinbrook Sector Plan ("Sector Plan"). The site is mainly industrial, with some multi-family residential developments east of the Property. There are low-to-mid-rise warehouses and office parks located west of Parklawn Drive, while higher-density apartments are located to the east.

The "surrounding area" is identified and characterized in a Floating Zone application to assess whether the development proposed by the Floating Zone Plan (FZP) will be compatible with the properties directly impacted by the use. Those properties that are directly impacted form the boundaries of the surrounding area. Once delineated, the surrounding area is "characterized" to compare the compatibility of the development proposed by the Floating Zone with the character of the area.

The Hearing Examiner agreed with the Staff-defined surrounding area delineated as follows:

- North: Wilkins Avenue and its intersection with Parklawn Drive.
- South: The intersection of Parklawn Drive and Village Square Terrace
- East: Village Square Terrace and the residential developments (Village Square West Apartments).
- West: The CSX/WMATA railroad right-of-way, which serves as a major industrial buffer. Exhibit 20, p. 2.

Proposed Development

The Applicant proposes to rezone the 1.05-acre Property from the IL-1.0, H-50' Zone to the ILF-2.25, H-50' Zone, to accommodate redevelopment of the existing, aging self-storage facility with a modern self-storage building. The Project proposes to enhance the Subject Property's external street frontage through the building design and streetscape improvements. The Project will continue the self-storage use of the Subject Property but will allow for additional density. Exhibit 20, p. 6.

The Applicant plans to replace the current self-storage buildings with a new four-story plus cellar structure, offering up to 102,638 square feet of gross floor area, in addition to 27,000 square feet of cellar space (not included in the FAR calculation). This new building will incorporate high-quality architectural features, materials, and an improved site layout. Access to the Site which currently has two access points will be consolidated to a single-entry point connecting directly to the parking and loading area, improving traffic safety for all transportation modes. *Id*.

Binding Elements

The Floating Zone Plan (FZP) includes the following three binding elements:

1. The use of the property will be limited to allowed uses in the IL Zone.
2. Vehicular access to the site will be limited to a single access point from Parklawn Drive.
3. The Applicant must obtain approval of a parking waiver, which shall be limited to a maximum of five (5) spaces, in connection with the site plan approval.

Criteria for Approval

To approve an LMA, the District Council must find that the proposal will meet the standards required by the Zoning Ordinance and that it will be consistent with the coordinated and systematic development of the Regional District. See, *Md. Land Use Art.,* Section 21-101(a) and (b). While many of the site-specific requirements for development are addressed by later approvals, the Zoning Ordinance contains various standards or "Necessary Findings," that the District Council must make to approve the application. *See, Zoning Ordinance*, Section 59.7.2.1.E. These standards incorporate the requirements of other sections of the Zoning Ordinance, and most fall within three main categories: (1) conformance with the Master Plan, (2) compatibility with the surrounding area and adjacent properties, and (3) whether the project is supported by adequate public facilities.

Conformance with the Master Plan[2]

According to the Staff Report, the subject property is located within the boundaries of the 2009 Twinbrook Sector Plan. Specifically, the Property is located in the "Light Industrial Area" of the Sector Plan, more particularly, Area 9. Exhibit 20, p. 13. The Sector Plan recommends retaining the industrial zoning for this district, recognizing the important services this industrial land provides to the Twinbrook area and central part of Montgomery County (page 42). *Id.*

Previously, the 1992 Sector Plan rezoned the Subject Property from I-1 to I-4, to limit office encroachment. However, the Sector Plan recognized that the I-4 zoning, while successful in limiting office encroachment (as compared to the prior I-1 zoning), contained development standards that limit owners of smaller properties from being able to upgrade and expand their businesses (page 43). An objective of the Sector Plan was to maintain the industrial uses in this area while providing "an opportunity for businesses to evolve in place." The Sector Plan recognized that the minimum 1-acre lot size in the I-4 zone, along with setback, green space and parking requirements, would result in a pattern of large lots in an industrial park (page 43). Given the small lot sizes in this industrial area, the Sector Plan seemed aware that development standards limited building potential in this area, given the smaller sites. To address these constraints, the Sector Plan recommended modifications to the I-4 Zone development standards that would "allow urban development patterns and small business development." (Page 43). The challenge is that these modifications did not go far enough to achieve the Secor Plan's goals, given the density limitation (i.e. 1.0 FAR). *Id*.

Additionally, the Sector Plan encourages "redevelopment projects [in the industrial areas] to contribute to the area's environmental and urban design goals, including accommodating stormwater management." (Page 43). Planning Staff are of the opinion that the LMA will allow the Applicant to create a more urban development pattern on the Property and provide updated

[2] Section 59-7.2.1.E.2.a. of the Zoning Ordinance requires the District Council to find that the FZP "substantially conforms with the recommendations of the applicable master plan, general plan, and other applicable County plans." Section 59-7.2.1.E.2.b requires the FZP to be "in the public interest," which includes a review of conformity with County plans and policies and whether the development will be consistent with the coordinated and systematic development in the Regional District under State law. Section 59-7.2.1.E.2.c requires the application to satisfy the intent of Floating Zones. The intent of Floating Zones incorporates compliance with the applicable master plan. *Zoning Ordinance,* Section 59-5.1.2.A.1.

stormwater management; and that the Project will better define and activate the streetscape through its building placement, design, and streetscape improvements. Exhibit 20 p. 13.

Applicant's expert witness, Mr. Patrick La Vay, who qualified as an expert in Civil Engineering and Land Development, testified that a major overarching goal both in the Sector Plan and the Zoning Ordinance is to provide street activation, street enhancement and having buildings along streets that activate the frontage. T. 31. The street-scape will be updated to the Complete Streets Guidelines for this type of roadway, which includes ten-foot sidewalks and a street buffer. T. 32.

Mr. La Vay further testified that the site currently has two curb cuts, one on the north side and another on the south end. Applicant proposes to consolidate them into a single access point on the south end of the property on Parklawn Drive to improve walkability and safety of the sidewalk. T. 34. He was involved in conducting the site-distance analysis (Exhibit 27) and confirmed that the proposal meets the intersection site distance and is sufficient to allow for safe exit of a vehicle from the property whether the vehicle is turning right or left. T. 35.

The District Council agrees with the Hearing Examiner and finds that the proposed development conforms with and furthers the goals of the 2009 Twinbrook Sector Plan by among other things achieving the redevelopment of this industrial area and by seeking to enhance the area's environmental and urban design goals, including accommodating stormwater management.

Compability

Several sections of the Zoning Ordinance require the District Council to decide whether the FZP is compatible with adjacent uses and the surrounding area.[3] The Hearing Examiner found that the FZP would be compatible with both adjacent properties and the surrounding area. Based on this record, the District Council finds that the proposed development is compatible with the surrounding area.

Based on this record, the District Council agrees with the Hearing Examiner's recommendation - agreeing with Staff - that the proposed development which is surrounded generally by a mix of commercial and light industrial uses is compatible with the surrounding neighborhood. The Project proposes to transform the existing, aging, industrial self-storage use, into a high-quality self-storage facility that will revitalize the Property and present a significant improvement within the surrounding context. Redevelopment of the aging facility prioritizes activation of the streetscape through strategic siting of the proposed building and implementation of high-quality architectural elements along public-facing facades. Exhibit 20, p.16-17.

Adequacy of Public Facilities/Public Interest

[3] The application must satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter. *Zoning Ordinance,* Section 59.7.2.1.E.1.c. The intent of the Floating Zones requires the applicant to "ensure protection of established neighborhoods" by "establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses" and "providing development standards and general compatibility standards to protect the character of adjacent neighborhoods." *Id.,* Section 59.5.1.2.C.1 and 2.

The District Council must also find that public facilities will be adequate to serve the FZP.[4]

The FZP must comply with the Planning Board's Local Area Transportation Review (LATR) Guidelines. Zoning Ordinance, 59.7.2.1.E.1.c. Evidence in this record demonstrates that the proposed Project is estimated to generate a net increase of 8 motor vehicle trips in the morning peak hour and a net increase of 13 motor vehicle trips in the evening peak hour. Exhibit 20, p. 17. The 2024-2028 Growth and Infrastructure Policy (GIP) requires a Transportation Impact Study (TIS) for any project that is estimated to generate a net increase of 30 or more motor vehicle trips in either the morning or evening peak hours. As that is not the case for this Application, the LATR review is satisfied with a transportation exemption statement.

The Hearing Examiner's Report alludes to testimony of Applicant's expert witness. Ms. Maribel Donahue of Gorove Slade, who was qualified as an expert in Transportation Engineering (T. 72-73), testified that this project is not subject to intersection capacity analyses and that because it qualifies for exemption from the traffic study requirements because it generates fewer than 30 new net vehicular trips it satisfies the critical lane volume ratios. T. 78-79. She testified that the consolidated access improves pedestrian safety by reducing potential conflict zones. Id.

The District Council agrees with the findings of the Hearing Examiner that on the basis of the foregoing and a review of the totality of the evidence and testimony presented by Applicant, that all the "Necessary Findings" required by Zoning Ordinance Section 59.7.2.1.E.2. have been established by this Record, including the analysis of Planning Staff supported by the evidence presented by Applicant and the testimony of its expert witnesses. The record supports the findings that adequate public facilities exist to support this development.

The Intent of Floating Zones (Section 59.5.1.2)

The District Council must determine whether the FZP fulfills the intent of the Floating Zones. Several of these have already been addressed.[5] The balance of those (from Section 59-5.1.2) are:

> *Section 59-5.1.2.A.3. Implement comprehensive planning objectives by:*
>
> *3. allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property…*

[4]Section 59.7.2.1.E.2.e requires that an Applicant demonstrate that traffic generated from the proposed development "does not exceed the critical lane volume or volume/capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impacts . . ." The adequacy of other facilities is part of the Council's determination that an application will be "in the public interest…" and that it be "it will be consistent with a coordinated and systematic development of the Regional District" under State law. Zoning Ordinance, Section 59-7.2.1.E.1.b; *Md. Land Use Art*., Section 21-101(a) and (b). The intent of the Floating Zones is to "implement comprehensive planning objectives by…ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure…" Zoning Ordinance, Section 59-7.2.1.E.1.b; 59-5.1.2.A.2.

[5] The intent of Floating Zones contained in Sections 59-5.1.2.A.1 and 2 and 59-5.1.2.C of the Zoning Ordinance has already been addressed in the Council's findings relating to the compatibility of the FZP with surrounding uses and the adequacy of public facilities. The balance of the Floating Zone intent clauses are discussed here.

The Hearing Examiner found that the FZP meets this standard because the Project, among other things, facilitates retention of light industrial development and allows small community-serving businesses to reinvest in the community. The District Council agrees and finds that the application meets this intent of the Floating Zones.

> *Section 5.1.2.B. Encourage the appropriate use of land by:*
>
> *1. providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;*
>
> *2. allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population;*
>
> *3. ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation; and*

The District Council finds that the development proposed meets this intent. The record demonstrates that this rezoning supports the County's complete streets guides and masterplan.

Purpose of the Industrial Floating Zones (Section 59.5.1.3)

In addition to meeting the intent of Floating Zones, the FZP must meet the purpose of the specific zone requested because a floating zone was not specifically recommended by the Sector Plan. Division 5.5 of the Zoning Ordinance sets forth the Industrial Zones which include to allow development of industrial sites with primarily light manufacturing, warehouse, and related uses at a range of densities and heights flexible enough to respond to various settings.

Section 59-5.1.3 of the Zoning Ordinance sets forth specific requirements for local map amendment applications that propose the ILF Zone. The Subject Property has a base zone of IL-1.0 H-50', and there is no floating zone recommended by the Sector Plan. Per Section 59-5.1.3.C.3, "When requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application." As a property with a non-Residential base zone, there are no prerequisites for the Subject Application. This standard has been met.

Applicability of a Floating Zone (Section 59.5.1.3)

Section 59.5.1.3 of the Zoning Ordinance has some specific applicability requirements. A Floating Zone must not be approved for property that is in an Agricultural or Rural Residential zone.[6] This provision does not apply because the subject problem is not in an agricultural or rural residential zone. If a Floating zone is recommended in a master plan, there are no prerequisites for an

[6] Subsection A

application.[7] Similarly this provision does not apply because the applicable Master Plan did not recommend a Floating zone. Therefore, the specific requirements and prerequisites outlined in Section 59.5.1.3.C of the Zoning Ordinance must be analyzed instead:

> *3. Non-Residential Base Zone – When requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application.*

The District Council agrees with the Hearing Examiner that Staff correctly point out that the Property is currently located in an IL-1.0, H-50' zone, which is a non-residential base zone. Exhibit 20 p. 6. Accordingly, there are no prerequisites for this Application. Development Standards for ILF-2.25, H-50 Zone (Applicable to ILF) (Section 59.5.1.3.C.3).

Uses and Building Types Permitted (Section 59.5.1.3)

Section 59.5.5.5 of the Zoning Ordinance limits the land uses allowed in the ILF Zone to only those uses allowed in the IL Zone. Mr. La Vay testified at the hearing that self-storage is a permitted use in the ILF Zone.

Applicant's proposed FZP includes a binding element that limits the use of the property to only those uses allowed in the IL Zone. The Hearing Examiner agreed with Planning Staff that the design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of subsequent Preliminary Plan and Site Plan review. The District Council is satisfied as was the Hearing Examiner that the Project as presented will meet the Development Standards for the ILF 2.25, H-50' Zone.

Development Standards for ILF-2.25, H-50 (Section 59.5.1.3.C)

According to Planning Staff, the design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of subsequent Preliminary Plan and Site Plan review. The District Council finds that the Project will meet the Development Standards for the ILF-2.25, H-50 Zone, subject to additional details where noted to be determined at the site plan and later development stages as provided by law. (Exhibit 26.c)

Requirements of Article 59.6

Article 59.6 of the Zoning Ordinance contains general development standards for most developments. These standards regulate the number and design of parking spaces, drive aisles, landscaping, lighting and public and private open space. Based on the undisputed evidence at this stage, the District Council is satisfied that the Applicant's proposal will be able to meet these standards, subject to review and modification of the particulars during site plan review.

Conclusion

Based on the foregoing analysis and after a thorough review of the entire record, including the Hearing Examiner's Report issued August 17, 2026, the District Council concludes that the

[7] Subsection B

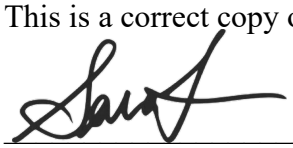
proposed reclassification and development will meet the standards set forth in the Zoning Ordinance, and that it will be consistent with the coordinated and systematic development of the Regional District under State law.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, Maryland, approves the following resolution:

> LMA Application H- 161, requesting reclassification from the existing IL-1.0, H-50' zone to the ILF-2.25, H-50'zone of Lot 5, Block F, Washington Rockville Industrial Park Subdivision shown on Plat 10883 at 12330 Parklawn Drive, Rockville, Maryland 20852 (Tax Account No. 04-00055063), is approved as requested and subject to the specifications and requirements of the Floating Zone Plan (Exhibit 26 c and b), provided that the Applicant files an executed Declaration of Covenants (Exhibit 30) reflecting the binding elements in the land records and submits to the Hearing Examiner for certification a true copy of the Floating Zone Plan approved by the District Council within 10 days of approval, in accordance with Sections 59.7.2.1.H.1.a. and b. of the Zoning Ordinance.

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council