

**Public Hearing**

**MEMORANDUM**

March 15, 2019

TO: County Council

FROM: Pamela Dunn, Senior Legislative Analyst

SUBJECT: **Public Hearing** – Corrective Map Amendment (H-130) to correct technical errors that occurred inadvertently and resulted in three split-zoned parcels along Carroll Avenue in Takoma Park

PURPOSE: Public hearing – no action required

The Planning Board has submitted Corrective Map Amendment (CMA) H-130 for Council approval. This Corrective Map Amendment (CMA) would correct technical errors that occurred inadvertently and resulted in three split-zoned parcels along Carroll Avenue in Takoma Park. The recommended changes will align the zoning with the County Council's intent and direction as outlined in the 2000 Takoma Park Master Plan.

The map amendment is attached with transmittal letter and description at ©1-6. The corrective map amendment is submitted as technical in nature and only for the purpose of changing the zoning on these properties to make them consistent with the Council's Sectional Map Amendment G-791 approving the 2000 Takoma Park Master Plan.

**As a reminder, the same ex parte rules that apply to sectional map amendments and local map amendments also apply to corrective map amendments. Therefore, Councilmembers should not engage in off-the-record communications.**

H-130

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**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OFFICE OF THE CHAIR

January 16, 2019

5082732

The Honorable Nancy Navarro  
President  
Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

SUBJECT: Corrective Map Amendment H-130 for Takoma Park Master Plan

Dear Ms. Navarro:

On behalf of the Montgomery County Planning Board, I am pleased to transmit Corrective Map Amendment (CMA) H-130 for the Takoma Park Master Plan to the County Council, with the Planning Board's unanimous recommendation of approval.

This CMA H-130 is to correct technical errors that occurred inadvertently and resulted in three split-zoned parcels along Carroll Avenue in Takoma Park. The recommended changes will align the zoning with the County Council's intent and direction as outlined in the *2000 Takoma Park Master Plan*.

The attached Planning Board staff report describes in detail the technical errors that were found and outlines the recommended corrections to the zoning on the CMA H-130 to ensure that the zoning is consistent with the County Council's Sectional Map Amendment G-791 approving the *2000 Takoma Park Master Plan*.

At its regular meeting on January 10, 2018, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the attached CMA. On a motion by Acting Chair Fani-Gonzalez, seconded by Commissioner Patterson with Commissioner Cichy voting in favor, the Board unanimously authorized staff to file this CMA. Chair Anderson and Commissioner Dreyfuss were necessarily absent.

We look forward to working with you. Should you have any questions, please contact Michael Brown at 301.495.4566.

Sincerely,

*Natali Fani-Gonzalez*  
Natali Fani-Gonzalez  
Acting Chair

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Attachment



**Corrective Map Amendment H-130**

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*LS* Lauren Stamm, Area 1, [lauren.stamm@montgomeryplanning.org](mailto:lauren.stamm@montgomeryplanning.org), 301.495.4556

*MP* Mark Pfefferle, Interim Chief, Area 1, [mark.pfefferle@montgomeryplanning.org](mailto:mark.pfefferle@montgomeryplanning.org), 301.495.4730

*MB* Michael Brown, Master Plan Supervisor, Area 1, [Michael.brown@montgomeryplanning.org](mailto:Michael.brown@montgomeryplanning.org), 301.495.4566

Completed: 12.20.18

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**Description**

- Request to authorize staff to submit Corrective Map Amendment to District Council, pursuant to Section 59-7.2.2, to correct technical errors that lead to an inaccurate depiction of the zoning classifications;
- Location: 7201, 7211, and 7221 Carroll Ave between Grant Avenue and Philadelphia Avenue in Takoma Park, MD;
- Master Plan: *2000 Takoma Park Master Plan*

**Staff Summary and Recommendation**

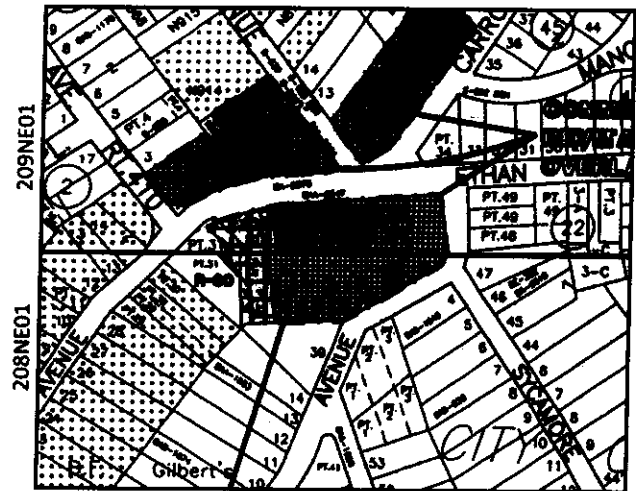
- Three parcels in Takoma Park are split-zoned as a result of a mapping error in the Sectional Map Application (SMA) G-791. The zoning on the current map applies multiple zones to parcels that is not consistent with the intention of *the 2000 Takoma Park Master Plan* and the subsequent conversion during the 2014 rewrite of the Zoning Ordinance. The error also effected parcels within the Takoma Park/East Silver Spring (TPESS) Commercial Revitalization overlay zone.
- Staff recommends approval to file the Corrective Map Amendment with the District Council.

**Background**

Section 59-7.2.2, Corrective Map Amendment (CMA) allows for the correction of an administrative or technical error that occurs in a Sectional or District Map Amendment. The process is design specifically for inadvertent omissions and mistakes that does not alter the original intent of the rezoning actions. Mapping errors occur for many reasons, but usually involve discrepancies arising from misinterpretation of parcel lines during the application of a local, sectional or district map amendment. There errors are more apparent in a GIS-based map because there are no grids or page breaks. The Planning Board must show that there is an error or inaccurate depiction of the zoning boundary line on the adopted zoning map.

The County land base is organized into over 660 mapping tiles, each covering an area 4000 feet by 6000 feet, the perimeter of which is based on the Washington Suburban Sanitary Commission (WSSC) grid tile layout. In both the 1982 and 2000 Takoma Park Master Plans, the effected parcels at 7221, 7211, and 7201 Carroll Ave were split between two WSSC grids: 208NE01 and 209NE01. In 1982 *Takoma Park Master Plan* (SMA G-351), the zone boundaries followed the parcel lines in both grids. However, in the 2000 *Takoma Park Master Plan* (SMA G-791), although the zoning boundaries on the 208NE01 grid were correct and followed parcel lines, on the 209NE01 grid, the boundary for the C-2 zone intended to apply to 7211 Carroll Ave also included a portion of 7201 Carroll Ave (see Map 1). The intentions in the 2000 Master Plan document itself were clear (as depicted on pg. B-15, Map 49); 7221 Carroll Ave was to be zoned C-1 Local Commercial, 7211 was to be zoned C-2 General Commercial, and the combined parcels addressed 7201 Carroll Ave was to be zoned, R-60 Single Family Residential and R-20 Multi-Family Medium Density Residential. The 2000 Plan also recommended the creation of the Takoma Park/East Silver Spring Commercial Revitalization Zone.

**Map 1. 2000 Takoma Park Master Plan (SMA G-791) WSSC Grids**

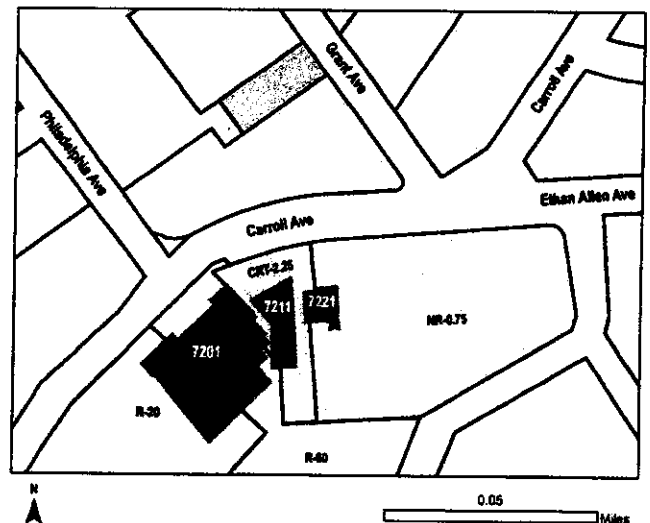


Though the Fire Station built at 7201 Carroll Ave went through the Mandatory Referral process in 2005 (MR 05104-DPW&T-1), as a public-sector development project, the process did not require any adjustments to the lot lines or zoning boundaries. However, there was an intended action of deed splits and combines that resulted in one parcel of the fire station site being correctly split-zoned with R-20 and R-60 classification. In 2008, through the Zoning Discovery project, the Planning Department began the process of converting the paper zoning maps to digital AutoCAD maps in preparation for the zoning rewrite. As the error was already present in the 209NE01 grid, the error remained, resulting in three split-zoned parcels: 7201, 7211, and 7221 Carroll Ave.

Several Corrective Map Amendments with similar discrepancies were approved by the council in 2013 (CMA G-927 through G-936, G-938 through G-948 and G-952) to ensure quality control before transferring both hand-drawn and AutoCAD maps into a GIS-based database. Unfortunately, this error was not found.

In 2014, District Map Amendment (DMA) G-956 was approved by the County Council to implement the new zoning ordinance. This resulted in the conversion from zone C-1 to NR-0.75 and zone C-2 to CRT-2.25. This Amendment also approved the use of the online, GIS-based zoning map as the official zoning map for the county. The error was identified by the attorney for the owner of 7221 Carroll Avenue, who notified Planning Staff of the error on November 8, 2018. Staff researched the issue separately and determined that the

**Map 2. Current Zoning**



properties located at 7201, 7211, and 7221 Carroll Ave should be corrected to eliminate split zoning. The boundary for TPESS overlay zone should also be adjusted to align with the parcel line between 7201 and 7211.

**Corrective Map Amendment**

This CMA is to correct three split-zoned parcels in Takoma Park and align the TPESS overlay zone to the parcel line. The recommended changes will align the zoning with the County Council's intent and direction as outlined in the 2000 Takoma Park Master Plan and subsequent 2014 zoning ordinance rewrite.

**7201, 7211, and 7221 Carroll Ave**

This error effects the properties located at 7201, 7211, and 7221 Carroll Ave.

	<b>Current Use</b>	<b>Current Zone(s)</b>	<b>Corrected Zone</b>
<b>7133 Carroll Ave</b>	Single Family Home	R-20	R-20
<b>7201 Carroll Ave</b>	Takoma Park Volunteer Fire Department	CRT-2.25 C-1.5 R-0.75 H-50 and R-60	R-60
<b>7211 Carroll Ave</b>	Healey Surgeons Auto Repair Shop	CRT-2.25 C-1.5 R-0.75 H-50	CRT-2.25 C-1.5 R-0.75 H-50
<b>7221 Carroll Ave</b>	Takoma Auto Clinic Inc.	CRT-2.25 C-1.5 R-0.75 H-50 and NR-0.75 H-50	NR-0.75 H-50
<b>201 Ethan Allen Ave</b>	Takoma Park-Silver Spring Food Co-op	CRT-2.25 C-1.5 R-0.75 H-50	CRT-2.25 C-1.5 R-0.75 H-50

**Conclusion and Recommendations**

Staff recommends approval to file a CMA with the District Council with a recommendation of approval by the Planning Board for the above corrective action to be transmitted to the District Council.

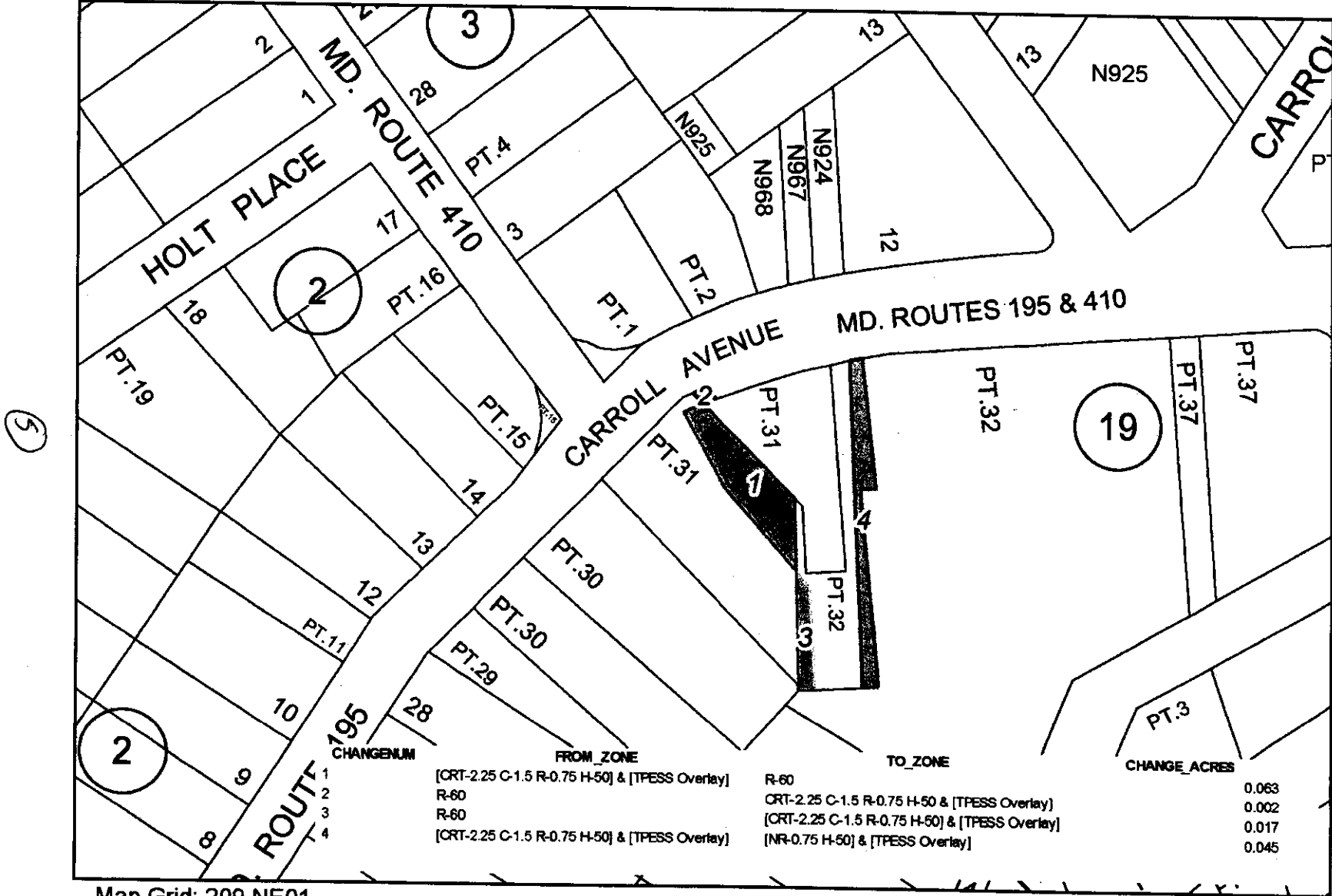
**Attachments**

Attachment 1: Map 1. Proposed Corrections

Attachment 1: Map 2. TPESS Overlay Zone: Existing Zoning and Proposed Corrections

**Attachment 1 - Map1**  
Proposed Corrections

CMA H-130



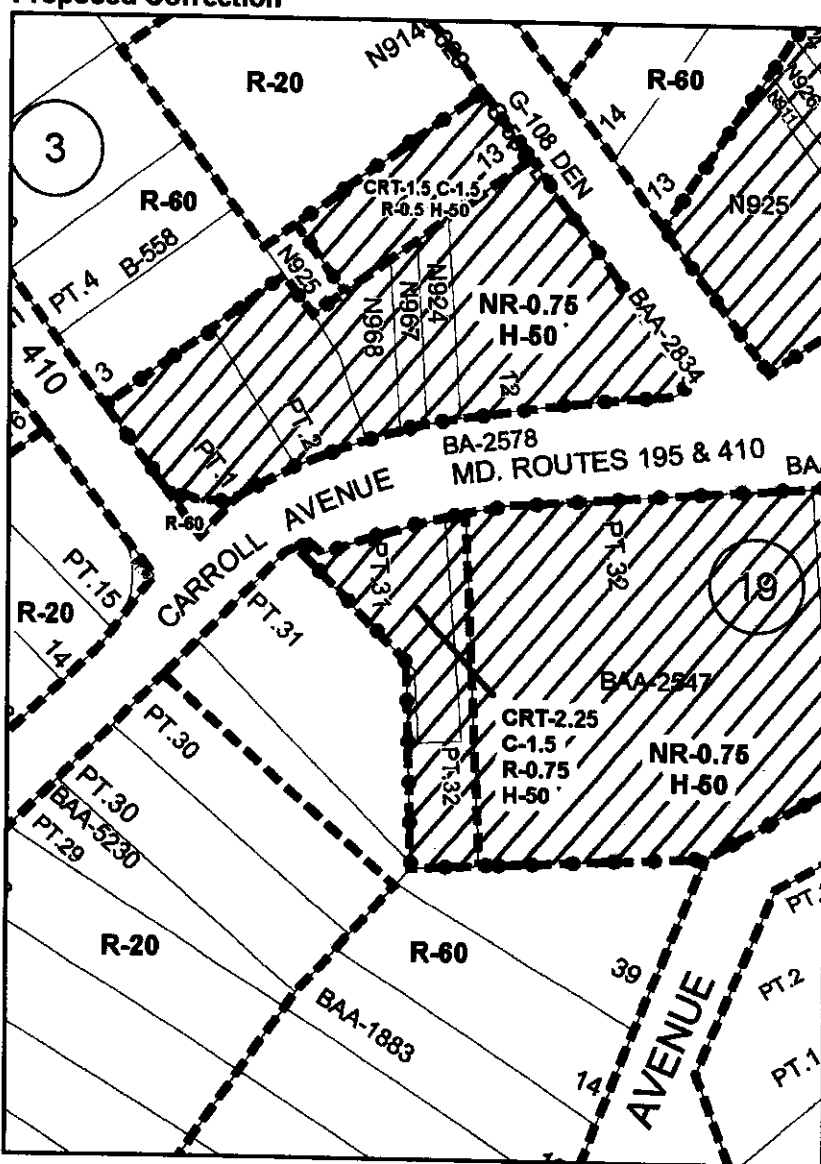
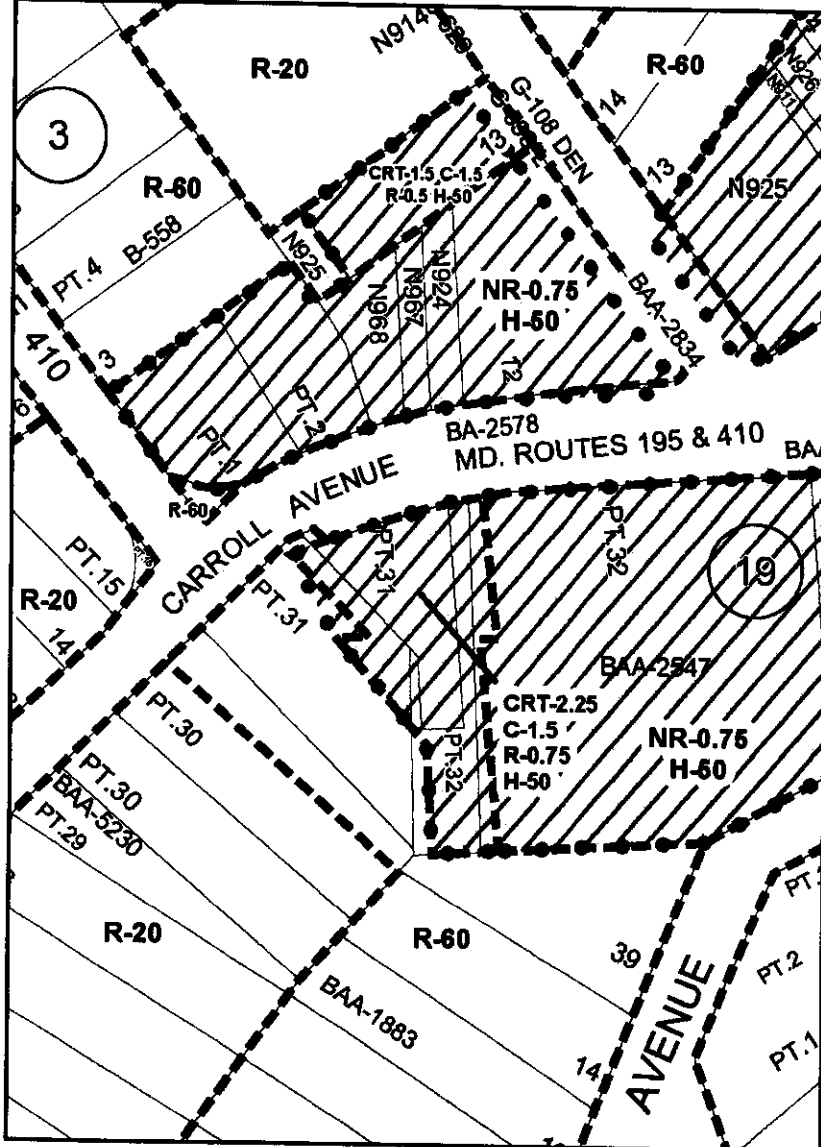
Map Grid: 209 NE01

1 in = 80 ft

**Attachment 1 - Map2**  
**Existing Zoning - December 2018**

**CMA H-130**

**Proposed Correction**



Map Grids: 208 NE01 & 209 NE01



Takoma Park/East Silver Spring Overlay

1 in = 100 ft