



**Committee:** PHP  
**Committee Review:** At a future date  
**Staff:** Livhu Ndou, Legislative Attorney  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** #GreatSenecaLifeSciences #MasterPlan  
 #IncentiveDensityZoning #GSLSOOverlayZone

AGENDA ITEM #8B  
 June 11, 2024  
**Introduction**

**SUBJECT**

Zoning Text Amendment (ZTA) 24-03, Overlay Zones – Great Seneca Life Sciences (GSLs) Overlay Zone

Lead Sponsor: Council President Friedson at the Request of the Planning Board

**EXPECTED ATTENDEES**

None

**COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION**

To introduce agenda item

**DESCRIPTION/ISSUE**

ZTA 24-03 will establish a new Great Seneca Life Sciences (GSLs) Overlay Zone.

**SUMMARY OF KEY DISCUSSION POINTS**

- The Planning Board approved the Planning Board Draft of the Great Seneca Plan on April 25, 2024. The District Council will begin review of the Plan this summer.
- ZTA 23-04 will establish the Great Seneca Life Sciences (GSLs) Overlay Zone, helping to implement the zoning and land use recommendations of the Great Seneca Plan.
- The ZTA includes modifications to standardize land uses across the overlay, incentivizes housing production, and establishes a new methodology for providing public benefits in optional method of development projects.
- A public hearing is tentatively scheduled for July 16, 2024.

**This report contains:**

ZTA 24-03	© 1
Planning Board Recommendation	© 23
Planning Staff Report	© 24
Life Sciences Center Maps	© 54

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Ordinance No.: \_\_\_\_\_  
Zoning Text Amendment No.: 24-03  
Concerning: Overlay Zones –  
Great Seneca Life  
Sciences (GSLs) Overlay  
Zone  
Revised: 5/29/2024 Draft No.: 1  
Introduced: June 11, 2024  
Public Hearing: \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_

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

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Lead Sponsor: Council President Friedson at the Request of the Planning Board

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- (1) establish the Great Seneca Life Sciences (GSLs) Overlay Zone; and
- (2) generally amend the provisions for overlay zones.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 4.9.	“Overlay Zones”
Section 4.9.13.	“Montgomery Village (MV) Overlay Zone”
Section 4.9.14.	“Regional Shopping Center (RSC) Overlay Zone”
Section 4.9.15.	“Rural Village Center (RVC) Overlay Zone”
Section 4.9.16.	“Sandy Spring/Ashton Rural Village (SSA) Overlay Zone”
Section 4.9.17.	“Takoma Park/East Silver Spring Commercial Revitalization (TPESS) Overlay Zone”
Section 4.9.18.	“Transferable Development Rights (TDR) Overlay Zone”
Section 4.9.19.	“Twinbrook (TB) Overlay Zone”
Section 4.9.20.	“Upper Paint Branch (UPB) Overlay Zone”
Section 4.9.21.	“Upper Rock Creek (URC) Overlay Zone”
Section 4.9.22.	“White Flint 2-Parklawn (WF-P) Overlay Zone”

And adding the following Section:

Division 4.9.	“Overlay Zones”
Section 4.9.13.	“Great Seneca Life Sciences (GSLs)”

**EXPLANATION:** **Boldface** indicates a Heading or a defined term.  
Underlining indicates text that is added to existing law by the original text amendment.  
**[Single boldface brackets]** indicate text that is deleted from existing law by original text amendment.  
Double underlining indicates text that is added to the text amendment by amendment.  
**[[Double boldface brackets]]** indicate text that is deleted from the text amendment by amendment.  
\* \* \* indicates existing law unaffected by the text amendment.

*ORDINANCE*

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



- 28 e. Storage Facility
- 29 3. The following uses are allowed only by site plan:
- 30 a. Two-Unit Living
- 31 b. Townhouse Living
- 32 c. Surface Parking for Use Allowed in the Zone
- 33 d. Retail/Service Establishment (50,001 - 85,000 SF)

34 **C. Development Standards**

35 1. Building Height

36 Developments in the GSLS Overlay Zone may exceed their mapped  
37 height if necessary to achieve the additional density allowed by Section  
38 4.9.13.C.2.a, not to exceed 200 feet total.

39 2. Density

- 40 a. Developments in the GSLS Overlay Zone may exceed their  
41 mapped FAR not to exceed 200 percent on a site if the Planning  
42 Board approves a sketch or site plan under Section 7.3.3. or  
43 7.3.4., or a Bio-Health Priority Campus Plan under Section 7.3.6.  
44 Developments must use all gross floor area allowed by the  
45 mapped underlying zone before receiving additional density  
46 under this provision. Public benefits as described in Section  
47 4.9.13.C.3 must be provided for any additional density received.
- 48 b. The limits in the GSLS zone that cap residential uses at 30  
49 percent of gross floor area and retail at 15 percent of gross floor  
50 area do not apply.

51 3. Public Benefits

52 All optional method development applications within the GSLS  
53 Overlay Zone must earn incentive density for any requested density  
54 above 0.5 FAR subject to the provisions of Section 4.9.13.C.2.a. and

55 are not responsible for providing public benefits under Section 4.7,  
56 Optional Method Public Benefits. Incentive density is the term used to  
57 describe any density above 0.5 FAR including any mapped density or  
58 additional density allowed by the GSLS Overlay Zone.

59 **a. General Provisions**

- 60 i. In determining how much incentive density a development  
61 application must achieve, applications must round up to  
62 the next nearest 0.25 FAR increment.
- 63 ii. Incentive density must be earned by providing public  
64 benefits. The public benefits are divided into one of four  
65 tiers in Sections 4.9.13.C.3.b. through 4.9.13.C.3.e., based  
66 on how much FAR of incentive density an applicant is  
67 permitted for providing that public benefit.
- 68 iii. Development applications may provide any combination  
69 of public benefits to achieve the necessary incentive  
70 density for their project.
- 71 iv. If an application provides a Tier 4 benefit, no other public  
72 benefits are required for that application.
- 73 v. If a specific public benefit is recommended for a property  
74 in the master plan, the applicant must provide that specific  
75 public benefit, unless the Planning Board finds that  
76 providing or maintaining the recommended benefit is  
77 infeasible or that the benefit is no longer in the public  
78 interest.

79 **b. Tier 1 Benefits**

80 The following public benefits are worth 0.25 FAR of incentive  
81 density:

- 82                   i.     Provide 20 percent GFA as a Residential use when the  
83                             underlying zone is LSC.
- 84                   ii.    Provide the minimum required number of MPDUs plus 2.5  
85                             percent.
- 86                   iii.   Design and construct offsite pedestrian and bicycle  
87                             facilities for a minimum of 750 linear feet.
- 88                   iv.    Contribute funding for offsite portions of one of the  
89                             following, at a rate of \$0.30 per GFA of the subject  
90                             development application:
- 91                             (a)   Key West Avenue Promenade
- 92                             (b)   Great Seneca Greenway
- 93                             (c)   Life Sciences Center Loop Trail
- 94                             (d)   Streetscape improvements along a public street  
95                                     within the overlay zone
- 96                   v.     Construct an offsite portion of the Life Sciences Center  
97                             Loop Trail for a minimum length of 2,500 linear feet.
- 98                   vi.    Provide offsite streetscape improvements along a public  
99                             street within the overlay zone including seating, paving,  
100                            street tree planting, landscaping, and lighting, for at least  
101                            5,000 linear feet based on the applicable streetscape  
102                            standards of the master plan.
- 103                   vii.   Provide a minimum of 10,000 square feet of flexible, step-  
104                            up space for life science startups.
- 105                   viii. Achieve a minimum 10 percent mixed-use development,  
106                            ensuring uses from at least two different use groups are  
107                            provided, each comprising a minimum of 10 percent of the  
108                            total GFA, as determined at the time of sketch plan.



- 109                    ix. Improve a minimum of 0.25 acres of an existing park or  
110                    public open space within the GSLS Overlay Zone area  
111                    with amenities designed to encourage use by people of all  
112                    ages, cultural backgrounds, and abilities such as, but not  
113                    limited to, color contrast applications on poles and  
114                    pavement, accessible bathrooms, mobility device  
115                    accessible play equipment, sensory playground  
116                    equipment, movable seating, and art, displays, statues, and  
117                    signs that recognize local history and community  
118                    members.
- 119                    x. Implement at least 3 of the following design excellence  
120                    strategies or achieve the International WELL Building  
121                    Institute’s WELL Core Bronze certification for the  
122                    project:
- 123                    (a) Designing a building with a clear architectural base,  
124                    middle, and top. The base is defined as the first one  
125                    or two floors of the building; the top is defined as  
126                    the uppermost one or two floors of the building; and  
127                    the middle is everything between the base and the  
128                    top.
- 129                    (b) Providing human-scaled architectural elements at  
130                    the building’s base fronting all streets and public  
131                    open spaces. Human-scaled architectural elements  
132                    include clearly marked entryways into ground-floor  
133                    uses, awnings, canopies, transparency, storefronts,  
134                    façade lighting, signage, and decorative  
135                    enhancements.

- 136 (c) Providing direct entry to all ground floor residential  
137 units fronting a street or public open space.
- 138 (d) Adjusting the building massing and façade design  
139 to create street-oriented development. The building  
140 massing should parallel the street, with the building  
141 base creating a continuous frontage with a  
142 minimum of 60 percent transparency. The building  
143 middle and top façade must be designed with  
144 windows, balconies, and terraces on any elevation  
145 along a street.
- 146 (e) Lining at least 75 percent of the ground floor long  
147 all streets and public open spaces with active uses  
148 such as retail, residential units, offices, lobbies, and  
149 amenity spaces. Ground floor entrances into the  
150 building must be no further than every 100 feet.
- 151 (f) Placing all onsite parking below ground grade or  
152 wrapping all structured parking with leasable GFA  
153 like residential or commercial floor spaces.
- 154 (g) Designing the footprint, massing, and building  
155 façades to respond to solar orientation and local  
156 climate to minimize energy use, maximize daylight  
157 exposure and incorporate passive heating, cooling,  
158 and ventilation.
- 159 (h) Reducing the floor plate for the top 2 floors by at  
160 least 20 percent to create terraces and an interesting  
161 skyline.

- 162 (i) Designing all structured parking to be adaptable for  
163 alternative uses in the future by creating flat plate  
164 parking floors with a minimum floor to ceiling  
165 clearance of 10 feet, accessed through a speed-  
166 ramp.
- 167 xi. Exceed current county code energy efficiency standards  
168 (IgCC and IECC) by a minimum of 10 percent as  
169 determined by the Department of Permitting Services  
170 Division of Commercial Building Construction at site  
171 plan.
- 172 xii. Generate one-third of renewable energy onsite or utilize  
173 renewable energy from the regional catchment area as  
174 determined by the Department of Permitting Services  
175 Division of Commercial Building Construction at site  
176 plan.
- 177 xiii. Meet Alternative Compliance Path for Green Code and  
178 achieve LEED Silver + 21 points as determined by the  
179 Department of Permitting Services Division of  
180 Commercial Building Construction by the final use and  
181 occupancy permit.
- 182 xiv. Design a site that includes 2 of the following sustainable  
183 elements:
- 184 (a) Two principles of biophilic design from the  
185 following list of strategies:
- 186 (1) Incorporate environmental features such as  
187 sunlight, fresh air, plants, animals, water,

- 188 native landscapes, natural colors, and natural  
189 materials such as wood and stone.
- 190 (2) Utilize elements in building design to  
191 simulate and mimic shapes and forms found  
192 in nature. Examples include using tree-like  
193 columns in a building interior to support a  
194 roof that projects the feeling of a forest  
195 canopy; building shapes that simulate the  
196 appearance of bird wings; ornamentation  
197 suggestive of a natural shape like a crystal or  
198 geological feature, or others as approved by  
199 the Planning Board.
- 200 (3) Use building and site design to stimulate a  
201 variety of senses, simulate the qualities of  
202 organic growth, or reflect the processes of  
203 aging and the passage of time.
- 204 (4) Use spatial and lighting features that evoke  
205 the sense of being in a natural setting  
206 considering lighting placement, fixture  
207 design, and color temperature.
- 208 (5) Incorporate place-based relationships  
209 between buildings and the distinctive  
210 geographical, ecological, and cultural  
211 characteristics of particular places and  
212 localities by incorporating reference to  
213 geological and landscape features, the use of  
214 local and indigenous materials, and

215 connections to particular historic and cultural  
216 traditions.

217 (6) Provide an outdoor respite space, part of a  
218 garden, or green area that offers restoration  
219 through the inclusion of natural sensory  
220 experiences and opportunities for quiet  
221 reflection and stillness.

222 (b) Enhanced green roof with a minimum coverage of  
223 10 percent of the roof (minimum 6 inches in depth).

224 (c) Two categories of bird-friendly design as defined in  
225 the Bethesda Downtown Plan Design Guidelines.

226 (d) Pervious pavement for 10 percent of all paved  
227 surfaces as determined by the Department of  
228 Permitting Services.

229 xv. Adaptively reuse at least 10,000 square feet of floor area  
230 of an existing building on site.

231 **c. Tier 2 Benefits**

232 The following public benefits are worth 0.50 FAR of incentive  
233 density:

234 i. Provide 30 percent GFA as a Residential use when the  
235 underlying zone is LSC.

236 ii. Provide the minimum required number of MPDUs plus 5  
237 percent.

238 iii. Design and construct offsite streetscape improvements  
239 along a public street, including any required pedestrian  
240 and bicycle facilities, for a minimum of 1,000 linear feet.

- 241                    iv.    Contribute funding for offsite portions of one of the  
242                    following, at a rate of \$0.60 per square foot of GFA of the  
243                    subject development application:  
244                    (a)    Key West Avenue Promenade  
245                    (b)    Great Seneca Greenway  
246                    (c)    Life Sciences Center Loop Trail  
247                    v.     Construct an offsite portion of the Life Sciences Center  
248                    Loop Trail for a minimum length of 3,500 linear feet.  
249                    vi.    Provide a minimum of 20,000 square feet of flexible step-  
250                    up space for life science startups.  
251                    vii.   Achieve a minimum of 15 percent mixed-use  
252                    development, ensuring uses from at least two different use  
253                    groups are provided, each comprising a minimum of 15  
254                    percent of the total GFA, as determined at the time of  
255                    sketch plan.  
256                    viii. Exceed the minimum required amount of Public Open  
257                    Space on site by at least 50 percent.  
258                    ix.    Implement at least 5 of the design excellence strategies  
259                    identified in Section 4.9.13.C.3.b.x above or achieve the  
260                    International WELL Building Institute’s WELL Core  
261                    Silver certification for the project.  
262                    x.     Exceed current county code energy efficiency standards  
263                    (IgCC and IECC) by a minimum of 17.5 percent as  
264                    determined by the Department of Permitting Services  
265                    Division of Commercial Building Construction at site  
266                    plan.

- 267 xi. Generate two-thirds of renewable energy onsite or utilize  
268 renewable energy from the regional catchment area as  
269 determined by the Department of Permitting Services  
270 Division of Commercial Building Construction at site  
271 plan.
- 272 xii. Meet Alternative Compliance Path for Green Code and  
273 achieve LEED Gold as determined by the Department of  
274 Permitting Services Division of Commercial Building  
275 Construction by the final use and occupancy permit.
- 276 xiii. Design a site that includes three of the following  
277 sustainable elements:
  - 278 (a) 4 principles of biophilic design as defined in Section  
279 4.9.13.C.3.b.xiv.
  - 280 (b) Enhanced green roof with a minimum coverage of  
281 15 percent of the roof (a minimum of 7 inches in  
282 depth).
  - 283 (c) 3 categories of bird friendly design as defined in the  
284 Bethesda Downtown Plan Design Guidelines.
  - 285 (d) Pervious pavement for 25 percent of all paved  
286 surfaces as determined by the Department of  
287 Permitting Services.
- 288 xiv. Adaptively reuse at least 25,000 square feet of floor area  
289 of an existing building on site.

290 **d. Tier 3 Benefits**

291 The following public benefits are worth 1.0 FAR of incentive  
292 density:

- 293 i. Provide the minimum required number of MPDUs plus 7.5  
294 percent.
- 295 ii. Design and construct offsite streetscape improvements  
296 along a public street, including any required pedestrian  
297 and bicycle facilities, for a minimum of 2,000 linear feet.
- 298 iii. Contribute funding for offsite portions of one of the  
299 following, at a rate of \$1.00 per GFA of the subject  
300 development application:
- 301 (a) Key West Avenue Promenade
- 302 (b) Great Seneca Greenway
- 303 (c) Life Sciences Center Loop Trail
- 304 iv. Construct an offsite portion of the Life Sciences Center  
305 Loop Trail for a minimum length of 5,000 linear feet.
- 306 v. Provide a minimum of 30,000 square feet of flexible, step-  
307 up space for life science startups.
- 308 vi. Provide a minimum 1.5-acre Major Public Open Space  
309 recommended per the master plan as a Privately Owned  
310 Public Open Space, with approval on the location and  
311 design determined by the Planning Board. The Public  
312 Open Space should comply with the elements listed in the  
313 Energizing Public Space Design Guidelines for “Civic  
314 Green / Plaza.”
- 315 vii. Implement at least 7 of the design excellence strategies  
316 identified in Section 4.9.13.C.3.b.x above or achieve the  
317 International WELL Building Institute’s WELL Core  
318 Gold certification for the project.



- 319                    viii. Exceed current county code energy efficiency standards  
 320                    (IgCC and IECC) by a minimum of 25 percent as  
 321                    determined by the Department of Permitting Services  
 322                    Division of Commercial Building Construction at site  
 323                    plan.
- 324                    ix. Generate three-fourths of renewable energy onsite or  
 325                    utilize renewable energy from the regional catchment area  
 326                    as determined by the Department of Permitting Services  
 327                    Division of Commercial Building Construction at site  
 328                    plan.
- 329                    x. Meet Alternative Compliance Path for Green Code and  
 330                    achieve LEED Gold, and one of the following as  
 331                    determined by the Department of Permitting Services  
 332                    Division of Commercial Building Construction by the  
 333                    final use and occupancy permit:
- 334                    (a) Full electrification  
 335                    (b) Mass Timber construction
- 336                    xi. Design a site that includes four of the following  
 337                    sustainable elements:
- 338                    (a) Six principles of biophilic design as defined in  
 339                    Section 4.9.13.C.3.b.xiv.
- 340                    (b) Enhanced green roof with a minimum coverage of  
 341                    25 percent of the roof (a minimum of 11 inches in  
 342                    depth).
- 343                    (c) Four categories of bird friendly design as defined in  
 344                    the Bethesda Downtown Plan Design Guidelines.

345                   (d) Pervious pavement for 40 percent of all paved  
346                               surfaces as determined by the Department of  
347                               Permitting Services.

348                   xii. Adaptively reuse at least 75,000 square feet of floor area  
349                               of an existing building on site.

350                   **e. Tier 4 Benefits**

351                   If an applicant provides any one Tier 4 Benefit listed below, no  
352                   additional public benefits are necessary to achieve all allowed  
353                   incentive density:

354                   i. Provide greater than 25 percent MPDUs at an average of  
355                               60 percent area median income.

356                   ii. Design and construct offsite streetscape improvements  
357                               along a public street, including any required pedestrian  
358                               and bicycle facilities, for a minimum of 5,000 linear feet  
359                               within the overlay zone area.

360                   iii. Contribute funding for offsite portions of one of the  
361                               following, at a rate of \$2.00 per GFA of the subject  
362                               development application:

363                               (a) Key West Avenue Promenade

364                               (b) Great Seneca Greenway

365                               (c) Life Sciences Center Loop Trail

366                   iv. Provide one of the following transportation connections  
367                               identified as greatly enhancing the transportation network  
368                               by the Master Plan:

369                               (a) The street connection, including the LSC Loop  
370                               Trail, connecting Belward Campus Drive to

- 371                    Decoverly Drive, at the intersection with Great  
372                    Seneca Highway.
- 373                    (b) A trail connecting Darnestown Road and Medical  
374                    Center Drive, located between Shady Grove Road  
375                    and Great Seneca Highway.
- 376                    (c) The street connection of Road Z between Broschart  
377                    Road and Dalmatian Street.
- 378                    v. Provide a minimum of 40,000 square feet of flexible step-  
379                    up space for life science startups.
- 380                    vi. Construct and dedicate or convey to Montgomery Parks a  
381                    minimum 3-acre park recommended in the Master Plan.  
382                    Approval of the location and design to be determined by  
383                    the Planning Board. The park must comply with the  
384                    elements listed in the Energized Public Spaces Design  
385                    Guidelines for “Urban Recreational Park.”
- 386                    vii. Implement all 9 of the design excellence strategies  
387                    identified in Section 4.9.13.C.3.b.x above or achieve the  
388                    International WELL Building Institute’s WELL Core  
389                    Platinum certification for the project.
- 390                    viii. Construct an energy efficient building with a net-zero  
391                    rating as determined by the Department of Permitting  
392                    Services Division of Commercial Building Construction at  
393                    site plan
- 394                    ix. Generate 100 percent of renewable energy onsite or utilize  
395                    renewable energy from the regional catchment area as  
396                    determined by the Department of Permitting Services

397 Division of Commercial Building Construction at site  
398 plan.

399 x. Meet the Alternative Compliance Path for Green Code and  
400 achieve LEED Platinum as determined by the Department  
401 of Permitting Services Division of Commercial Building  
402 Construction at site plan.

403 xi. Design a site that includes the four following sustainable  
404 elements:

405 (a) Six principles of biophilic design as defined in  
406 Section 4.9.13.C.3.b.xiv.

407 (b) Enhanced green roof with a minimum coverage of  
408 35 percent of the roof (a minimum of 16 inches in  
409 depth).

410 (c) Five categories of bird friendly design as defined in  
411 the Bethesda Downtown Plan Design Guidelines.

412 (d) Pervious pavement for 50 percent of all paved  
413 surfaces as determined by the Department of  
414 Permitting Services.

415 xii. Adaptively reuse at least 100,000 square feet of floor area  
416 of an existing building on site.

417 xiii. Underground all existing overhead utilities along the site  
418 frontage of the subject property, or at another offsite  
419 location within the GSLS Overlay Zone, with an estimated  
420 cost of at least \$1,000,000.

421 **D. Development Procedures**

422 1. Except as modified in this subsection, the development procedures of  
423 the underlying zone apply.

- 424           2.     In the GSLS Overlay zone, any development at or over 0.5 FAR is  
 425                   considered optional method of development.
- 426           3.     All optional method developments in the GSLS zone must require the  
 427                   purchase of Building Lot Termination (BLT) easements or make a  
 428                   payment into the Agricultural Land Preservation Fund (ALPF) in an  
 429                   amount equal to 7.5 percent of the incentive density floor area in lieu  
 430                   of the procedures of Section 4.7.3.F.1.b. One BLT is equivalent to  
 431                   31,500 square feet of incentive density floor area. Private BLT  
 432                   easements must be purchased in whole units. Fractions of BLT  
 433                   easements must be purchased through the ALPF, based on the amount  
 434                   established by Executive Regulation under Chapter 2B.
- 435           4.     Development is not subject to the parking minimums established in the  
 436                   vehicle parking spaces table under Section 6.2.4.B.
- 437           5.     Surface vehicle parking is prohibited between a building and a public  
 438                   or private street.

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**Section [5.9.13] 5.9.14. Montgomery Village (MV) Overlay Zone**

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**Section [5.9.14] 5.9.15. Regional Shopping Center (RSC) Overlay Zone**

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**Section [5.9.15] 5.9.16. Rural Village Center (RVC) Overlay Zone**

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**Section [5.9.16] 5.9.17. Sandy Spring/Ashton Rural Village (SSA) Overlay  
Zone**

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**Section [5.9.17] 5.9.18. Takoma Park/East Silver Spring Commercial  
Revitalization (TPESS) Overlay Zone**

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\* \* \*

452 **Section [5.9.18] 5.9.19. Transferable Development Rights (TDR) Overlay Zone**

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\* \* \*

454 **Section [5.9.19] 5.9.20. Twinbrook (TB) Overlay Zone**

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\* \* \*

456 **Section [5.9.20] 5.9.21. Upper Paint Branch (UPB) Overlay Zone**

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\* \* \*

458 **Section [5.9.21] 5.9.22. Upper Rock Creek (URC) Overlay Zone**

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\* \* \*

460 **Section [5.9.22] 5.9.23. White Flint 2-Parklawn (WF-P) Overlay Zone**

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\* \* \*

462 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the  
463 date of Council adoption.

This is a correct copy of Council action.

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Sara R. Tenenbaum  
Clerk of the Council



**May 24, 2024**

**To:** The Honorable Andrew Friedson  
President, Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 501  
Rockville, Maryland 20850

**From:** Montgomery County Planning Board

**Subject:** Proposed Zoning Text Amendment – Great Seneca Life Sciences Overlay Zone

### **BOARD RECOMMENDATION**

The Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission met on May 23, 2024, and by a vote of 5:0 recommended transmittal and Council introduction of a proposed Zoning Text Amendment (ZTA) to establish a new Great Seneca Life Sciences (GSLS) Overlay Zone. The GSLS Overlay Zone would help implement zoning and land use recommendations from the Planning Board draft of the Great Seneca Plan: Connecting Life and Science (GSP) for the Life Sciences Center area of the plan.

The GSLS Overlay Zone accomplishes many goals of the GSP, including standardizing land uses and review standards across the overlay area, incentivizing housing production, creating opportunities to provide additional building height and density, promoting people-centric urban design, and establishing a new methodology for providing public benefits in optional method of development projects.

The Planning Board appreciates the Council's willingness to consider introduction and review of the GSLS Overlay Zone while concurrently reviewing the GSP. Please reach out to Ben Berbert ([benjamin.berbert@montgomeryplanning.org](mailto:benjamin.berbert@montgomeryplanning.org)) and Maren Hill ([maren.hill@montgomeryplanning.org](mailto:maren.hill@montgomeryplanning.org)) with any questions or concerns during the review of this ZTA.

### **CERTIFICATION**

This is to certify that the attached report is a true and correct copy of the technical staff report and the foregoing is the recommendation adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission, at its regular meeting held in Wheaton, Maryland, on Thursday, May, 23, 2024.



**Artie L. Harris**  
Chair

Attachments: A – Planning Board Staff Report  
B – Draft Zoning Text Amendment for the GSLS Overlay Zone  
C – Maps of the Life Science Center



# PROPOSED ZTA GREAT SENECA LIFE SCIENCES (GSLs) OVERLAY ZONE

## Description

This proposed ZTA would establish the Life Sciences Center (LSC) Overlay Zone, helping implement zoning and land use recommendations of the Great Seneca Plan: Connecting Life and Science.

ZTA 24-##

Completed: 05-16-2024

MCPB

Item No. 07

05-23-2024

Montgomery County

Planning Board

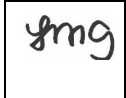
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### PLANNING TEAM

Countywide Planning and Policy on behalf of  
Midcounty Planning

### PLANNING BOARD DATE

May 23, 2024

### REVIEW BASIS

Chapter 59



### Summary:

- This proposed Zoning Text Amendment (ZTA) for the Life Sciences Center (LSC) will help implement the zoning and land use recommendations of the Great Seneca Plan: Connecting Life and Science (GSP).
- The recommendations addressed by the LSC Overlay Zone include modifications to standardize land uses across zones, to allow for extra density and building height, and to implement a unique set of incentive density standards.
- This ZTA will be introduced by the District Council prior to the Planning, Housing, and Parks (PHP) Committee work sessions on the GSP.

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## SECTION 1: BACKGROUND

### RATIONALE FOR INTRODUCTION

This Zoning Text Amendment (ZTA) for the Great Seneca Life Sciences (GSLs) Overlay Zone is being introduced as part of the implementation of the [Great Seneca Plan: Connecting Life and Science](#) (GSP). The GSP plan is a comprehensive amendment of the 2010 *Great Seneca Science Corridor Master Plan*. It was undertaken, in part, because the vision of the 2010 plan was not being fully realized. Among the many issues the GSP seeks to address is an update to the allowed land uses, densities, and procedures of development. The GSLs Overlay Zone is a major component in enacting these desired changes.

## SECTION 2: GSLs OVERLAY ZONE

The following sections of this report will describe each of the sections in the proposed ZTA for the GSLs Overlay Zone, explaining the purpose of each section and the effect and intent of the included language.

### PURPOSE

The purpose section of the GSLs Overlay Zone begins on line 5 of the ZTA and includes four intent statements, which are based largely on the overarching purpose of the GSP:

- Attract and retain the life sciences industry.
- Incentivize the production of housing.
- Achieve a complete community that includes a range of land uses, jobs, diverse housing options, services, and amenities that meet the needs of people within a 15-minute walk, bike ride, roll, or other trip through safe, accessible, and reliable transportation infrastructure.
- Implement recommendations of the GSP including land uses, densities, building heights, parking, and public benefits.

### LAND USES

The land use section of the overlay zone, starting on line 17 of the ZTA, is designed to achieve multiple purposes. First, the overlay zone addresses the recommendation in the GSP to standardize land uses, which is done by stating that the allowed uses of the CR zone are to apply regardless of the underlying zone, except as expressly modified within this section. Second, the overlay zone modifies the list of allowed and not allowed uses to better align with the vision of the plan. Lastly, there are a few uses allowed in the zone that require a site plan review as part of the approval process.

Two uses not allowed in the CR zone but desired by the GSP are:

- Life Sciences
- Animal Research Facility

Additionally, there are a few uses that are allowed in the CR zone but do not conform to the goals of the GSP and should not be allowed:

- Single-Unit Living
- Retail Establishments 85,001 SF and over
- Drive-Thru
- Self-Storage
- Storage Facility

The following uses are permitted in the GSLS Overlay Zone, but should only be approved with a site plan because the design of these uses is critical to achieving the complete community goals of the overlay:

- Two-unit Living
- Townhouse Living
- Surface Parking for Use Allowed in the Zone
- Retail Establishment 50,001 – 85,000 SF

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## DEVELOPMENT STANDARDS

The Development Standards section of the GSLS Overlay Zone covers three subsections; building heights, density, and public benefits. The GSP envisions the areas under the GSLS Overlay Zone as a more urban, complete community than exists today. These development standards recommendations aim to incentivize development sites to redevelop under the requirements of the overlay zone and to ensure new development enacts the vision of the GSP.

### BUILDING HEIGHTS

The Building Height standard starts on line 35 of the overlay zone ZTA. The GSP recommends allowing applicants to exceed their mapped building heights, allowing total heights of up to 200 feet, if the additional height is deemed necessary for meeting the additional density also being allowed by the overlay zone. Height allotment was addressed through the overlay zone rather than during the Sectional Map Amendment process because zones such as CRT have a maximum mapped height of only 150 feet. Increasing mapped building heights without a commiserate increase in density may also have the unintended consequence of encouraging inefficient utilization of land with elements such as surface parking or unengaging open space rather than creating buildings that properly engage with

the public realm. If an application chooses to take advantage of the additional density provisions of the overlay zone discussed in the following section of this report, then the additional building heights should also be allowed.

## DENSITY

The density provision of the GSLS Overlay Zone, starting on line 39, has two components; a provision allowing development applications to exceed their mapped density, and a clarifying statement that the residential and retail limits in the LSC zone do not apply.

The first provision allows development projects in the GSLS Overlay Zone to exceed their mapped densities, by up to 200%, provided they first use all gross floor area allowed by the mapped underlying zone. Any additional density would continue to require applicants to earn incentive density by providing public benefits, consistent with the process for the mapped density. Planning Staff has chosen to provide additional density within the overlay zone in this method rather than through the Sectional Map Amendment process because many sites within the overlay are large, have existing entitlements, and may never reach their full existing mapped densities. However, there may be select applications that are positioned to take advantage of additional density and those opportunities are encouraged. The approach is similar to that used in Downtown Silver Spring that allows projects to exceed their density and height. While in Downtown Silver Spring additional density is available for paying into a Civic Improvement Fund, in the Great Seneca Life Sciences Overlay Zone additional density is available for providing additional Incentive Density public benefits.

The second density provision removes the limitations in the LSC zone which cap residential uses at 30% of a project's gross floor area, and retail uses at 15%. Providing opportunities for housing is an important element of the GSP and these existing caps on residential use limit that opportunity. The existing code provision requiring at least 40% of LSC zoned properties to be built with life sciences uses will remain, ensuring a critical mass of these uses remain within the plan area.

## PUBLIC BENEFITS

The most substantial part of the GSLS Overlay Zone is the public benefits section, 4.9.13.C.3. starting on line 50 of the draft ZTA. This section is unique because it's the first overlay zone that was drafted anticipating the updated public benefits process, through the ongoing [Incentive Density Zoning update](#). This overlay zone is advancing prior to the full review and adoption of the Incentive Density Zoning project; therefore, the public benefits section is designed to stand on its own until Section 4.7 of the code is updated. Planning Staff anticipate a follow-up ZTA may be necessary to integrate the GSLS Overlay Zone into the larger Incentive Density project in the future.

The public benefits and Incentive Density of this overlay zone work differently from the existing system of public benefits. Currently, projects that cross into optional method of development are

required to provide a certain number of public benefit points, based on the zone. This process discourages many applications from exceeding the optional method threshold because there is no sliding scale that aligns the number of required points with a project's total density. This new process sets up a framework where public benefits are assigned a FAR value, and development applications provide public benefits to earn the right to build over the optional method threshold. Applications that only slightly exceed the FAR for optional method are required to provide fewer benefits than those that greatly exceed the threshold. Public benefits are organized by "tier" based on the amount of Incentive Density the benefits will credit an application. This allows the provision of public benefits to align with the actual size of a project. In the GSLS Overlay Zone, all projects are optional method once the FAR proposed is above 0.5. The density available to a project above 0.5 FAR, whether it is mapped density, or additional density made eligible through the GSLS Overlay Zone, is considered the Incentive Density.

To utilize the Incentive Density, applicants will need to provide public benefits that achieve Incentive Density credits ranging from 0.25 to 1.0 FAR depending on the expense and complexity of the benefit. The public benefits in the overlay zone are broken down into four tiers based on the value of the incentive. Tier 1 projects are worth 0.25 FAR, Tier 2 projects are worth 0.5 FAR, Tier 3 projects are worth 1.0 FAR, and Tier 4 projects are worth an unlimited amount of FAR, allowing a project to achieve up to 200% of their mapped FAR in this overlay zone. Applicants can choose any combination of listed public benefits to achieve the necessary Incentive Density. Applicants who provide a project from the Tier 4 list are not required to provide any other public benefits.

The consulting firm Hayat Brown provided research to determine appropriate values for percentages, measurements (Gross Floor Area, linear feet, etc.), and contribution rates. Within each tier, the public benefits have roughly proportional value. The public benefits also rely on standards used by partner agencies, such as the Department of Permitting Services, and were developed in consultation with other county agencies.

As an example of how the Incentive Density would work if an application is proposing a density of 2.5 FAR, they are allowed the first 0.5 FAR as part of the base standard method density. The Incentive Density for this project is 2.0 FAR. Applicants would start providing public benefits from the different tiers to earn 2.0 worth of FAR. They could provide 8 tier one benefits (worth 0.25 FAR each), 4 tier 2 benefits (worth 0.5 FAR each), 2 tier 3 benefits (worth 1 FAR each). Applicants can also provide benefits from different tiers. An example may provide 2 tier 1 benefits (for a total 0.5 FAR), and 3 tier 2 benefits (for a total 1.5 FAR), or 4 tier one benefits (for a total of 1 FAR) and one tier 3 benefit (for a total of 1 FAR). The goal is to provide any combination to achieve the 2 FAR of Incentive Density.

The public benefits outlined and defined in the Great Seneca Life Sciences Overlay Zone Draft Zoning Text Amendment (ZTA) were selected to support the implementation of the Planning Board Draft of the Great Seneca Plan, specifically the Draft Plan's vision and recommendations for the Life Sciences Center.

The Planning Board Draft of the Great Seneca Plan envisions the Life Sciences Center as a place that will include a range of land uses, jobs, diverse housing options, services, and amenities to meet the needs of a variety of people within a 15-minute walk, bike ride, roll, or other trip through safe, accessible, and reliable transportation infrastructure. The Draft Plan promotes a high-quality built environment, an active and enriching social life, and natural features that contribute to better physical and mental well-being. The Draft Plan envisions transforming streets from barriers to vital elements of the public realm, supports the economic growth and competitiveness of the Life Sciences Center, and seeks to extend the success of the Life Sciences Center to all who live, work, and visit the area.

The recommended public benefits provide incentives to:

- increase housing production and affordability
- build mixed-use development to contribute to the vibrancy and activation of the Life Sciences Center
- construct key infrastructure projects and public amenities identified in the Draft Plan, such as the Key West Avenue Promenade, the Great Seneca Greenway, Life Sciences Center Loop Trail, as well as the street network which includes facilities for people walking, biking, and rolling
- apply innovative and attractive design that enhances the public realm and the sense of place
- exceed county environmental and sustainability standards such as energy efficiency, renewable energy production, and green building design
- provide spaces for smaller life science companies to support their competitiveness and retain companies in the county
- create public spaces for the diverse population that lives, works, and visits the area

In the longer term Incentive Density project, there will likely be a companion implementation guideline that will help explain the intent, and guidance on how to determine if an applicant has met the public benefit. Absent this guideline in the short-term, some of the public benefits have been expanded upon to include basic definitions to help with implementation. In addition, some public benefits make reference to other official national standards or codes. These include:

- WELL CORE certification program – The WELL Building Institute provides a performance-based system for measuring, certifying, and monitoring features of the built environment that impact human health and well-being.
- International Green Construction Code (IgCC) – The IgCC establishes minimum requirements for new and existing buildings to achieve sustainable building practices. The IGCC is a model code that aims to improve the environmental performance and sustainability of buildings during their construction, design, and operation. The IgCC strives to create predictable, tested standards across jurisdictions.
- International Energy Conservation Code (IECC) – The IECC is a model code that establishes minimum requirements for energy-efficient buildings in commercial and residential



construction. IECC regulates the construction and design of buildings to help them use and conserve energy throughout their useful life.

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## DEVELOPMENT PROCEDURES

The development procedures section of the GSLS Overlay Zone begins on line 388 and is another section aiming to standardize the development process across different zones to create a consistent development process. The following provisions are included in the overlay zone:

- **Development at or over 0.5 FAR is considered optional method development:** Currently, the density when optional method commences is between 0.5 and 1.0 FAR, depending on the zone. The GSLS Overlay Zone proposes to set the threshold of when optional method development requirements including public benefits commence at 0.5 FAR regardless of the underlying zone.
- **Optional method LSC zone projects shall require the purchase of Building Lot Termination (BLT) easements or pay into the Agricultural Land Preservation Fund (ALPF) at an amount equal to 7.5% of the incentive density floor area:** Currently, the LSC zone requires applicants to purchase BLTs equal to 50% of the incentive density floor area, which is a large, expensive hurdle that impacts developments in the current zone. The GSLS Overlay Zone proposes to reduce the requirement to 7.5% to aligns with the requirements of the C/R family of zones.
- **Development is not subject to parking minimums:** The LSC Overlay Zone would waive any parking minimums otherwise set forth in the zoning code to advance compact development and to incentivize transit and alternative mobility options.
- **Surface Vehicle parking is prohibited between a building and a street:** This is a design requirement that Planning Staff frequently advocate for in new developments. There are some provisions under standard method projects in the CR zones prohibiting parking closer to the street than the front building line, but often remains silent on parking placement for optional method projects allowing the site plan review process to control parking location. This provision clarifies that in any development surface vehicle parking is prohibited between a building and a street.

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## EXISTING OVERLAY ZONES

The remainder of the LSC Overlay Zone illustrates the subsequential renumbering of the section headings for the existing overlay zones that alphabetically fall behind the LSC Overlay Zone.

### SECTION 3: CONCLUSION

Planning Staff recommends the Planning Board support the proposed LSC Overlay Zone as presented, and transmit the draft overlay zone to the District Council. This overlay zone is a major component in implementing the recommendations of the GSP. Passage of this overlay zone is necessary to occur with the passage of the GSP and before the Sectional Map Amendment to avoid a development review process that is not aligned with the vision of the master plan.

### ATTACHMENTS

*Attachment A: Zoning Text Amendment 24-## LSC Overlay Zone*

Ordinance No.: \_\_\_\_\_  
Zoning Text Amendment No.: 24-xx  
Concerning: \_\_\_\_\_  
Revised: \_\_\_\_\_ Draft No.: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_

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

Lead Sponsor: Councilmember \_\_\_\_\_  
Co-Sponsors: Councilmembers \_\_\_\_\_

**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- (1) establish the Great Seneca Life Sciences (GSLs) Overlay Zone; and
- (2) generally amend the provisions for overlay zones.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

- Division 4.9. “Overlay Zones”
- Section 4.9.13. “Great Seneca Life Sciences (GSLs) Overlay Zone”
- Section 4.9.14. “Montgomery Village (MV) Overlay Zone”
- Section 4.9.15. “Rural Village Center (RVC) Overlay Zone”
- Section 4.9.16. “Sandy Spring/Ashton (SSA) Overlay Zone”
- Section 4.9.17. “Takoma Park/East Silver Spring Commercial Revitalization (TPESS) Overlay Zone”
- Section 4.9.18. “Transferable Development Rights (TDR) Overlay Zone”
- Section 4.9.19. “Twinbrook (TB) Overlay Zone”
- Section 4.9.20. “Upper Paint Branch (UPB) Overlay Zone”
- Section 4.9.21. “Upper Rock Creek (URC) Overlay Zone”
- Section 4.9.22. “White Flint 2-Parklawn (WF-P) Overlay Zone”

And adding the following Section:

- Division 4.9. “Overlay Zones”
- Section 4.9.13. “Great Seneca Life Sciences (GSLs)”

**EXPLANATION:** **Boldface** indicates a Heading or a defined term.  
Underlining indicates text that is added to existing law by the original text amendment.  
**[Single boldface brackets]** indicate text that is deleted from existing law by original text amendment.  
Double underlining indicates text that is added to the text amendment by amendment.  
**[[Double boldface brackets]]** indicate text that is deleted from the text amendment by amendment.  
\* \* \* indicates existing law unaffected by the text amendment.

DRAFT

*ORDINANCE*

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

DRAFT



- 28 e. Storage Facility
- 29 3. The following uses are allowed only by site plan:
- 30 a. Two-Unit Living
- 31 b. Townhouse Living
- 32 c. Surface Parking for Use Allowed in the Zone
- 33 d. Retail Establishment 50,001 – 85,000 SF

34 **C. Development Standards**

35 1. **Building Height**

36 Developments in the GSLS Overlay Zone may exceed their mapped  
 37 height if necessary to achieve the additional density allowed by Section  
 38 59-4.9.13.C.2.a, not to exceed 200 feet total.

39 2. **Density**

- 40 a. Developments in the GSLS Overlay Zone may exceed their mapped  
 41 FAR not to exceed 200% on a site if the Planning Board approves a  
 42 sketch or site plan under Section 7.7.3. or 7.7.4., or a Bio-Health  
 43 Priority Campus Plan under Section 7.3.6. Developments must use  
 44 all gross floor area allowed by the mapped underlying zone before  
 45 receiving additional density under this provision. Public benefits, as  
 46 described in Section 59-4.9.13.C.3 must be provided for any  
 47 additional density received.
- 48 b. The limits in the GSLS zone that cap residential uses at 30% of gross  
 49 floor area and retail at 15% of gross floor area do not apply.

50 3. **Public Benefits**

51 All optional method development applications within the GSLS  
 52 Overlay Zone must earn Incentive Density for any requested density  
 53 above 0.5 FAR subject to the provisions of Section 59-4.9.13.C.2.3. and  
 54 are not responsible for providing public benefits under Section 59-4.7.

55 Incentive Density is the term used to describe any density above 0.5  
 56 FAR including any mapped density or additional density allowed by  
 57 the GSLS Overlay Zone.

58 a. **General Provisions**

59 i. Incentive density must be earned by providing public  
 60 benefits. The public benefits are divided into one of four tiers  
 61 in Sections 4.9.13.C.3.b. through 4.9.13.C.3.e. below, based  
 62 on how much FAR of Incentive Density an applicant is  
 63 permitted for providing that public benefit.

64 ii. Development applications may provide any combination of  
 65 public benefits to achieve the necessary Incentive Density for  
 66 their project.

67 iii. If an application provides a Tier 4 benefit, no other public  
 68 benefits are required for that application.

69 iv. If a specific public benefit is recommended for a property in  
 70 the Master Plan, the applicant must provide that specific  
 71 public benefit, unless the Planning Board finds that providing  
 72 or maintaining the recommended benefit is infeasible, or that  
 73 the benefit is no longer in the public interest.

74 b. **Tier 1 Benefits**

75 The following public benefits are worth 0.25 FAR of Incentive  
 76 Density:

77 i. Provide 20% GFA as a Residential use when the underlying  
 78 zone is LSC.

79 ii. Provide the minimum required number of MPDUs plus 2.5%.

80 iii. Design and construct offsite pedestrian and bicycle facilities,  
 81 for a minimum 750 linear feet.



- 82                   iv. Contribute funding for offsite portions of one of the  
 83                   following, at a rate of \$0.30 per GFA of the subject  
 84                   development application:
- 85                   1. Key West Avenue Promenade
  - 86                   2. Great Seneca Greenway
  - 87                   3. Life Sciences Center Loop Trail
  - 88                   4. Streetscape improvements along a public street within  
 89                   the overlay zone
- 90                   v. Construct an offsite portion of the Life Sciences Center Loop  
 91                   Trail for a minimum length of 2,500 linear feet.
- 92                   vi. Provide offsite streetscape improvements along a public street  
 93                   within the overlay zone including seating, paving, street tree  
 94                   planting, landscaping, and lighting, for at least 5,000 linear  
 95                   feet based on the applicable streetscape standards of the  
 96                   Master Plan.
- 97                   vii. Provide a minimum of 10,000 square feet of flexible, step-up  
 98                   space for life science startups.
- 99                   viii. Achieve a minimum 10 percent mixed-use development,  
 100                   ensuring uses from at least two different use groups are  
 101                   provided, each comprising a minimum 10% of the total GFA,  
 102                   as determined at the time of sketch plan.
- 103                   ix. Improve a minimum of 0.25 acres of an existing park or  
 104                   public open space within the GSLS Overlay Zone area with  
 105                   amenities designed to encourage use by people of all ages,  
 106                   cultural backgrounds, and abilities such as color contrast  
 107                   applications on poles and pavement, accessible bathrooms,  
 108                   mobility device accessible play equipment, sensory

109 playground equipment, movable seating, and art, displays,  
110 statues, and signs that recognize local history and community  
111 members.

112 x. Implement at least 3 of the following design excellence  
113 strategies or achieve the International WELL Building  
114 Institute's WELL CORE Bronze certification for the project:

115 1. Designing a building with a clear architectural base,  
116 middle and top. The base is defined as the first one or  
117 two floors of the building, the top defined as is the  
118 uppermost one or two floors of the building, and the  
119 middle is everything between the base and the top.

120 2. Providing human-scaled architectural elements at the  
121 buildings base fronting all streets and public open  
122 spaces. Human-scaled architectural elements include  
123 clearly marked entryways into ground-floor uses,  
124 awnings, canopies, transparency, storefronts, façade  
125 lighting, signage, and decorative enhancements.

126 3. Providing direct entry to all ground floor residential  
127 units fronting a street or public open space.

128 4. Adjusting the building massing and facade design to  
129 create street-oriented development. The building  
130 massing should parallel the street, with the building  
131 base creating a continuous frontage with a minimum of  
132 60% transparency. The building middle and top façade  
133 shall be designed with windows, balconies and terraces  
134 on any elevation along a street.

- 135                                   5. Lining at least 75% of the ground floor long all streets  
 136                                   and public open spaces with active uses such as retail,  
 137                                   residential units, offices, lobbies and amenity spaces.  
 138                                   Ground floor entrances into the building shall be no  
 139                                   further than every 100 feet.
- 140                                   6. Placing all onsite parking below ground grade or  
 141                                   wrapping all structured parking with leasable GFA like  
 142                                   residential or commercial floor spaces.
- 143                                   7. Designing the footprint, massing, and building facades  
 144                                   to respond to solar orientation and local climate to  
 145                                   minimize energy use, maximize daylight exposure and  
 146                                   incorporate passive heating, cooling, and ventilation.
- 147                                   8. Reducing the floor plate for the top two floors by at  
 148                                   least 20% to create terraces and an interesting skyline.
- 149                                   9. Designing all structured parking to be adaptable for  
 150                                   alternative uses in the future by creating flat plate  
 151                                   parking floors with a minimum floor to ceiling  
 152                                   clearance of 10 feet, accessed through a speed-ramp.
- 153                                   xi. Exceed current county code energy efficiency standards  
 154                                   (IgCC and IECC) by a minimum of 10%, as determined by  
 155                                   the Department of Permitting Services Division of  
 156                                   Commercial Building Construction at site plan.
- 157                                   xii. Generate 1/3 of renewable energy onsite or utilize renewable  
 158                                   energy from the regional catchment area, as determined by  
 159                                   the Department of Permitting Services Division of  
 160                                   Commercial Building Construction at site plan.

- 161                   xiii. Meet Alternative Compliance Path for Green Code and  
 162                   achieve LEED Silver + 21 points, as determined by the  
 163                   Department of Permitting Services Division of Commercial  
 164                   Building Construction by the final use and occupancy permit.  
 165                   xiv. Design a site that includes two of the following sustainable  
 166                   elements:
- 167                   1. 2 principles of biophilic design from the following list  
 168                   of strategies:
    - 169                   a. Incorporate environmental features such as  
 170                   sunlight, fresh air, plants, animals, water, native  
 171                   landscapes, natural colors, and natural materials  
 172                   such as wood and stone.
    - 173                   b. Utilize elements in building design to simulate  
 174                   and mimic shapes and forms found in nature.  
 175                   Examples include using tree-like columns in a  
 176                   building interior to support a roof that projects  
 177                   the feeling of a forest canopy; building shapes  
 178                   that simulate the appearance of bird wings;  
 179                   ornamentation suggestive of a natural shape like  
 180                   a crystal or geological feature, or others as  
 181                   approved by the Planning Board.
    - 182                   c. Use building and site design to stimulate a  
 183                   variety of senses, simulate the qualities of  
 184                   organic growth, or reflect the processes of aging  
 185                   and the passage of time.
    - 186                   d. Use spatial and lighting features that evoke the  
 187                   sense of being in a natural setting considering

188 lighting placement, fixture design, and color  
189 temperature.

190 e. Incorporate place-based relationships between  
191 buildings and the distinctive geographical,  
192 ecological, and cultural characteristics of  
193 particular places and localities by incorporating  
194 reference to geological and landscape features,  
195 the use of local and indigenous materials, and  
196 connections to particular historic and cultural  
197 traditions.

198 f. Provide an outdoor respite space, part of a  
199 garden or green area, that offers restoration  
200 through the inclusion of natural sensory  
201 experiences, and opportunities for quiet  
202 reflection, and stillness.

203 2. Enhanced green roof with a minimum coverage of 10%  
204 of the roof (minimum 6 inches in depth).

205 3. 2 categories of bird friendly as design defined in the  
206 Bethesda Downtown Plan Design Guidelines.

207 4. Pervious pavement for 10% of all paved surfaces, as  
208 determined by the Department of Permitting Services.

209 xv. Adaptively reuse at least 10,000 SF of floor area of an existing  
210 building on site.

211 c. **Tier 2 Benefits**

212 The following public benefits are worth 0.50 FAR of Incentive Density:

213 i. Provide 30% GFA as a Residential use when the underlying  
214 zone is LSC.

- 215 ii. Provide the minimum required number of MPDUs plus 5%.
- 216 iii. Design and construct offsite streetscape improvements along
- 217 a public street, including any required pedestrian and bicycle
- 218 facilities, for a minimum 1,000 linear feet.
- 219 iv. Contribute funding for offsite portions of one of the
- 220 following, at a rate of \$0.60 per square foot of GFA of the
- 221 subject development application:
- 222 1. Key West Avenue Promenade
- 223 2. Great Seneca Greenway
- 224 3. Life Sciences Center Loop Trail
- 225 v. Construct an offsite portion of the Life Sciences Center Loop
- 226 Trail for a minimum length of 3,500 linear feet.
- 227 vi. Provide a minimum of 20,000 square feet of flexible, step-up
- 228 space for life science startups.
- 229 vii. Achieve a minimum 15 percent mixed-use development,
- 230 ensuring uses from at least two different use groups are
- 231 provided, each comprising a minimum 15% of the total GFA,
- 232 as determined at the time of sketch plan.
- 233 viii. Exceed the minimum required amount of Public Open Space
- 234 on site by at least 50%.
- 235 ix. Implement at least 5 of the design excellence strategies
- 236 identified in Section 4.9.13.C.3.b.x above or achieve the
- 237 International WELL Building Institute’s WELL CORE Silver
- 238 certification for the project.
- 239 x. Exceed current county code energy efficiency standards
- 240 (IgCC and IECC) by a minimum of 17.5%, as determined by

241 the Department of Permitting Services Division of  
 242 Commercial Building Construction at site plan.

243 xi. Generate 2/3 of renewable energy onsite or utilize renewable  
 244 energy from the regional catchment area, as determined by  
 245 the Department of Permitting Services Division of  
 246 Commercial Building Construction at site plan.

247 xii. Meet Alternative Compliance Path for Green Code and  
 248 achieve LEED Gold, as determined by the Department of  
 249 Permitting Services Division of Commercial Building  
 250 Construction by the final use and occupancy permit.

251 xiii. Design a site that includes three of the following sustainable  
 252 elements:

253 1. 4 principles of biophilic design as defined in Section  
 254 4.9.13.C.3.b.xiv.

255 2. Enhanced green roof with a minimum coverage of 15%  
 256 of the roof (a minimum of 7 inches in depth).

257 3. 3 categories of bird friendly design as defined in the  
 258 Bethesda Downtown Plan Design Guidelines.

259 4. Pervious pavement for 25% of all paved surfaces, as  
 260 determined by the Department of Permitting Services.

261 xiv. Adaptively reuse at least 25,000 SF of floor area of an existing  
 262 building on site.

263 d. **Tier 3 Benefits**

264 4. The following public benefits are worth 1.0 FAR of Incentive Density:

265 i. Provide the minimum required number of MPDUs plus 7.5%.

- 266 ii. Design and construct offsite streetscape improvements along  
267 a public street, including any required pedestrian and bicycle  
268 facilities, for a minimum 2,000 linear feet.
- 269 iii. Contribute funding for offsite portions of one of the  
270 following, at a rate of \$1.00 per GFA of the subject  
271 development application:
- 272 1. Key West Avenue Promenade  
273 2. Great Seneca Greenway  
274 3. Life Sciences Center Loop Trail
- 275 iv. Construct an offsite portion of the Life Sciences Center Loop  
276 Trail for a minimum length of 5,000 linear feet.
- 277 v. Provide a minimum of 30,000 square feet of flexible, step-up  
278 space for life science startups.
- 279 vi. Provide a minimum 1.5-acre Major Public Open Space  
280 recommended per the master plan as a Privately Owned  
281 Public Open Space, with approval on the location and design  
282 determined by the Planning Board. The Public Open Space  
283 should comply with the elements listed in the Energizing  
284 Public Space Design Guidelines for "Civic Green / Plaza"
- 285 vii. Implement at least 7 of the design excellence strategies  
286 identified in Section 4.9.13.C.3.b.x above or achieve the  
287 International WELL Building Institute's WELL CORE Gold  
288 certification for the project.
- 289 viii. Exceed current county code energy efficiency standards  
290 (IgCC and IECC) by a minimum of 25%, as determined by  
291 the Department of Permitting Services Division of  
292 Commercial Building Construction at site plan.



- 293 ix. Generate 3/4 of renewable energy onsite or utilize renewable  
294 energy from the regional catchment area, as determined by  
295 the Department of Permitting Services Division of  
296 Commercial Building Construction at site plan.
- 297 x. Meet Alternative Compliance Path for Green Code and  
298 achieve LEED Gold, and one of the following, as determined  
299 by the Department of Permitting Services Division of  
300 Commercial Building Construction by the final use and  
301 occupancy permit:
- 302 1. Full electrification
- 303 2. Mass Timber construction
- 304 xi. Design a site that includes four of the following sustainable  
305 elements:
- 306 1. 6 principles of biophilic design as defined in Section  
307 4.9.13.C.3.b.xiv.
- 308 2. Enhanced green roof with a minimum coverage of 25%  
309 of the roof (a minimum of 11 inches in depth).
- 310 3. 4 categories of bird friendly design as defined in the  
311 Bethesda Downtown Plan Design Guidelines.
- 312 4. Pervious pavement for 40% of all paved surfaces, as  
313 determined by the Department of Permitting Services.
- 314 xii. Adaptively reuse at least 75,000 SF of floor area of an existing  
315 building on site.
- 316 e. **Tier 4 Benefits**
- 317 If an applicant provides any one Tier 4 Benefit listed below, no  
318 additional public benefits are necessary to achieve all allowed  
319 Incentive Density:

- 320 i. Provide greater than 25% MPDUs at an average of 60 percent  
321 area median income.
- 322 ii. Design and construct offsite streetscape improvements along  
323 a public street, including any required pedestrian and bicycle  
324 facilities, for a minimum 5,000 linear feet within the overlay  
325 zone area.
- 326 iii. Contribute funding for offsite portions of one of the  
327 following, at a rate of \$2.00 per GFA of the subject  
328 development application:
- 329 1. Key West Avenue Promenade
- 330 2. Great Seneca Greenway
- 331 3. Life Sciences Center Loop Trail
- 332 iv. Provide one of the following transportation connections  
333 identified as greatly enhancing the transportation network by  
334 the Master Plan:
- 335 1. The street connection, including the LSC Loop Trail,  
336 connecting Belward Campus Drive to Decoverly  
337 Drive, at the intersection with Great Seneca Highway.
- 338 2. A trail connecting Darnestown Road and Medical  
339 Center Drive, located between Shady Grove Road and  
340 Great Seneca Highway.
- 341 3. The street connection of Road Z between Broschart  
342 Road and Dalmatian Street.
- 343 v. Provide a minimum of 40,000 square feet of flexible, step-up  
344 space for life science startups.
- 345 vi. Construct and dedicate or convey to Montgomery Parks a  
346 minimum 3-acre park recommended in the Master Plan.

- 347 Approval of the location and design to be determined by the  
 348 Planning Board. The park must comply with the elements  
 349 listed in the Energized Public Spaces Design Guidelines for  
 350 “Urban Recreational Park.”
- 351 vii. Implement all 9 of the design excellence strategies identified  
 352 in Section 4.9.13.C.3.b.x above or achieve the International  
 353 WELL Building Institute’s WELL CORE Platinum  
 354 certification for the project.
- 355 viii. Construct an energy efficient building with a net-zero rating,  
 356 as determined by the Department of Permitting Services  
 357 Division of Commercial Building Construction at site plan
- 358 ix. Generate 100% of renewable energy onsite or utilize  
 359 renewable energy from the regional catchment area, as  
 360 determined by the Department of Permitting Services  
 361 Division of Commercial Building Construction at site plan.
- 362 x. Meet the Alternative Compliance Path for Green Code and  
 363 achieve LEED Platinum, as determined by the Department of  
 364 Permitting Services Division of Commercial Building  
 365 Construction at site plan.
- 366 xi. Design a site that includes the four following sustainable  
 367 elements:
- 368 1. 6 principles of biophilic design as defined in Section  
 369 4.9.13.C.3.b.xiv.
  - 370 2. Enhanced green roof with a minimum coverage of 35%  
 371 of the roof (a minimum of 16 inches in depth).
  - 372 3. 5 categories of bird friendly design as defined in the  
 373 Bethesda Downtown Plan Design Guidelines.

- 374 4. Pervious pavement for 50% of all paved surfaces, as
- 375 determined by the Department of Permitting Services.
- 376 xii. Adaptively reuse at least 100,000 SF of floor area of an
- 377 existing building on site.
- 378 xiii. Underground all existing overhead utilities along the site frontage of
- 379 the subject property, or at another offsite location within the GSLS
- 380 Overlay Zone, with an estimated cost of at least \$1,000,000.

381 **D. Development Procedures**

- 382 1. Except as modified in this subsection, the development procedures of
- 383 the underlying zone apply.
- 384 2. In the GSLS Overlay zone, any development at or over 0.5 FAR is
- 385 considered optional method of development.
- 386 4. All optional method developments in the GSLS zone shall require the
- 387 purchase of Building Lot Termination (BLT) easements or make a
- 388 payment into the Agricultural Land Preservation Fund (ALPF) in an
- 389 amount equal to 7.5 percent of the incentive density floor area in lieu
- 390 of the procedures of 59-4.7.3.F.1.b.
- 391 5. Development is not subject to the parking minimums established in
- 392 the vehicle parking spaces table under Section 59-6.2.4.B.
- 393 6. Surface vehicle parking is prohibited between a building and a public
- 394 or private street.

395 \* \* \*

396 **Section 5.9.[13]14. Montgomery Village (MV) Overlay Zone**

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398 **Section 5.9.[14]15. Regional Shopping Center (RSC) Overlay Zone**

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400 **Section 5.9.[15]16. Rural Village Center (RVC) Overlay Zone**

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**Section 5.9.[16]17. Sandy Spring/Ashton Rural Village (SSA) Overlay Zone**

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**Section 5.9.[17]18. Takoma Park/East Silver Spring Commercial Revitalization (TPESS) Overlay Zone**

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**Section 5.9.[18]19. Transferable Development Rights (TDR) Overlay Zone**

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**Section 5.9.[19]20. Twinbrook (TB) Overlay Zone**

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**Section 5.9.[20]21. Upper Paint Branch (UPB) Overlay Zone**

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**Section 5.9.[21]22. Upper Rock Creek (URC) Overlay Zone**

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**Section 5.9.[22]23. White Flint 2-Parklawn (SF-P) Overlay Zone**

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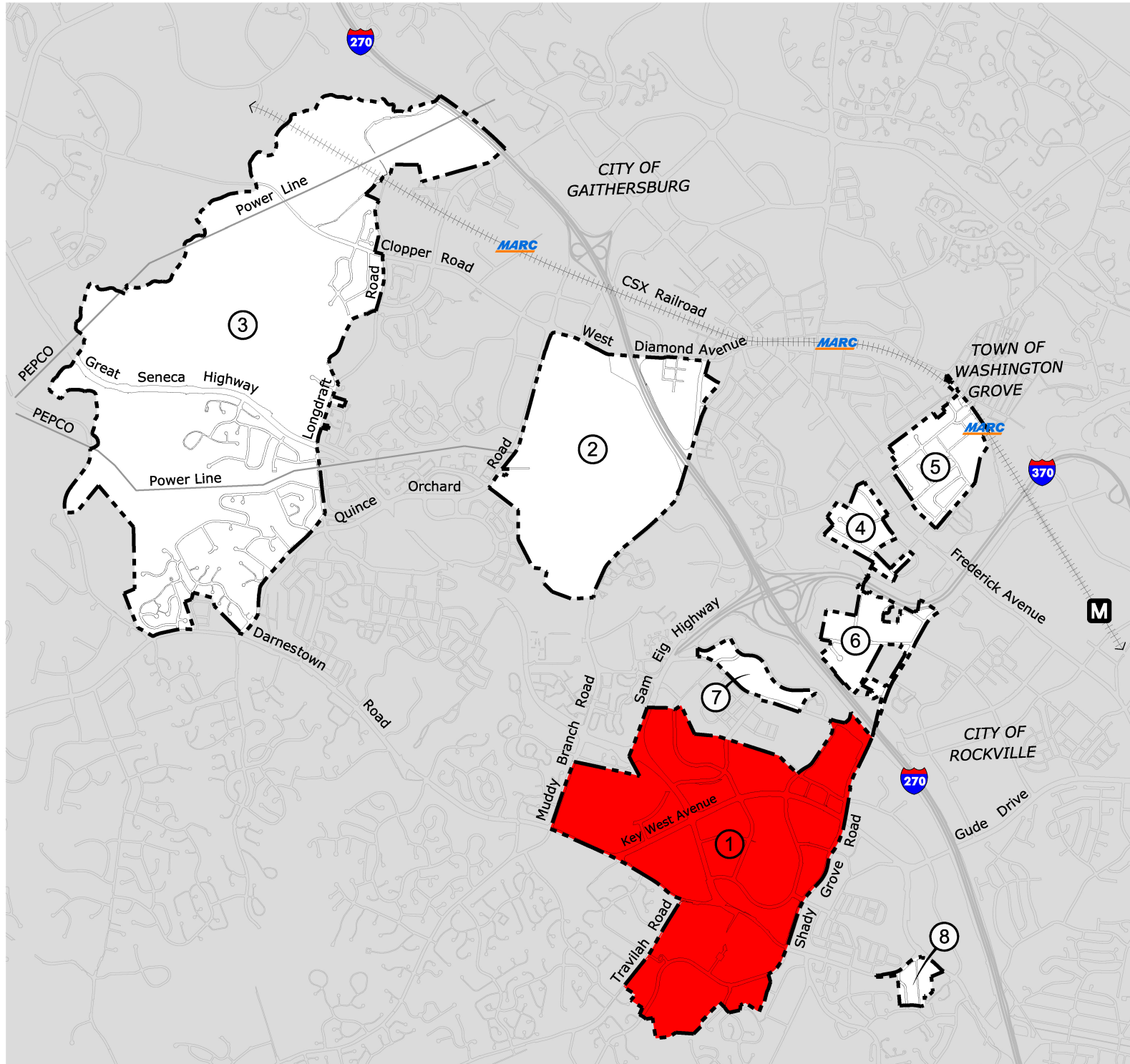
**Sec. 3. Effective date.** This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

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Sara R. Tenenbaum  
Clerk of the Council

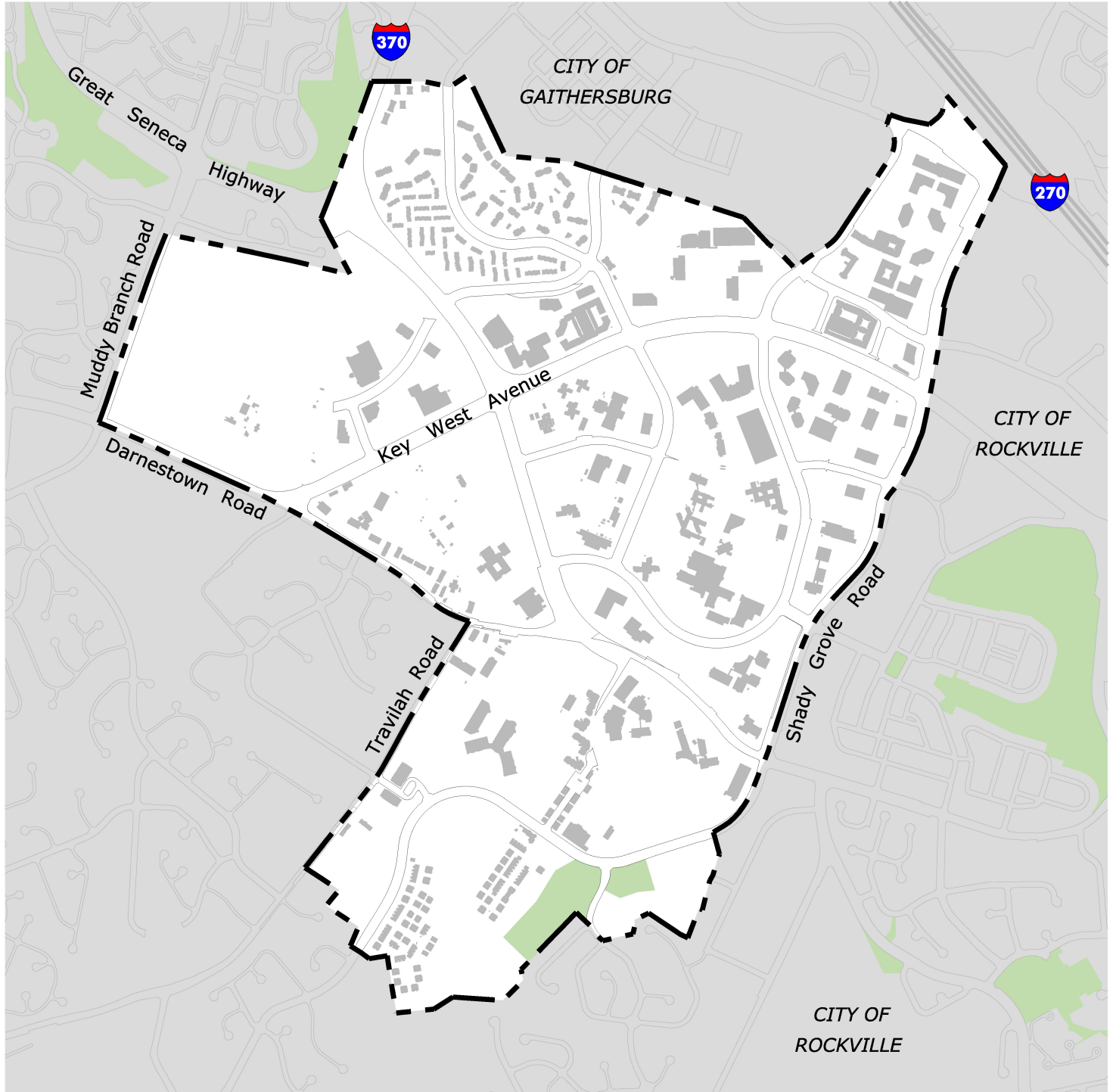
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



- ① Life Sciences Center
- ② NIST/Londonderry and Hoyle's Addition
- ③ Quince Orchard
- ④ Rosemont
- ⑤ Oakmont/Walnut Hill
- ⑥ Washingtonian Light Industrial Park
- ⑦ Washingtonian Residential
- ⑧ Hi - Wood
- Non Plan Area
- Planning Area Boundary
- M Shady Grove Metro Station
- MARC MARC Station



# Life Sciences Center



-  Life Sciences Center Planning Area Boundary
-  Non Plan Area
-  Parkland

