

*Clerk's Note: "Adopted" date corrected to February 15, 2022. Double-bracketed language in lines 6-9 removed and double underlining in lines 9-10 removed as this had already been updated in the Subdivision Regulations. Removed "O-" from the Ordinance No. Replaced "Subdivision Regulation Amendment No.: 21-02" with "Ordinance No.: 19-28" in the header of pages 3-5.*

Ordinance No.: 19-28  
Subdivision Regulation Amendment No.: 21-02  
Concerning: Administrative Subdivision –  
Biohealth Priority Campus  
Draft No. & Date: 3 – 2/8/2021  
Introduced: October 26, 2021  
Public Hearing: November 30, 2021  
Adopted: February 15, 2022  
Effective: March 7, 2022

**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: Councilmember Friedson  
Co-Sponsor: then-Council President Hucker

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**AN AMENDMENT to:**

- create an administrative subdivision process for a Biohealth Priority Campus.

By amending

Montgomery County Code  
Chapter 50. "Subdivision of Land"  
DIVISION 50.6. "Administrative Subdivision Plan"  
Section 6.1. "Applicability"

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by introduced Subdivision Regulation Amendment.</i>
[Single boldface brackets]	<i>Deleted from existing law by introduced Subdivision Regulation Amendment.</i>
<u>Double underlining</u>	<i>Added to the Subdivision Regulation Amendment by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the Subdivision Regulation Amendment by amendment.</i>

## OPINION

Subdivision Regulation Amendment (SRA) 21-02, Administrative Subdivision – Biohealth Priority Campus, lead sponsor Councilmember Friedson and co-sponsor then-Council President Hucker, was introduced on October 26, 2021. SRA 21-02 would create a “Biohealth Priority Campus” category under which an applicant can file an administrative subdivision plan in place of a preliminary plan for a Biohealth Priority Campus.

SRA 21-02 accompanies Zoning Text Amendment (ZTA) 21-09, Office and Professional – Biohealth Priority Campus, introduced on October 19, 2021, which will create a streamlined regulatory process for biohealth facilities. SRA 21-02 will allow the Planning Director to approve an administrative subdivision plan for biohealth facilities under an expedited process, so that approvals may run concurrently.

In its report to the Council, the Montgomery County Planning Board recommended approval of SRA 21-02 with minor amendments to make the language consistent with other parts of the Code.

The Council’s public hearing was conducted on November 30, 2021. Two speakers testified in support, from the County Executive’s Office and the Planning Board.

The Council referred the text amendment to the Planning, Housing, and Economic Development (PHED) Committee for review and recommendation. The PHED Committee held a worksession on January 31, 2022. The PHED Committee unanimously recommended approval of SRA 21-02 with the amendments recommended by Council Staff and the Planning Board.

The Council held a worksession and action on February 15, 2022. The Council agreed with the recommendation of the Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District located in Montgomery County, Subdivision Regulation Amendment No. 21-02 will be approved as amended.

## 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:*

1           **Sec. 1. Chapter 50 is amended as follows:**

2       \*   \*   \*

3       **DIVISION 50.6. Administrative Subdivision Plan**

4       \*   \*   \*

5       **Section 6.1. Applicability**

6       The subdivider may file an administrative subdivision plan application under the  
7       following circumstances. Administrative subdivision plans may only be used to  
8       create lots, as expressly described below.

9       \*   \*   \*

10      F.    Subdivision application for property to be used as Biohealth Priority  
11      Campus under Section 3.5.8.E of the Zoning Ordinance. A lot [[or lots  
12      ]]created for a Biohealth Priority Campus may be approved if:

- 13      1.    the Planning Board approves a Biohealth Priority Campus plan under  
14      Section 59-7.3.6, including a finding of adequate public facilities  
15      under the standards of Section 50-4.3.J, before approval of the plat;
- 16      2.    any required road dedications, or covenants for future dedications, and  
17      associated public utility easements are shown on the record plat;
- 18      3.    forest conservation plan approval, stormwater management, and  
19      environmental protection requirements, if applicable, are satisfied  
20      before approval of the plat; and
- 21      4.    when located in a special protection area, all applicable special  
22      protection area requirements and guidelines are satisfied before  
23      approval of the plat[[, if the subject property is located in a special  
24      protection area]].

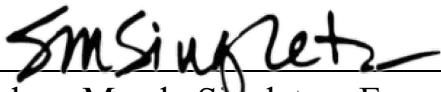
25      \*   \*   \*

26           **Sec. 2. Effective Date.** This amendment takes effect 20 days after the date of  
27 Council adoption.

*Approved:*

  
\_\_\_\_\_  
Marc Elrich, County Executive 3/1/2022  
Date

*This is a correct copy of Council action.*

  
\_\_\_\_\_  
Selena Mendy Singleton, Esq. 3/2/2022  
Date  
Clerk of the Council