Resolution No.: 15-1316
Introduced: January 31, 2006
Adopted: January 31, 2006

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

By: District Council

SUBJECT: Approval of Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan

1. On December 22, 2004, the Montgomery County Planning Board transmitted to the County Executive and the County Council the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

2. The Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan amends the approved and adopted 1980 Master Plan of Bikeways; The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties; The Countywide Park Trails Plan; and The Master Plan of Highways within Montgomery County.

3. On February 23, 2005, the County Executive transmitted to the County Council his fiscal analysis of the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

4. On May 10, 2005 and July 12, 2005, the County Council held a public hearing regarding the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan. The Sector Plan was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

5. On September 15, September 26, October 10, October 24, and October 31, 2005 the Planning, Housing, and Economic Development Committee held worksessions to review the issues raised in connection with the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

6. On November 22, 2005, the County Council reviewed the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

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 resolution:

The Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan, dated December 2004, is approved with revisions. Council revisions to the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring.

Page 1: Under Purpose of the Amendment, revise paragraph as follows:

In October 2003, the Montgomery County Council requested that the M-NCPPC examine the potential for a limited amendment to the [existing Sector Plan for the Bethesda Central Business District, dated July 1994] **1994 Approved and Adopted Sector Plan for the Bethesda Central Business District**. The [primary] purpose of this amendment was to [increase opportunities for housing to serve a variety of income levels and to improve the retail environment in the Woodmont Triangle area] reconsider how redevelopment could both provide more opportunities for housing close to the Metro station and retain the qualities and ambience of the small-scale retail that distinguishes the study area from other parts of the Bethesda CBD.

Page 1: Under Summary of Community Outreach revise first two sentences of the first paragraph as follows:

An [unique] outreach program was developed to address the issues in the Woodmont Triangle Study Area. The M-NCPPC with the Conflict Resolution Center of Montgomery County held five[,] public workshops and several focus group meetings.

Page 2: Revise first paragraph as follows:

Separate meetings with individuals, government agencies and civic associations were also held to augment the discussions in the workshops. [The use of e] Electronic media, phone messages and written announcements were used to notify individuals of the date and location of the workshops.

Page 2: Delete the section entitled "Relationship to the 1994 Sector Plan" and replace with the following:

BACKGROUND – THE 1994 SECTOR PLAN

The1994 Sector Plan had four objectives for the Woodmont Triangle District:

- Preserve the predominantly low-density and low-scale character of the district.
- Provide additional housing particularly in the north end of the district.

- Support a diverse specialty retail community serving retail and restaurant environment, including sidewalk cafes and dispersed parking.
- Improve the pedestrian environment with up-graded streetscape including street trees and green open spaces.

The 1994 Sector Plan recommended the use of CBD zones to further the goals of the plan. Development in the CBD zones may occur under two options: the standard method and the optional method. The standard method requires the development to comply with a specific set of standards and density compatible with the standards. The optional method does not have as many specific standards and allows higher densities if certain public facilities and amenities are provided. The CBD zones permit an increase in density, height and intensity where such increases conform to the sector plan.

The design concept for the 1994 Bethesda CBD Sector Plan encourages the greatest height at the Metro and a "step down" in height away from the CBD Core. To ensure that the desired heights would be achieved, the Sector Plan recommended lower floor area ratios (FAR) and capped building heights to lower than the maximum allowed in the zone to address scale, shading, and compatibility with the existing neighborhood character. The Sector Plan further directed future development with a series of Urban Design Guidelines and priority public improvements.

After the Sector Plan was approved and the District Council granted the Sectional Map Amendment implementing the zoning recommendations of the Plan, development in the Bethesda CBD proceeded in conformance with the Sector Plan. While portions of Bethesda CBD redeveloped as recommended, the Woodmont Triangle District did not realize the vision of the 1994 Plan. Although the Sector Plan envisioned an increase in housing in the Woodmont Triangle District, the building height and density limits inhibited redevelopment. Retail and housing did not expand in this area, and some businesses began to relocate to the newly developed areas in south Bethesda, leading some to believe that the area was beginning to decline.

Since 1994, market forces, lack of redevelopment and the need for more housing, especially housing for all income levels, indicated that reconsideration of objectives in the sector plan was warranted. The Woodmont Triangle area appeared to be an appropriate area to address the County's housing needs and provide incentives to encourage revitalization and redevelopment.

Page 2: Following new section entitled Background – The 1994 Sector Plan, add a new section as follows:

CHANGES TO DEVELOPMENT POTENTIAL

As a result of zoning, height and floor area ratio changes proposed in this plan and changes in law and regulation that have occurred since the adoption of the 1994 Sector Plan, the estimated residential development increases and the estimated commercial development decreases as indicated below.

Changes to Development Potential

1994 Sector Plan		2005 Amendment		Difference	
Commercial Development SF	Residential Development	Commercial Development SF	Residential Development	Commercial Development SF	Residential Development
2,957,900 SF 11,350 Jobs	3,400 DUs	2,661,710 SF 10,491 Jobs	5,012 DUs	-296,190 SF -859 jobs	+1612 DUs

Recommendations to monitor the actual development on an ongoing basis are contained in the Implementation chapter of this plan.

Page 2: Replace Woodmont Triangle Study Area Boundary with the following:

STUDY AREA BOUNDARY

This Amendment analyzed an area larger than the Woodmont Triangle District described in the Sector Plan in order to evaluate more comprehensively the effect the recommended changes might have on the surrounding districts. The study area includes the entire Woodmont Triangle District, as defined in the 1994 Approved and Adopted Sector Plan, the west side of the Wisconsin Avenue North District, the east side of the Old Georgetown Road Corridor District, and the entire Battery Lane District.

The study area is bounded on the north by the National Institutes of Health (NIH), on the east by Wisconsin Avenue, on the southeast by Woodmont Avenue, and on the southwest by Old Georgetown Road.

Page 3: Delete first paragraph and rename chapter as follows

[SUMMARY OF THE AMENDMENT] VISION AND GOALS

[This section of the amendment provides a summary of the Vision, Challenges, and Actions necessary to implement the objectives of this amendment.]

Page 3: Under Vision, revise as follows:

[The Woodmont Triangle will be] This Amendment envisions the Woodmont Triangle Study Area as a vibrant [and] urban, mixed-use neighborhood [emphasizing] that emphasizes residential, small-scale retail, [and] the arts and public amenities. One-of-a kind, small-scale specialty retail stores, art galleries, studio space and people strolling on pedestrian-friendly local streets characterize this neighborhood.

Page 3: Under Challenges rename and revise section as follows:

[CHALLENGES] GOALS

The [challenges to be met in order to meet the vision] goals of this amendment include the following:

- **[Encourage] Housing** – Provide opportunities to increase the supply of housing to serve a variety of income levels.
- **Small-Scale Retail** – Provide opportunities to retain existing businesses and expand opportunities for new businesses.
- **[Enhance the] Arts and Entertainment District** – Enhance the existing public arts programs in the Bethesda CBD and provide opportunities for both the visual and performing arts.
- **[Create Great] Safe and Attractive Streets** – Focus on improving the safety and character of the existing streets. Establish Norfolk Avenue as the main street in the Woodmont Triangle Study Area.
- **[Provide] Public Amenities** – Increase the flexibility in providing the public use space through the Optional Method of Development by allowing off-site and on-site fulfillment of this requirement, and by identifying a list of priority public [spaces] amenities

Page 7: Delete section entitled Summary of Recommended Actions and replace with the following:

HIGHLIGHTS

This Amendment to the Sector Plan:

- Reduces the amount of future commercial development and increases the amount of residential development.
- Allows an increase in residential FAR (floor area ratio) to encourage housing.
- Encourages retention of small-scale retail.
- Removes the 1994 Sector Plan height limits to encourage redevelopment, but retains the step down principles from the core and along Norfolk Avenue to preserve solar access.
- Encourages the location of first floor retail.
- Recommends improvements to enhance Norfolk Avenue as the "main street" for the Woodmont Triangle District.

- Recommends improving Battery Lane Urban Park for all users and to provide a better connection between the Woodmont Triangle Study Area, NIH and the North Bethesda Trolley Trail.

- Recommends limited zoning changes to encourage housing.

- Recommends a text amendment to the CBD Zones that lowers the minimum lot size necessary to apply for the Optional Method of Development and provides a transfer of density option.

Page 8: Replace first paragraph with the following:

[This section of the amendment describes the limited changes to the general provisions of the existing Sector Plan for the Bethesda Central Business District.]

This Amendment recommends zoning changes, higher floor area ratios (FAR) and greater building height than were recommended in the 1994 Sector Plan. The 1994 Sector Plan capped heights and FAR below that allowed in the respective CBD zones. The Plan specifically restricted some of the CBD-1 zoned properties to 50 feet in height and CBD-R2 zoned properties to a height of 90 to 110 feet in order to preserve the existing low-density and low-scale character. This Amendment encourages redevelopment to provide housing opportunities along with retention of small-scale retail by eliminating the caps set in the 1994 Plan. The Amendment recommends using the standards of the existing zones to determine building height. Mixed-use projects with moderately priced units (MPDUs) on-site can achieve the greater height and density allowed in the respective zones as specified in this Amendment, but at an FAR no greater that the maximum allowed in the Zoning Ordinance. The Amendment continues to recommend that buildings "step down" from the Metro station to the edges of the Central Business District except where noted in the specific Block recommendations. The Amendment proposes priority public use space and amenities, emphasizing improvements along Norfolk Avenue, to more fully realize the vision of the 1994 Sector Plan.

In addition to removing the caps of the 1994 Sector Plan, this Amendment recommends that two provisions be added to the CBD zones to encourage redevelopment and yet retain small-scale retail. The first reduces the minimum lot size requirement for the optional method; the second allows transfer of density between CBD zoned properties within the Woodmont Triangle Study Area. The transfer of density provides development flexibility whereby existing retail businesses wishing to remain could transfer unused density to parcels within the density transfer area as described in this Amendment. Both these provisions would be added to the CBD zones through a Zoning Ordinance Text Amendment, which is more fully described in the Implementation Section.

Page 8: Under Housing revise paragraph as follows:

[This amendment proposes to encourage the retention of existing housing and the construction of new housing to serve a variety of income levels in the Woodmont Triangle Study Area. This amendment also supports the Land Use and Urban Design Objectives of the existing Sector

Plan.] In the ten years since the Sector Plan was approved, the cost of housing in the Bethesda CBD has increased significantly. Although many new dwelling units are becoming available, the diversity and supply of housing are not sufficient to serve a variety of income levels.

- Provide a range of housing opportunities, including new low-rise and high-rise housing, to serve a variety of income levels.
- Public surface parking lots in the Sector Plan area should be considered for optional method housing projects and projects with significant permanent affordable housing, as is being done in other areas such as Lot 31 and in Silver Spring.

Page 8: Delete section entitled Revitalization through Improvements to Public Streets and Spaces.

Page 9: Replace entire section under the heading "Building Height Limits" with the following:

The guidelines for building heights in the 1994 Sector Plan were designed to protect the residential neighborhoods at the edge of the CBD and to concentrate building height near the Metro station. These goals can still be achieved while changing some of the height limits in the study area.

- Support the "step down" of building heights from the Metro station area to the edges of the Central Business District, but provide incentives for increased building heights to encourage new opportunities for housing for all income levels. Specific height recommendations are discussed in the section entitled "Recommendations by Block Within the Study Area".
- Protect the sunlight to the area's main street, Norfolk Avenue, by approving development that steps back from Norfolk Avenue, particularly on the southwest side of the street.
- Limit the height along Old Georgetown Road north of St. Elmo Avenue to 50 feet, extending 60 feet back from Old Georgetown Road to maintain compatibility with existing development.

Page 10: Under Opportunities for Residential Development revise section as follows:

[OPPORTUNITIES FOR RESIDENTIAL] MIXED-USE DEVELOPMENT

[The Optional Method of Development is a tool to encourage housing and to provide public facilities and amenities. In exchange, the developer could provide additional residential density and height. Providing moderately priced dwelling units on-site is a priority for all projects that use the Optional Method of Development.] The 1994 Sector Plan capped heights within the CBD-1 Zone to 50 feet and limited FAR to the limits proscribed under the Standard Method of the CBD zones. This resulted in few development applications under the Optional Method of Development. This Amendment removes the height caps and recommends higher FARs to encourage use of the Optional Method to create more opportunities for residential development and also provide desired public facilities and amenities. The Woodmont Triangle Study Area is a desirable location for future residential development. Housing for a variety of incomes is

equally important. Building MPDUs within the study area is a priority for all projects developing under the Optional Method of Development.

- **Density** – [The p] Properties [in the Woodmont Triangle Study Area will be provided the opportunity to] may develop to the density [specified] permitted in the CBD-1, CBD-2 and CBD-R2 Zones. [With this amendment,] CBD-1 mixed-use projects can achieve a floor area ratio (FAR) of [three] 3.0[,] and those in the CBD-2 and CBD-R2 Zones can achieve a FAR of [five] 5.0. [The existing Sector Plan limited the density in the Woodmont Triangle Study Area.]

- **FAR** – [Building MPDUs on-site is a priority for all projects developing under the Optional Method of Development.] In order to encourage residential development, the recommended increase in density up to the maximum allowed would be for residential development. All CBD zoned parcels within the [Woodmont Triangle S] study [A] area will be limited to a [floor area ratio] FAR of [one] 1.0 for non-residential development. [Any increase in density up to the maximum allowed must be residential.]

- **Public Use Space** – The public use space and amenity priorities [in the Woodmont Triangle] include improvements to the [public] streetscape, [improvements to] Battery Lane Urban Park, and support for the Arts and Entertainment District through providing public art and private arts facilities. Optional Method of Development projects may provide [their] required public use space [requirement] off-site [in the Woodmont Triangle], if needed to accommodate MPDUs [moderately priced dwelling units are provided] on-site. This Amendment recommends a text amendment that allows public use space to be provided off-site in the same density transfer area if the Planning Board finds that an off-site location implements a sector plan recommendation. If public use space is located on-site, it should contribute to establishing a variety of public spaces in the area. All developments should avoid extensive setbacks of retail from [public] the streets. Public spaces should support retail and an active pedestrian environment.

RETAIL PRESERVATION

The existing commercial enterprises in the study area provide needed goods and services. Some of the businesses are one-of-a-kind retail shops and restaurants, which contribute to the unique urban flavor of the study area. This Amendment encourages the retention of this retail, as did the 1994 Plan, but recommends some additional mechanisms to allow for redevelopment. Reduction in minimum lot size and density transfers are intended to foster new small-scale retail in character with the existing retail environment in the Woodmont Triangle Study Area.

- **Lot Sizes** – Minimum lot sizes of 22,000 square feet were required for optional method of development in the CBD zones to be sure that significant amenity and public use space could be provided on-site. Achieving these minimums in the study area would require assemblage of multiple parcels given the small size of most properties. Requiring larger projects is contrary to the Plan's goal of encouraging small retail. Moreover, the Plan's recommendation for off-site public amenities means that a threshold minimum lot size for optional method development is unnecessary in Woodmont Triangle Study Area.

- **Density Transfer** –In order to encourage retention of existing small-scale retail, there needs to be incentives to encourage businesses to remain. Density transfer between properties is one way to achieve that goal. This Amendment designates an area, shown on page , within the study area that would be appropriate for this transfer. Owners of small commercial properties that wish to remain can offer unrealized density to other properties to amass enough square footage or FAR to develop a mixed-use project. This density transfer would be permitted through a proposed text amendment; see the Implementation Section.

Page 11: Revise Proposed Building Heights map per Council revisions.

Page 12: Prior to section entitle "Public Amenities and Facilities", insert the section on page 21 entitled "Urban Design Guidelines".

Page 12: Under Public Amenities and Facilities, revise section as follows:

PUBLIC AMENITIES and FACILITIES

In the Woodmont Triangle Study Area, there is a [great] need for revitalization [of the public spaces, including the rights-of-way]. Businesses have seen their clientele decline over the last several years due to the popularity of Bethesda Row, with its pleasant streetscape environment, new buildings, and attractive assortment of uses. The Woodmont Triangle needs improved lighting for public safety, attractive streets and sidewalks, and incentives to expand uses and hours of operation. In addition to new housing, upgraded public facilities help promote revitalization.

Improvements to Public Streets and Spaces

This Amendment recommends public and private improvements to the public streets and spaces within the study area. The improvements will enhance pedestrian safety and access to transit. Improving the pedestrian and bicycle connections between the NIH, the Battery Lane District, the adjacent neighborhoods and the Metro Stations is a primary objective. Either on-site or off-site improvements would be required in the Optional Method of Development according to a list of public use spaces and amenities.

Public Amenities and Public Use Space

The Woodmont Triangle Study Area is an important part of the Bethesda Arts and Entertainment District. Within the study area, there are currently over 20 art galleries, music stores, and dance and music schools. This Amendment supports the continued use of the Optional Method to provide public art, art facilities, and public gathering spaces.

The existing provisions of the Optional Method of Development require a minimum of 20 percent of the net lot area of each parcel be devoted to public use space on-site. [As permitted in the Optional Method of Development, existing projects in the Bethesda CBD achieved double

the density of the Standard Method of Development and provided a combination of on-site and off-site public use space and amenities equal to 40 to 60 percent of their net lot area.] Public use space may be provided off-site in the same density transfer area if the Planning Board finds that an off-site location implements Plan recommendations or if needed to accommodate MPDUs. Off-site amenities include streetscape in the public right-of way, improvement to parks, and other public facilities. Public use spaces and amenities approved through the Optional Method of Development will be located to serve the revitalization and improve the vitality of the entire district. To facilitate the development of amenities and public use space appropriate to the Woodmont Triangle Area, this Plan recommends the creation of an amenity fund, addressed in more detail in the Public and Private Funding section.

Public use spaces and amenities approved through the Optional Method of Development will be located to serve the revitalization and improve the vitality of the entire district.

The following list represents the priority amenities and facilities for the Woodmont Triangle Study Area. [Each p] Projects should incorporate items from this list as a first priority. This list is not intended to be inclusive of all the facilities and amenities that may be considered. Sufficient amenities and facilities must be provided in each project to serve the additional density and building height proposed in this Amendment. The amenities and facilities [to be approved] in each project [must] should contribute to the [creation of an outstanding] function or appearance of the mixed-use urban neighborhood [in the Bethesda CBD. The combination of existing amenities and facilities with the following list will create a strong network of active public spaces].

PRIORITIES

- Improve Norfolk Avenue [Urban Spine – A linear system that includes the Capital Crescent Trail and] as a pedestrian system that connects [the] existing public facilities and amenities, [including] such as Battery Lane Urban Park, the Whitney Theater, the Bethesda Outdoor Stage, [the] Imagination Stage, and Veterans Park to the Capital Crescent Trail. Renovation of [the] Norfolk Avenue [Urban Spine] should include[s]:
  - [Underground u] Utilities placed underground
  - Washington Globe street lights and other festive lighting
  - Benches, bike racks, brackets for banners, and trash receptacles
  - Street trees
  - Outdoor seating for restaurants and cafes
  - Public art
  - Special paving for sidewalks established as the standard for Bethesda (the Bethesda paver).

- [Streetscape Improvements –]Provide the Bethesda streetscape [improvements] on other streets in the study area, such as Cordell Avenue [in the Woodmont Triangle Study Area].

- Battery Lane Urban Park [Improvements – Improve Battery Lane Urban Park as the major green space and public park in the Woodmont Triangle.] A future facility plan should be completed by a developer, in coordination with the M-NCPPC's Park Development

Division, in exchange for additional density under the Optional Method of Development, or as part of a CIP project. This facility plan will be the guiding document for all future development and improvements within the park including other potential developer funded projects. [Objectives of the facility plan may include the following:

- Improve the entrance to the park from Norfolk Avenue using public right-of-way or potential acquisition to increase the visibility and promote safe use of the park
- Widen the existing bicycle trail through the park to 10 feet and improve it as necessary to reinforce its importance in linking the Bethesda Trolley Trail and Capital Crescent Trail
- Create a new gathering area for picnics and small performances through potential expansion of the park
- Incorporate art or an arts and science theme into the site furnishings]

- [Intersection Improvements – Provide intersection improvements to] Improve the intersection of Rugby Avenue[/] and Norfolk Avenue [to improve the] for a better pedestrian and bicycle connection to Battery Lane Urban Park

- [NIH Gateway Park – Improve the NIH green space or Gateway Park located between Wisconsin and Woodmont Avenues as off-site open space]

- [Pedestrian Connections –]Establish north-south, mid-block pedestrian connections for the blocks located between Old Georgetown Road and Norfolk Avenue

- [New Urban Streets – Provide new north-south urban streets between Battery Lane and Rugby Avenue for improved pedestrian and vehicular circulation]

- [Other Public Facilities and Amenities –]Establish a network of diverse urban spaces when including public use space on-site.

[In addition, the Woodmont Triangle area is an important part of the Bethesda CBD Arts and Entertainment District. Within the Study Area, there are currently over 20 art galleries, music stores, and dance and music schools. This amendment supports the continued use of the Optional Method of Development to provide public art, art facilities, and public gathering spaces. These other public facilities and amenities could be managed by a non-profit organization. The arts-related space needs include the following:]

- Provide public art, private art facilities, and public gathering spaces. The arts-related space could include the following:
  - Arts incubator space – A[n older,] stand-alone building or portion of a building open to the public [and preferably located on Norfolk Avenue,] to provide studio space for emerging visual and performing artists.
  - Exhibit, teaching and lecture space – [Spaces] Flexible space within existing or new buildings [that could provide flexible space] for a variety of functions.
  - Space for the arts, such as dance studios, a black box theater, and live/work space for artists [– Large spaces for the Arts and Entertainment District] that could be leased at

moderate rates to non-profit arts organizations. [Live/work spaces could be provided as part of the affordable housing program.]
[Indoor youth recreation facility – Flexible space to provide a variety of social and recreational programs open to the public.]

Through the combination of new housing, improved public facilities and the development of an arts theme, the Plan will not only foster [the] revitalization [process proposed] for the Woodmont Triangle, but will also capitalize[s] on its close relationship to the Metro [to achieve Master Plan goals].

Page 13: Revise Public Amenities and Facilities map to match revisions to text.

Page 15: Delete section entitled "Green Building Technology".

Page 16: After Concept for Norfolk Avenue and Battery Lane Urban Park, insert the following section and an illustration entitled Concept for the Woodmont Triangle Study Area:

The following concept diagram shows Norfolk Avenue as the study area's "Main Street" linking its two primary public spaces, Veterans Park and the Battery Lane Urban Park. This urban spine will be lined with restaurants, retail and other animating uses. Washington Globe streetlights, shade trees, benches, and an arts theme will contribute to a significantly improved pedestrian environment. The proposed Norfolk bikeway will connect the North Bethesda Trolley Trail to the Capital Crescent Trail.

This plan recommends improving the intersections and sidewalk areas for pedestrians. A bikeway will be provided along Norfolk Avenue. These recommendations are intended to encourage retail revitalization, and create an attractive main street. The improvements will be accomplished through the Capital Improvements Program and the Optional Method of Development.

The illustration at the right shows the proposed plan and section for Norfolk Avenue and includes street trees, street lights, a bikeway, narrowed intersections, crosswalks, and brick sidewalks. The buildings are oriented to the street and stepped back to provide solar access.

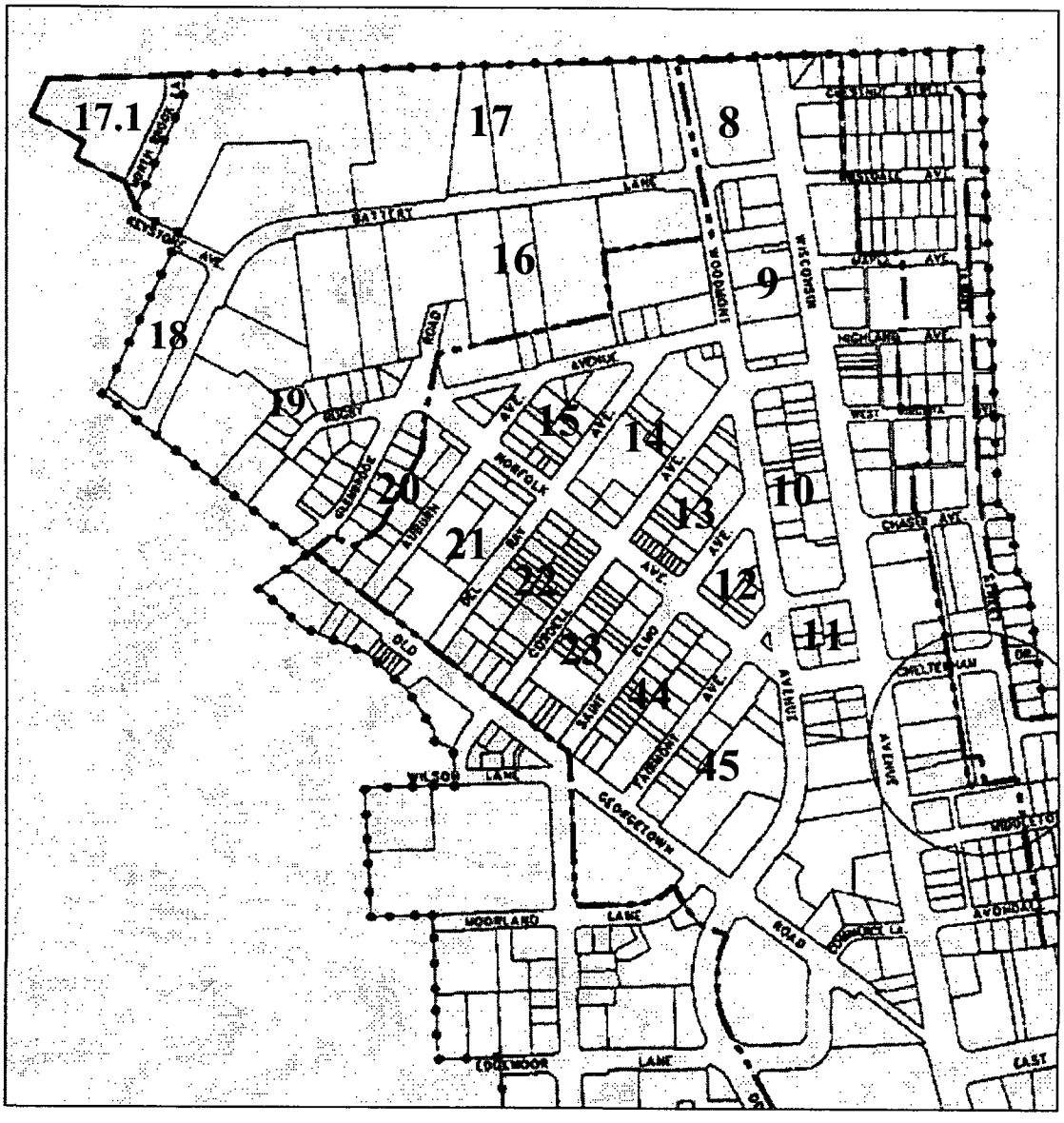
Page 17: Replace text of Individual District Recommendations chapter with the following and add a map identifying block numbers:

RECOMMENDATIONS BY BLOCK WITHIN THE STUDY AREA

This Amendment recommends zoning changes, FAR and building height changes in the Woodmont Triangle Study Area, including all of the Woodmont Triangle District and portions of the Wisconsin Avenue North Corridor and the Old Georgetown Road Corridor Districts. The 1994 Sector Plan restricted some of the CBD-1 properties to 50 feet in height and limited CBD-R2 Properties to a height of 90 to 110 feet. In order to encourage redevelopment and provide housing opportunities, properties within the study area may develop to heights permitted in the respective.zones, except for properties along Old Georgetown Road, north of St Elmo Avenue

where the height limit will remain 50 feet, extending 60 feet back from Old Georgetown Road. This Plan recommends limiting non-residential FAR to 1.0. Mixed-use projects with MPDUs on-site may achieve a greater height and density of the respective zone as specified in this Amendment, but no greater than the maximum in the Zoning Ordinance. Building height may also be adjusted to accommodate workforce housing if pending legislation is adopted, but again, no greater than the maximum allowed in the zone.

Woodmont Triangle Study Area Block Map



Block 8

The existing zoning in Block 8 is CBD-1. This plan does not recommend any zoning changes to this block.

Block 9
This block is zoned CBD-1 and includes several existing buildings. Existing development meets or exceeds the standards of the CBD-1 zone. Future development should be mixed-use with retail on the first floor. This Amendment confirms the CBD-1 zone and allows a FAR to 3.0 with residential development. The Amendment limits height in Block 9 to 90 feet or 110 feet with a 22% MPDU bonus. Parcel 646, The American Inn property is situated between two taller buildings. To achieve comparable heights, height may be increased on this property up to 118 feet. This property may reach 143 feet if the MPDU bonus is provided.

Block 10
This block is zoned CBD-1 and CBD-R2. While mixed use is encouraged, development should be primarily residential. To encourage residential development, this Amendment increases the FAR from 2.0 to 3.0 on CBD-1 properties, while retaining the FAR on the CBD-R2 at 5.0. Heights are limited on CBD-1 properties to 90 feet or 110 feet with 22% MPDU bonus and limited on CBD-R2 properties to 143 feet or 174 feet with 22% MPDU bonus. The Plank, Inc. and Troiano properties are situated south of an existing building of 135 feet and north of a CBD-R2 property which has a height limit of 143 feet (or more if MPDUs are provided). To achieve comparable building heights, this Amendment retains the CBD-1 zoning on these properties, but increases the height limit to 118 feet or up to 143 feet with a 22% MPDU bonus density. This Amendment supports a hotel as a use in the CBD-R2 portion of this block.

Block 11
Block 11 is located between Wisconsin Avenue, Woodmont Avenue and Norfolk Avenue, and is across the street from the CBD Core and within two blocks of the Metro station. There is no residential development in this block. This is an appropriate location for housing. To encourage residential redevelopment, this Amendment retains the existing CBD-1 zoning but increases the FAR to 3.0. Heights are limited to 118 feet or 143 feet with 22% MPDU bonus density.

Block 12
This block is the closest to Bethesda Metro and offers sufficient area for development of a primarily residential mixed-use project. This Amendment rezones the properties from CBD-1 to CBD-R2 in order to encourage residential re-development. One property, Parcel 647, is already developed above full density. This rezoning would allow this property to either remain as an office building or develop as housing. FAR is limited to 5.0 and heights are limited to 143 feet or 174 feet with 22% MPDU bonus density.

Blocks 13-15
Blocks 13-15 are located between Woodmont and Norfolk Avenues. Block 13 has a number of small-scale restaurants and retail uses. The property owners could use the provisions of the density transfer option. This Amendment recommends that Blocks 13, 14, and 15 retain the existing CBD-1, CBD-R1 and CBD-R2 zones. FAR is limited to 3.0 for CBD-1 properties, 3.0 for CBD-R1 properties, and 5.0 for CBD-R2 properties. Height is limited to 90 feet or 110 feet with MPDU bonus in CBD-1 properties, 143 feet with or without MPDU bonus in CBD-R1 properties, and 143 feet or 174 feet with MPDU bonus in CBD-R2 properties.

Blocks 16, 17, 17.1, and 18
This Amendment leaves unchanged the current zoning and height limits in the Battery Lane District. In the future, M-NCPPC will prepare a new sector plan amendment to address options to retain or increase housing in the Battery Lane District while maintaining a stock of affordable housing.

Block 19
Properties along Rugby Avenue, Glenbrook Road and Old Georgetown Road at the western corner of the Study Area are currently zoned R-60. This Plan recommends PD-44 zoning provided that issues of compatibility with existing single-family homes can be addressed. This would allow the near-term redevelopment of an existing church property and possible longer-term redevelopment of the single-family detached homes, some of which have recently been renovated. At the time of rezoning, any application should be reviewed to determine compatibility with existing single-family homes, both north and south of Old Georgetown Road. In addition, the rezoning should not be allowed to result in multi-family development surrounding or isolating a limited number of single-family homes.

Blocks 20-23
Block 20 contains an office building with associated parking, zoned CBD-1, and single-family homes, zoned R-60. Lots facing Norfolk Avenue are zoned CBD-1 and are a mix of mid and low-rise retail and office. The portions of Blocks 21-23 between Norfolk Avenue and the edge of the Old Georgetown Road Corridor are zoned CBD-1. These areas are appropriate for residential mixed-use development. This Amendment confirms the CBD-1 zoning, but allows a FAR 3.0 to encourage residential development. Height is limited to 50-90 feet or 50-110 feet including a 22% MPDU bonus.

Blocks 44 and 45
Blocks 44 and 45 are the blocks in the Woodmont Triangle Study area that are closest to Metro and provides the potential for higher density redevelopment. The existing zoning on these blocks is CBD-1 and CBD-R2. Block 45 contains Garage 11, a public parking garage, and an approved mixed-use development located within the CBD-R2 zone. There are parcels in Block 45, zoned CBD-1, that could redevelop and may be able to use the transfer of density option. In order to encourage residential redevelopment, this Amendment recommends changing the CBD-1 properties to CBD-2 and retaining the existing zoning on the CBD-R2 property. The Amendment recommends a FAR of 5.0 for all properties in these blocks and a height limit of 143 feet or 174 with 22% MPDU bonus.

RECOMMENDED ZONING BY BLOCK				
Block	Zoning	FAR	Height in Feet with 12.5% MPDUs	MPDU Bonus Height in Feet (up to 22% greater than otherwise allowed but not greater than indicated below)
8	CBD-1	3.0	90	110
9	CBD-1	3.0	90[1]	110[1]
	CBD-1	3.0	90[2]	110[2]
10	CBD-R2	5.0	143	174
11	CBD-1	3.0	118	143
12	CBD-R2	5.0	143	174
13[3]	CBD-R2	5.0	143	174
14[3]	CBD-R2	5.0	143	174
	CBD-1	3.0	90	110
	CBD-R1	3.0	118	143
15	CBD-R2	5.0	143	174
20, 21, 22, 23	CBD-1	3.0	50-90	50-110
44	CBD-2	5.0	143	174
	CBD-R2	5.0	143	174
45	CBD-2	5.0	143	174

[1]The height on Parcel 646 may be increased up to 118 feet with 12.5% MPDUs or 143 feet with 22% MPDU bonus.
[2]The height limit on the Plank, Inc. and Troiano properties is 118 feet with 12.5% MPDUs or 143 feet, with 22% MPDU bonus.
[3]Small portions along Norfolk Avenue of Blocks 13 and 14 are zoned CBD-1 and have FAR limits of 3.0, height limits of 90 feet or 110 feet with 22% MPDU bonus.

Page 19: Revise maps per Council revisions.

Page 23: Revise first paragraph with the following:

To implement the recommendations of this Amendment, actions need to be taken by a variety of governmental bodies. This section provides strategies relating to zoning, the Capital Improvements Program and public and private funding. [The implementation section of this limited amendment identifies the proposed zoning amendments to the CBD zones and multi-family zones, and recommendations for the public and private funding.]

Page 23: Add new section prior to Proposed Zoning section

MONITORING JOBS AND HOUSING

As part of each of the Planning Board's biennial Final Draft Growth Policy reports, the Planning Board must prepare an update of development activity in the Bethesda Central Business District.

The update must include a review of approved development plans as well as development completed during the reporting period. Each report must also indicate if the approved or completed development in that area has exceeded the projections in the most recent master plan, and if so, must indicate if the change is significant enough to impact public facilities and whether any change in staging or zoning is required to address the unanticipated increases in development potential.

Page 23: Replace Proposed Zoning section with the following:

- Implement zoning changes recommended in this Amendment through the Sectional Map Amendment process (SMA).

- Confirm zoning for the remainder of the study area.

Page 24: Revise maps per Council revisions.

Page 25: Revise section entitled "Amendments to the Zoning Ordinance" as follows:

TEXT AMENDMENTS TO THE ZONING ORDINANCE

This limited Amendment to the existing Sector Plan supports modifications to the CBD Zones [and Multi-family Zones] to increase the opportunities for housing, support retail revitalization, and improve the character of the [Woodmont Triangle Study Area] streets. [These modifications are part of a review of the CBD Zones. These changes are not necessary to implement the recommendations in this limited Sector Plan Amendment.] The final list of modifications should be part of a series of comprehensive amendments to the CBD Zones[. The modifications could include] including the following:

- **Minimum Lot Size** – The minimum lot size [of] is being reduced from 22,000 square feet [could be reduced] to [at least] 18,000 square feet in CBD Zones county-wide [for use of the Optional Method of Development to encourage additional housing development within the housing resource area indicated in this Amendment]. For the Woodmont Triangle, this Amendment recommends there be no minimum lot size for Optional Method of Development to encourage smaller development projects. The Planning Board must make a finding that a property can meet all requirements of the Optional Method of Development, including providing public amenities and public use space on or off-site.

- **Transfer of Density** – The transfer of density is presently permitted throughout the overlay zones in the Silver Spring Central Business District[,]. [and t] This transfer of density could be expanded to the CBD Zones within the study area. This provision would provide more flexibility to preserve existing retail businesses by transferring density to parcels within the [housing resource area of the Woodmont Triangle] Density Transfer Area as [indicated] delineated in this Amendment.

The County Council recently approved the following text amendments to the Zoning Ordinance.

- **Public Use Space** – A recently approved amendment to the Zoning Ordinance allows an increase in the flexibility in providing off-site public use space to meet the MPDU requirements in the [CBD Zones] Zoning Ordinance. The Optional Method of Development requirement for public [use space and] amenities could be met on-site or off-site [including streetscape improvements in the public rights-of-way, and park enhancements in the Woodmont Triangle Study Area]. Public use space may also be provided off-site in the same density transfer area if the Planning Board finds that an off-site location implements the Plan recommendations. [The public use space should provide an outstanding environment capable of supporting and enhancing housing development.] The transfer of public use space to off-site areas provides the opportunity to create meaningful public spaces including indoor [community centers] amenities open to the public. Developers are encouraged to combine properties to provide more significant and useful public use space than could be provided individually. [Transfer of public use space must occur within the housing resource area of the Woodmont Triangle.]

- [**Coverage in Multi-family Zones** – A recently established Zoning Text Amendment will also modify the requirements for coverage and green space in the multi-family zones. These modifications will encourage the retention of existing housing and the construction of additional multi-family housing in the Woodmont Triangle Study Area to serve a variety of income levels.]

Page 26: Revise Public and Private Funding section as follows:

[The Plan recommends that Norfolk Avenue be designed as the "main street" of the Woodmont Triangle Study Area. Funds to create a major bikeway and enhance the streetscape along Norfolk Avenue are needed to improve Norfolk Avenue.] Funds will be needed to enhance the streetscape on Norfolk Avenue, designated as the "Main Street" for the study area. Funds are also necessary for [I] improving pedestrian safety and the character of the remaining streets in the Woodmont Triangle [should also be provided. In addition, funds to improve] improving Battery Lane Urban Park [are needed]. The source of funds for these improvements include the following:

- **Capital Improvements Program** – The present Capital Improvements Program provides limited funds for the construction of streetscape improvements [and a bikeway along Norfolk Avenue. Norfolk Avenue will be a linear urban space with restaurants, public art, and significant streetscape. The bikeway will provide an important link between the existing Capital Crescent Trail and the Bethesda Trolley Trail.] Additional funding is needed to realize the recommendations of this Amendment.

- **Private Funding** – The streetscape in the Woodmont Triangle Study Area could be improved in accordance with the Bethesda Streetscape Guidelines [T] through a combination of the Optional Method of Development requirements and the Capital Improvements Program[,the streetscape in the Woodmont Triangle could be improved in accordance with the Bethesda streetscape guidelines. Placing utilities underground will

also be included.]. Battery Lane Urban Park could also be substantially improved through combined funding sources. Projects developing under the Optional Method of Development will be encouraged to include public art and private art facilities as part of the required amenities, to support the Bethesda Arts and Entertainment District, and to strengthen the links between existing arts facilities in the Woodmont Triangle and the rest of the CBD. [Projects should be encouraged to provide parking in their structures during the evenings and weekends to support retail and restaurants in the Woodmont Triangle.]

- **Amenity Fund** – An amenity fund should be established, the donation to which is a lawful alternative to the amenity requirement associated with standard and optional method development projects. Although physical improvements are preferred, the Planning Board has approved the use of amenity funds as an alternative to satisfy the requirements for public use space and amenities [and facilities] in the Optional Method of Development. Donations to an amenity fund for the construction, purchase, management and maintenance of space for the arts and streetscape are [encouraged] permitted in this Woodmont Triangle Amendment either as part of the Optional Method of Development or as private donations. [Any donations intended to meet the requirements for amenities and facilities in the Optional Method of Development should be tied to the completion of a specific amenity and phased with the construction of the development.] If amenity project funds are approved as part of the review of an Optional Method of Development, the Planning Board should control the use of the funds but may designate a non-profit entity to assist the Board. The Planning Board should not approve any amenity project that could require ongoing County funding unless it obtains County Council approval of the project.

Page 27: Delete section entitled Norfolk Avenue Spine.

Page 27: Add the following section after Woodmont Triangle Action Group:

TEXT CHANGES TO THE 1994 APPROVED AND ADOPTED BETHESDA CENTRAL BUSINESS DISTRICT SECTOR PLAN

In addition to the changes described above, the following text, maps and illustrations replace or add language in the other sections of the 1994 Approved Sector Plan for the Bethesda Central Business District.

Page 5: Add the following at the end of the second paragraph entitled: Woodmont Triangle District, Old Georgetown Road Corridor and the Wisconsin North and South Corridors:

Additional FAR may be achieved on properties located in certain blocks under Optional Method of Development if moderately priced housing is located on-site.

Page 30: Add the following section "c" to Section 3:

c. Development in specific locations under the Optional Method of Development may achieve higher FARs and building heights if moderately priced dwelling units are provided on-site and public use space is provided in conformance with the Sector Plan priorities.

Page 39:
Amend Figure 3.2 Building Height Limits

Page 54:
Amend Figure 4.3 Zoning Plan

Page 88:
Amend Figure 4.17 Old Georgetown Road Corridor

Pages 94-102:
Section entitled 4.5 The Woodmont Triangle District is replaced by this Amendment.

Page 105:
Remove reference to 122 feet in the first paragraph and replace with 143'.

Page 197:
Strike the last sentence on item E.1.

Page 215:
Add the following language under Recommendations, Item 1. Expansion of Battery Lane Urban Park:

A future facility plan should be completed by a developer, in coordination with the Park Development Division, in exchange for additional density under the Optional Method of Development or as part of a CIP project. This facility plan will be the guiding document for all future development and improvements within the park including other potential developer funded projects. Objectives of the facility plan may include the following:

- Improve the entrance to the park from Norfolk Avenue using public right-of-way or potential acquisition to increase the visibility and promote safe use of the park
- Widen the existing bicycle trail through the park to 10 feet and improve it as necessary to reinforce its importance in linking the Bethesda Trolley Trail and Capital Crescent Trail
- Create a new gathering area for picnics and small performances through potential expansion of the park
- Incorporate art or an arts and science theme into the site furnishings

Page 245:
Add the following paragraph after the first paragraph under the title 10.1 Zoning:

Development in the CBD zones may occur under two options: the Standard Method and the Optional Method. The standard method requires the development to comply with a specific set of standards and density compatible with the standards. The Optional Method does not have as many specific standards and allows higher densities if certain public facilities and amenities are provided. The CBD zones are designed to encourage development with an approved master or sector plan by permitting an increase in density, height and intensity where such increases conform to the master or sector plan.

General

All figures and tables included in the Plan are to be revised where appropriate to reflect District Council changes to the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan and to reflect actions taken on related zoning text amendments or other legislation prior to the final printing of the approved Master Plan. Maps should be revised where necessary to conform to Council actions. The text is to be revised as necessary to achieve clarity and consistency, to update factual information, and to convey the actions of the District Council. All identifying references pertain to the Planning Board Draft Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

The Park and Planning Department should complete additional analysis to facilitate the creation of an amenity fund. Issues that should be addressed prior to the Council's consideration of the Sectional Map Amendment include the following:

- How the fund would operate.
- Whether any changes in legislation or regulation are needed to create the fund.
- A method to calculate the amount of the developer contribution to the fund.
- Whether a non-profit organization can administer the fund and, if so, what procedures and standards must be established for County oversight of the fund's operation.

This resolution leaved unchanged the existing zoning and height recommendations in the Battery Lane District. The Maryland National Capital Park and Planning Commission (M-NCPPC) should prepare a new Sector Plan amendment focused on this District that addresses the advantages and disadvantages of increased residential densities in this area, appropriate zoning, heights , and connections to the Woodmont Triangle and public amenities, the impact of the proposed increase in the number of jobs at NIH and the National Navy Medical Center, and the impact of any change in zoning on the existing supply of affordable housing. The Sector Plan Amendment may recommend confirming existing zoning or a change in zoning. Any proposed increases in density should occur through the use of transferable development rights. As M-NCPPC is working on the Amendment, the Department of Housing and Community Affairs (DHCA) should review existing programs to assist displaced tenants and provide incentives to property owners who provide low-cost rental housing to determine what new programs or changes to existing programs are needed.

Resolution No.: 15-1316

This is a correct copy of Council action.

Linda M. Lauer

Linda M. Lauer, Clerk of the Council