



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

**MCPB**  
**Item #13**  
**09/10/09**

**DATE:** August 31, 2009  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief, Development Review *RK*  
Ralph Wilson, Zoning Supervisor *RW*  
**FROM:** Greg Russ, Zoning Coordinator *GR*  
**REVIEW TYPE:** Zoning Text Amendment  
**PURPOSE:** To amend the Zoning Ordinance language based on recommendations from the Draft Gaithersburg West Master Plan. Specifically, to make changes to the Life Sciences Center (LSC) zone to permit mixed-use development under certain circumstances in order to promote the growth and advancement of life sciences and applied technologies and to establish the use of building lot termination development rights in the LSC zone

**TEXT AMENDMENT:** No. 09-07  
**REVIEW BASIS:** Advisory to the County Council sitting as the District Council, Chapter 59, Zoning Ordinance  
**INTRODUCED BY:** District Council at the request of the Planning Board  
**INTRODUCED DATE:** July 28, 2009

**PLANNING BOARD REVIEW:** September 10, 2009  
**PUBLIC HEARING:** September 15, 2009; 7:30pm

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**STAFF RECOMMENDATION:** Approval as introduced to revise the Life Sciences Center (LSC) Zone, implementing recommendations of the Draft Gaithersburg West Master Plan. The text amendment as introduced by the County Council reflects minor plain language clarifications to the version approved for transmittal to the Council by the Planning Board on July 16, 2009.

### **BACKGROUND/ANALYSIS**

Under ZTA 09-07, the LSC Zone would be revised to support the Gaithersburg West Master Plan goal of transforming the Life Sciences Center into a live/work community while ensuring growth opportunities in the areas of research, medical, and bioscience interests. The LSC Zone was created specifically for development of the Shady Grove Life Sciences Center and has not been applied at any other location in the County. However, with the growth of biotech in the County, the LSC Zone may have broader application than in Gaithersburg West alone.

The zone as revised allows a range of housing options and amenities to support the life science and health care uses. Development under the zone will require site plan approval. The site plan must be substantially consistent with the recommendations of the applicable master or sector plan. In addition to the site plan requirement, an applicant will be required to submit, for Planning Board approval, comprehensive design standards that address building types, facades, and architectural features. The site plan must also be substantially consistent with general design principles recommended by the applicable master or sector plan and design guidelines adopted by the Planning Board.

Additional features of the revised LSC zone (as depicted by the applicable section numbers within the Zoning Ordinance) are summarized in Attachment 1. The Planning Board's transmittal letter to the County Council requesting introduction is included as Attachment 2. The text amendment as introduced by the County Council is provided in Attachment 3.

#### Attachments

1. Summary of Proposed Modifications to the LSC Zone
2. Planning Board's Transmittal Letter to the County Council dated July 17, 2009
3. Zoning Text Amendment No. 09-07

**SUMMARY OF PROPOSED MODIFICATIONS TO THE LIFE SCIENCES CENTER  
(LSC) ZONE**

**Sec. 59-A-2.1. Definitions**

- Modification of the definition of Research, development and related activities to include the term “life sciences” as one of the scientific fields of research.

**59-C-5.21. Allowable uses.**

- Permitted and special exception uses in the LSC Zone eliminated from the land use table and consolidated into about twenty broad use categories and placed in a new section (59-C-5.211. Allowable uses in the LSC Zone.)

**New Section-59-C-5.211. Allowable uses in the LSC Zone.**

- The fifty or so permitted and special exception land uses now identified for the LSC zone have been consolidated into about twenty broad use categories
- By-right uses are expanded to include: (a) residential (b) retail trades, (c) food services, (d) hotel and motels, and (e) conference centers

**59-C-5.23. Retail sales and personal services.**

- Editorial modifications clarifying that this section would now apply to all industrial zones except for the LSC Zone. Currently, this section also applies to the LSC Zone.

**Sec. 59-C-5.3. Development standards. (Table)**

- Building height is increased from a maximum of 100 feet to a maximum of 150 feet
- The 25% green area requirement is removed from the development standards table and replaced with a 20% public use space requirement.
- Floor area ratio (Maximum density of development—Sec. 59-C-5.321) is increased from a maximum of 0.50 to a maximum of 2.0.
- Elimination of the requirement that any density above a floor area ratio of 0.30 require approval of a traffic mitigation agreement in accordance with “Special trip reduction guidelines” (Section 59-C-5.474)
- Maintain the existing requirement that the FAR for a gross tract area may be averaged over 2 or more lots created by the same subdivision and recorded in the land records. Also, if the property is under common ownership or control, the floor area ratio in one portion of the gross tract area of the property may exceed the maximum floor area ratio of the zone only if it is balanced by a lower floor area ratio elsewhere on the property.
- 12.5% of any density above a floor area ratio of 0.50 must be supported through the purchase of a Building Lot Termination (BLT) easement.
- 2 new footnotes provide guidelines for Planning Board approval of height and density limits.

**Sec. 59-C-5.47. Special Regulations LSC zone.**

- Modified the purpose clause (**Subsection 59-C-5.471**) to highlight the primary purpose of life sciences, health care services and applied technologies. Also to provide opportunity for the development of uses that support the Life Science Center while maintaining the primary goal.
- Under **Subsection 59-C-5.472**. (“Where applicable.”) a statement is added that requires development under the LSC zone to be substantially consistent with the recommendations of the applicable master or sector plan.
- Delete **Subsection 59-C-5.473**. “Development standards” and address standards in the Development Standards table. This includes the elimination of the specific building setbacks and building coverage provisions in favor of establishing these standards during the site plan approval process. This also includes the elimination of the existing design, lighting, and landscape guidelines in favor of guidelines to be established specific to each master or sector plan.
- Elimination of the “Special trip reduction guidelines” (**Subsection 59-C-5.475**). Currently any density above a floor area ratio of 0.30 requires approval of a traffic mitigation agreement in accordance with “Special trip reduction guidelines” Traffic mitigation is addressed by current Growth Policy provisions and therefore is no longer necessary in the Zoning Ordinance.
- **New Subsection 59-C-5.473, “Special regulations for use of a Building Lot Termination (BLT) Development Right.”** to require that 12.5% of any density above a 0.50 FAR be supported through the purchase of a BLT easement. This requirement does not apply to residential development subject to the workforce housing requirement of this section or to health care services, as defined specific to the LSC Zone.
- **New Subsection 59-C-5.474, MPDUs and Workforce Housing,** requiring 5% workforce housing for any development containing residential dwellings at a density of 20 or more DUs per acre or containing a minimum of 100 dwelling units. MPDU requirements are in accordance with Chapter 25A.
- **New Subsection 59-C-5.475, “Parking.”** Off-street parking must satisfy Article 59-E.
- **Subsection 59-C-5.476.**, “Procedure for application and approval.” In addition to the current site plan requirement, site plans must be substantially consistent with the recommendations of the applicable master or sector plan. An applicant also will be required to submit, for Planning Board approval, comprehensive design standards that address building types, facades, and architectural features. Minor amendments to the site plan would be exempt from the comprehensive guideline provision. The site plan must also be substantially consistent with general design principles recommended by the applicable master or sector plan and design guidelines adopted by the Planning Board.

- **Subsection 59-C-5.477,** "Existing approved buildings, building permits, or uses." includes existing grandfathering provisions as well as proposed new provisions that grandfather existing buildings, structures or uses that have a lawful building permit and development under a preliminary plan or site plan approved before the LSC zone was applied to the property. Modest expansion opportunities (10%) will be allowed. Any expansion above the 10% allowance will require compliance with the new standards of the LSC zone.
- **NEW DEFINITIONS SECTION 59-C-5.478,** New definitions corresponding to new broad uses categories proposed in Section 59-C-5.211 (Allowable Uses in the LSC)



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

OFFICE OF THE CHAIRMAN

July 17, 2009

The Honorable Phil Andrews, President  
Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 501  
Rockville, Maryland 20850

Re: Planning Board Recommendation to County Council for  
Introduction of Zoning Text Amendment to make changes to the  
Life Sciences Center (LSC) zone.

Dear Mr. Andrews and Councilmembers:

On July 16, 2009, by a vote of 5-0 the Board recommended changes to the Life Sciences Center (LSC) zone to promote the growth and advancement of life sciences and applied technologies and to require the use of building lot termination development rights in the LSC zone.

### **Background**

#### Draft Master Plan Guidance

The Draft Gaithersburg West Master Plan continues to support the core concept of the Life Sciences Center as a research and development center, with a strong biotech, academic, and health care presence. Although the Life Science Center has the largest concentration of biotech firms in the County, it is largely an employment, auto-oriented area. The existing, built environment is the result of several single-purpose zones that were created in 1996. Under the original Life Sciences Center Development Plan approved by the County Council, housing and retail uses were specifically excluded to enable a broad range of medical, life science, and academic uses to be concentrated in one area.

The master plan amendment anticipates a more vibrant, dynamic life science community than now exists. The Plan proposes that the Corridor Cities Transitway (CCT) be realigned by placing transit stations where new development and redevelopment is expected to occur – near the hospital in the LSC Core, at JHU/Belward, and at the redeveloped Public Safety Training Academy (PSTA) site. The CCT will enable people who work at the LSC to live in nearby neighborhoods connected by transit.

Proposed Zoning Change

The LSC Zone would be revised to support the Gaithersburg West Master Plan goal of transforming the Life Sciences Center into a live/work community while ensuring growth opportunities in the areas of research, medical, and bioscience interests. The LSC Zone was created specifically for development of the Shady Grove Life Sciences Center and has not been applied at any other location in the County. However, with the growth of biotech in the County, the LSC Zone may have broader application than in Gaithersburg West alone.

The zone as revised allows a range of housing options and amenities to support the life science and health care uses. Development under the zone will require site plan approval. The site plan must be substantially consistent with the recommendations of the applicable master or sector plan. In addition to the site plan requirement, an applicant will be required to submit, for Planning Board approval, comprehensive design standards that address building types, facades, and architectural features. The site plan must also be substantially consistent with general design principles recommended by the applicable master or sector plan and design guidelines adopted by the Planning Board.

The Planning Board and its staff will be available to assist the Council in the review of the proposed changes to the LSC zone.

Sincerely,

A handwritten signature in black ink, appearing to read "Royce Hanson", written over a horizontal line.

Royce Hanson  
Chairman

RH:gr  
Attachments

cc: Planning Board  
Rollin Stanley

Zoning Text Amendment No: 09-07  
Concerning: Life Sciences Center  
(LSC) Zone - Revisions  
Draft No. & Date: 1 - 7/16/09  
Introduced: July 28, 2009  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No:

**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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By: The District Council at the Request of the Planning Board

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

- revise the Life Sciences Center (LSC) Zone to permit mixed-use development under certain circumstances in order to promote the growth and advancement of life sciences and applied technologies, and to establish the use of building lot termination development rights in the LSC Zone; and
- generally amend the provisions of the LSC Zone.

By amending the definitions of the following terms in the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

**DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.**

**Section 59-A-2.1. Definitions.**

Research, development and related activities;

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

**DIVISION 59-C-5. INDUSTRIAL ZONES.**

Section 59-C-5.21. Allowable uses.

Section 59-C-5.23. Retail sales and personal services.

Section 59-C-5.3. Development standards.

Section 59-C-5.47. Special regulations LSC zone.

And adding a new Section 59-C-5.478. Definitions



**EXPLANATION:**

**Boldface** indicates a heading or a defined term.

Underlining indicates text that is added to existing laws by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the 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:

1 **Sec. 1. DIVISION 59-A-2. is amended as follows:**

2 **Sec. 59-A-2.1. Definitions.**

3 In this Chapter, the following words and phrases have the meanings indicated:

4 \* \* \*

5 **Research, development and related activities:** Study, research, and experimentation in one or  
6 more scientific fields such as life sciences or biomedical research, communications, chemistry,  
7 computer science, electronics, medicine and physics. Research and development also includes  
8 the development of prototypes and the marketing of resultant products. Related activities include  
9 the manufacturing, mixing, fermentation, treatment, assembly, packaging, and servicing of  
10 products. Supporting services such as administrative offices, educational facilities, libraries, and  
11 data services are other examples of related activities.

12 \* \* \*

13 **Sec. 2. DIVISION 59-C-5. is amended as follows:**

14 **Sec. 59-C-5.2. Land uses.**

15 \* \* \*

16 **59-C-5.21. Allowable uses.**

17 No use is allowed except as indicated in the following table:

18 -Permitted Uses. Uses designated by the letter "P" and uses of a similar  
19 character[,] are permitted on any lot in the zones indicated, subject to all  
20 applicable regulations.

21 -Special Exception Uses. Uses designated by the letters "SE" may be authorized  
22 as special exceptions[, in accordance with the provisions of] under Article 59-G.

23

	I-1	I-2	I-3	I-4	R&D	LSC*
<b>(a) Residential.</b>						
Accessory residential unit. <sup>38</sup>				P		
Dwellings.	SE		SE	SE		
Dwellings, for caretakers or watchkeepers and their families or for bona fide agricultural operations.	P	P	P	P	P	
Hotel or motel. <sup>1</sup>	SE		SE			
<b>(b) Manufacturing and industrial.</b>						
<b>I. Uses of a light industrial nature.</b>						
Bakery.	P	P		P		
Blacksmith shops, welding shops, ornamental iron works, and machinery shops, excluding drop hammers and punch presses over 20 tons rated capacity.	P	P	P	P	P	
Bottling plants.	P	P		P		
Confectionery production.	P	P		P		
Contractors, storage yards.	P	P				
Dry cleaning and laundry plant.	P	P		P		
Electroplating and manufacturing of small parts such as coils, condensers, transformers, and crystal holders.	P	P	P	P	P	
Food production, packaging, packing and canning of.	P	P		P		
Fuel storage yards.	P	P				
Ice manufacturing and storage.	P	P		P		
Manufacturing of light sheet metal products.	P	P	P	P	P	
Manufacturing, compounding, assembling or treatment of articles from the following previously prepared materials: bone, cellophane, plastic, canvas, cloth, cork, feathers, felt, fiber, fur, hair, horn, leather, textiles, yarns, glass, precious or semi-precious metals or stones, and tobacco.	P	P		P		
Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries and products resulting from biotechnical and biogenetic research and development.	P		P	P	P	[P]
Manufacturing, fabrication and/or subassembly of aircraft or satellite parts, components, and equipment.	P		P	P	P	
Manufacturing of musical instruments, toys, novelties, and rubber and metal stamps.	P		P	P		
Manufacturing of paint not employing a boiling or rendering process.	P	P		P		

	I-1	I-2	I-3	I-4	R&D	LSC*
Manufacturing of pottery and figurines or other products using previously pulverized clay and kilns fired only by electricity or gas.	P	P		P		
Manufacturing and assembly of electronic components, instruments and devices.	P		P	P	P	
Manufacturing and assembly of machine parts, components and equipment.	P	P		P		
Manufacturing and assembly of medical, scientific or technical instruments, devices and equipment.	P		P	P	P	[P]
Manufacturing and assembly of mobile, modular and manufactured homes.	P	P		P		
Manufacturing and assembly of semi-conductors, microchips, circuits and circuit boards.	P		P	P	P	
Manufacturing of yeasts, molds, and other natural products necessary for medical and biotechnical research and development.	P		P	P	P	[P]
Paper products manufacturing.	P	P		P		
Printing and publishing.	P		P	P	P	
Research, development, and related activities.	P		P	P	P	[P]
Sawmills.	P	P				
Sign making shop.	P	P		P		
Stoneworks.	P	P				
Tinsmith and roofing services.	P	P		P		
Wood products manufacturing.	P	P		P		
<b>II. Uses of a heavy industrial nature.</b>						
Alcoholic beverage manufacturing.	SE	P				
Automobile recycling facility		P				
Distillation of coal, tar, or wood.		P				
Central mixing plants for asphalt, concrete, or other paving materials.		P				
Chemicals, except sulfuric, nitric, hydrochloric acid or other corrosive or offensive chemicals.		P				
Dye works.		P				
Fertilizer mixing plants.		SE				
Foundries or metal fabrication plants.		P				
Incinerators. <sup>6</sup>		SE <sup>27</sup>				

	I-1	I-2	I-3	I-4	R&D	LSC*
Manufacturing of brick, clay, terra cotta, and tile.		P				
Manufacturing of cinder blocks.		P				
Manufacturing of printing inks.		P				
Manufacturing of synthetic fabrics such as rayon.		P				
Manufacturing of cloth made from shoddy or other similar material.		P				
Off-loading and transfer sites for storage of sand, gravel, or rocks.	p7	P		p7		
Recycling facility.	p30	P		p30		
Rock crusher, washing and screening plants.		P				
Sanitary landfills. <sup>6</sup>		SE <sup>27</sup>				
Starch, glucose, and dextrin.		P				
Steam power plants.		P				
Stove polish.		P				
Sugar refineries.		P				
<b>(c) Transportation, communication, and utilities.</b>						
Amateur radio facility.	p35/ SE	p35/ SE	p35/ SE	p35/ SE	p35/ SE	[p35/ SE]
Cable communications system. <sup>5</sup>	SE	SE	SE	SE	SE	[SE]
Electric power transmission and distribution lines, overhead, carrying more than 69,000 volts.	P	P	SE	SE	SE	[P]
Electric power transmission and distribution lines, overhead, carrying 69,000 volts or less.	P	P	P	P		
Electric power transmission and distribution lines, underground.	P	P	P	P	P	[P]
Heliports.	SE	SE	SE	SE	SE	[SE]
Helistops.	SE	SE	SE	SE	SE	[SE]
Parking of motor vehicle, off-street, in connection with any use permitted.	p2	p3	P	P	P	[P]
Parking of motor vehicle, off-street, in connection with any use permitted in a commercial zone.	SE					
Pipelines, aboveground.	P	P	SE	SE	SE	[SE]
Pipelines, underground.	P	P	P	P	P	[P]
Public utility buildings and structures.	SE	SE	SE	SE	SE	[SE]

	I-1	I-2	I-3	I-4	R&D	LSC*
Radio and television broadcasting stations and towers.	p33/ SE	P	p33/ SE	p33/ SE	p33/ SE	[p33/ SE]
Railroad tracks.	P	P	P	P	P	[P]
Railroad yards or roundhouses.		P				
Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment room. <sup>26</sup>	P	P	P	P	P	[P]
Solid waste transfer station, private. <sup>6</sup>		SE <sup>27</sup>				
Telecommunications facility. <sup>4</sup>	P	P	P	P	P	[P]
Telephone and telegraph lines.	P	P	P	P	P	[P]
Telephone offices, communication and telecommunication centers.	P		P	P	P	[P]
Trucking terminals.	P			P		
<b>(d) Commercial.</b>						
Adult entertainment business. <sup>22</sup>	P	P				
Aircraft parts, sales and services, including the sale of fuel for aircraft only.	P			P		
Animal research service facilities.						[P]
Automobile parts, sales and services, including but not limited to tire sales and transmission services, but excluding automobile filling stations.	P			P		
Automobile repair and services.	P			P		
Automobile sales, indoors and outdoors.	p <sup>8</sup>			p <sup>8</sup>		
Building material and supply, wholesale and retail. <sup>20</sup>	P	P		P	p <sup>37</sup>	
Cafeteria, dining room, snack bar, or other such facilities as an accessory use in connection with the operation and primarily for employees of the zone in which the use is located. <sup>9</sup>	P	P	P	P	P	[P <sup>29</sup> ]
Consignment store.		p <sup>31</sup>				
Eating and drinking establishments. <sup>9,10</sup>	SE		SE	SE	SE	[SE]
Lumberyards.	P	P		P		
Retail sales and personal services, dealing primarily with employees in the zone, in accordance with section 59-C-5.23.	P		P	P	P	[P <sup>29</sup> ]
Transitory use. <sup>25</sup>	P/SE	P/SE	P/SE	P/SE	P/SE	[P/SE]

	I-1	I-2	I-3	I-4	R&D	LSC±
Wholesale trades limited to sale or rental of products intended for industrial or commercial users.	P		p36	P		
<b>(e) Services.</b>						
Ambulance or rescue squads, publicly supported.	P		P	P	P	[P]
Animal boarding places. <sup>11</sup>	P			P		
Automobile filling stations. <sup>21</sup>	SE	SE <sup>14</sup>		SE		
Automobile repair and services.	P			P		
Automobile, truck and trailer rentals, outdoor.	P			P		
Chancery.	SE		p24			
Child day care facility. <sup>28</sup>						
-Family day care home.	P		P	P	P	[P]
-Group day care home.	P		P	P	P	[P]
-Child day care center.	P		P	P	P	[P]
Clinics, medical or dental.	P		P	P	P	[P]
Computer programming and software services, including data banks and data retrieval.	P		P	P	P	
Conference centers:						
-With lodging facilities.			SE		SE	
-Without lodging facilities.			P		P	[P]
Corporate, administrative or business offices for companies principally engaged in health services, research and development, or high technology industrial activities.					P	[P]
Day care facility for senior adults and persons with disabilities.	P		P	P	P	[P]
Duplicating service.	P		P	P	P	[p29]
Educational institution, private.	p34					
Fire station, publicly supported.	P		P	P	P	[P]
General offices.	P	p12	P	SE	p13	[p13]
Highway fuel and food service.	SE					
Hospitals.	SE		SE	SE	SE	[P]
Hospitals, veterinary, when in a soundproof building.	P			P		
International organization, public.	SE		p24		p24	[P]
Laboratories.	P		P	P	P	[P]

	I-1	I-2	I-3	I-4	R&D	LSC*
Landscape contractor.	P					
Meeting centers.	SE					
Nursing and care homes.						[P]
Place of religious worship.	P		P	P	P	[P]
Physical therapy facilities.						[P]
Publicly owned or publicly operated uses.	P	P	P	P	P	[P]
Storage, outdoor. <sup>15</sup>	P	P		P		
Trade, artistic, or technical schools.	P		p19	P	p19	[P19]
Universities and colleges providing teaching and research facilities.	p32		P		P	[P]
Warehousing and storage services:						
-Industrial and commercial users.	P	P	p16	P		
-Self-storage facilities.	P			P		
<b>(f) Cultural, entertainment and recreational.</b>						
Art or cultural centers.			SE		SE	[SE]
Health clubs.	P		P	P	P	[P]
Libraries, scientific or technical.	P		P	P	P	[P]
Private clubs. <sup>17</sup>	SE		SE	SE	SE	
Recreational facilities primarily for the use of employees. <sup>17</sup>	P	P	P	P	P	[P29]
Recreational or entertainment establishments, commercial.	SE	SE		SE		
Rifle or pistol ranges, indoor.	SE	SE		SE		
Service organizations.	SE			SE		
Swimming pools, private.			p18			
<b>(g) Resource production and extraction.</b>						
Agricultural uses.	P	P		P		
Dairy products processing.	P			P		
Rock or stone quarries.		P				
Sand, gravel, or clay pits.		P				
Stockyards.	SE	SE				
<b>(h) Miscellaneous uses.</b>						
Accessory buildings and uses.	P	P	P	P	P	[P]
Signs, in accordance with the provisions of article 59-F.	P	P	P	P	P	[P]



24 \* \* \*

25 [<sup>29</sup> In accordance with Section 59-C-5.23; and also operated for the convenience of hospital and  
26 clinic users.]

27 \* \* \*

28 \* Allowable uses in the LSC Zone are listed in Section 59-C-5.211.

29

30 **59-C-5.211. Allowable uses in the LSC Zone.**

31 The following uses are permitted in the LSC Zone:

- 32 (1) health care services;
- 33 (2) domiciliary care homes;
- 34 (3) research, development, and related activities;
- 35 (4) Corporate, administrative, or business offices for companies principally engaged  
36 in health services, research and development, or high technology industrial  
37 activities;
- 38 (5) private educational institutions;
- 39 (6) general offices limited to no more than 50% of the gross floor area of the  
40 buildings on a lot or group of contiguous lots in common ownership and control at  
41 the time of subdivision approval;
- 42 (7) conference centers;
- 43 (8) hotels, motels, and inns;
- 44 (9) dwellings and dormitories;
- 45 (10) housing and related facilities for senior adults or persons with disabilities;
- 46 (11) adult and child day care;
- 47 (12) food services, excluding drive-in restaurants;
- 48 (13) retail trade and personal services;
- 49 (14) cultural, entertainment, and recreation;

- 50 (15) communications facilities or structures;
- 51 (16) publicly owned or operated uses;
- 52 (17) transportation facilities or structures;
- 53 (18) utilities;
- 54 (19) accessory buildings and uses; and
- 55 (20) signs in accordance with the provisions of Article 59-F.

56 \* \* \*

57 **59-C-5.23. Retail sales and personal services.**

58 In the I-1, I-2, I-3, I-4, and R&D zones, [Retail] retail sales and personal services  
59 operating primarily for the convenience of employees [of Industrial zones] are permitted  
60 uses subject to the following limitations:

- 61 (a) Such use must not be located in an industrially zoned area containing less than  
62 [ten] 10 contiguous acres of land classified in industrial zones.
- 63 (b) Such use must not occupy more than 5 percent of the total floor area of the  
64 buildings on a lot or group of contiguous lots in common ownership and control at  
65 the time of subdivision approval.
- 66 (c) Such use must not front on or abut any street with a right-of-way of 70 feet or  
67 more unless the street is internal to the industrially zoned area. Such use,  
68 however, must not front on or abut any street with an existing or master planned  
69 right-of-way of 100 feet or more. All access to such use must be from interior  
70 streets within the industrially zoned area.
- 71 (d) The display of a sign must [comply with the requirements established in] satisfy  
72 Article 59-F [of this chapter].

- 73 (e) In the I-3 and R&D zones, such use may be located within any building as [a] an  
 74 incidental use [in accordance with] under the following requirements:  
 75 (1) Such incidental use must not be located above the first floor;  
 76 (2) Such incidental use must satisfy [the requirements of] subsections (a), (b),  
 77 and (d)[,] above.

78 The provisions of this section shall not apply to any land or building lawfully  
 79 existing, under construction, or for which a building permit has been issued [prior  
 80 to] before August 19, 1987.

81 \* \* \*

82 Sec. 59-C-5.3. Development standards.

	I-1	I-2	I-3	I-4	R&D	LSC
<b>59-C-5.31 Building height.</b>						
No building shall exceed the following height limits:						
(a) Normally:						
-In stories	3	5		3		
-In feet	42	70	100	42	50	[100] 150*
(b) In the I-1 zone, this height may be increased [in accordance with the requirements of section] under Section 59-C-5.41.						
<b>59-C-5.32. Coverage limitations. (Percent of gross tract area)</b>						
-Minimum green [Green] area [shall be provided for not less than]	10	10	35	20	30	[25]
- <u>Minimum public use space in the LSC zone; however, such space may be provided in part or entirely off-site on a separate lot or parcel in the same zone. A payment instead of all or some of the required public use space may be made at the time of site plan review, if approved under the applicable provisions of Section 59-D-2.31.</u>						20
-Off-street parking is not allowed to occupy more than			45 <sup>1</sup>			
<b>59-C-5.321. Maximum density of development.<sup>2</sup></b> The maximum density of development must not exceed the following floor area ratio which is to be based on and may be averaged over the gross tract area.					0.30	

	I-1	I-2	I-3	I-4	R&D	LSC
<p>In the I-3 and LSC zones, the maximum density of development must not exceed the following floor area ratio, based on gross tract area, which may be averaged over 2 or more lots created by the same subdivision plan if the density is recorded by covenant in the land records for all affected lots. When averaging is used for previously approved subdivision plans, the total development density must not exceed the density for which Facility approval was previously granted, unless a new Adequate Public Facility test is applied. In such situations, the shift of density must be recorded in the land records for all affected lots. [Adequate Public Facility approval was previously granted, unless a new Adequate Public Facility test is applied. In such situations, the shift of density must be recorded in the land records for all affected lots.]</p> <p><u>In the LSC Zone, if the property is under common ownership or control, the floor area ratio in one portion of the gross tract area of the property may exceed the maximum floor area ratio of the zone only if the floor area ratio for the total tract area does not exceed the maximum floor area ratio. The densities for all portions of the property must be shown in a covenant that is recorded in the land records and that covers the total tract area of the property. The Planning Board must determine compliance with the densities shown in the covenant when a site plan application is before it.</u></p> <p><u>In the LSC zone, 12.5% of any density above a floor area ratio of 0.50 must be supported through the purchase of a BLT easement under Section 59-C-5.473.</u></p>			0.50			[0.30] 2.0**
<p>In the I-3 zone, the maximum density may be increased up to a maximum floor area ratio of 0.60, provided that the applicant for development obtains approval of a traffic mitigation agreement at the time of site plan review[,] that will result in traffic generation equal to or less than a project with a floor area ratio of 0.50.</p>						
<p>[In the LSC zone, the maximum density may be increased to a maximum floor area ratio of 0.50 provided the applicant for development obtains approval of a traffic mitigation agreement in accordance with Section 59-C-5.475.]</p>						
<p><b>59-C-5.322. Requirement for landscape plan.</b> In the R&amp;D zone, the preliminary plan of subdivision must include a landscape plan and a plan for the preservation of natural features.</p>						

83

84 1 In unusual circumstances, may be waived by the [planning board] Planning Board at the time of site plan  
 85 approval upon a finding that a more compatible arrangement of uses would result.

86 \* \* \*

87 \* In approving height limits, the Planning Board must consider factors such as: the size of the lot or parcel;  
88 the relationship of existing and proposed buildings and structures to surrounding uses; and the need to  
89 preserve light and air for the occupants of the development and occupants of surrounding properties.

90 \*\* In approving the densities, the Planning Board must consider the size of the parcel and the relationship of  
91 the existing and proposed buildings and structures to surrounding uses.

92 \* \* \*

93 **Sec. 59-C-5.4. Special regulations.**

94 \* \* \*

95 **59-C-5.47. Special regulations LSC zone.**

96 **59-C-5.471. Purpose.** The primary purpose of the Life Sciences Center (LSC) Zone is to  
97 promote research, academic, and clinical facilities that advance the life sciences, health  
98 care services, and applied technologies. It is also the purpose of the LSC Zone to provide  
99 opportunities for the development of uses that support a Life Sciences Center while  
100 retaining an environment conducive to high technology research, development, and  
101 production.

102 [A life sciences center (LSC) is a major research and development park for facilities of  
103 companies specializing in the life sciences and related fields, at a location as  
104 recommended in a master or sector plan.]

105 [(a) The goals of an LSC are:

106 (1) To provide a unique reinforcing focus for the life sciences industry to  
107 promote the successful expansion of the industry in Montgomery County;

108 (2) To expand the educational and research resources available for  
109 Montgomery County residents, employers and work force; and

- 110 (3) A life sciences center may serve the health care needs of the region.]
- 111 [(b) It is the intent that LSC's be developed in a manner which makes a positive
- 112 contribution to the quality of life in the County. The facilities, landscaping and
- 113 open space will create an attractive setting and environment conducive to high
- 114 technology research, development, production and related uses. The purposes of
- 115 the life sciences center zone are as follows:
- 116 (1) To promote the development of life science research parks which reflect
- 117 the highest architectural and environmental standards; to preserve the
- 118 confidence of corporate users and the surrounding community that future
- 119 development will be of consistently high quality and to protect and
- 120 enhance the economic and environmental values of the life sciences
- 121 center.
- 122 (2) To assure that all buildings are compatible with each other and with their
- 123 surroundings in terms of exterior design, massing and scale, and type and
- 124 quality of construction.
- 125 (3) To promote clustering of buildings to encourage and facilitate pedestrian
- 126 use of open space and common areas and shared facilities.
- 127 (4) To assure the provision of green areas and promote the use of green areas
- 128 to enhance the appearance of the facilities and the quality of the work
- 129 environment.]

130 **59-C-5.472. Where applicable.** No land [shall] may be classified in the LSC zone,

131 unless the land is within an area for which there is an approved and adopted master or

132 sector plan [which] that recommends life sciences center development for the land

133 [which] that is subject to the application of the zone. Development under the LSC zone  
134 must be substantially consistent with the recommendations of the applicable master or  
135 sector plan.

136 **[59-C-5.473. Development standards.**

137 (a) **Building setbacks.**

138 (1) Building setback from the rights-of-way of interior roads is 25 feet

139 Building setback from the rights-of-way of perimeter roads is 50 feet.

140 (2) Building setback from the right-of-way line at entry gateways is 50 feet.

141 (3) Building setback from an interior lot line is 20 feet.]

142 [(b) **Building height.** Maximum building height is 100 feet, except 125 feet in the  
143 health services core of the Shady Grove Life Sciences Center as defined in the  
144 1986 Shady Grove Life Sciences Center Development Plan, as amended.]

145 [(c) **Building coverage.** Maximum building coverage is 25 percent of the lot area  
146 except that increased coverage up to 50 percent may be approved when the  
147 applicant proposes to construct structured or underground parking.]

148 [(d) **Floor area ratio.** The maximum floor area ratio may be increased to 0.50 if  
149 special trip reduction is implemented in accordance with the guidelines in Section  
150 59-C-5.475.]

151 [(e) **Green area.** The minimum green area on the site is 25 percent of the lot area.  
152 Roofs or below grade parking may be counted as green space if developed for  
153 passive or recreational use.]

154 [(f) **Parking setbacks.**

155 (1) Parking setback from rights-of-way is 50 feet.

- 156 (2) Parking setback from an interior lot line is 15 feet. Where internal  
157 connection between adjacent parking lots is planned, total combined  
158 setback is eight (8) feet.
- 159 (3) In the Shady Grove Life Sciences Center, parking setback from the right-  
160 of-way line of Blackwell Road and the curb line of access roadways and  
161 cul-de-sacs is 25 feet.]

162 [(g) **Parking design standards.**

- 163 (1) All parking areas must be effectively screened from adjacent roadways  
164 and adjoining lots, through the use of berms, plantings, or the depression  
165 of parking areas below surrounding grades.
- 166 (2) Parking areas should be broken up into lots of no more than 150 cars, the  
167 lots to be separated by landscaped islands.
- 168 (3) The number of parking spaces provided, and the overall design and layout  
169 of parking lots must be in accordance with Article 59-E.
- 170 (4) No access to any lot is allowed directly from perimeter roads.]

171 [(h) **Site design standards.**

- 172 (1) Buildings should be sited to provide primary visual orientation to the  
173 internal road network. Care must be taken so that exposure to roads  
174 surrounding the life sciences center do not detract from the overall  
175 appearance of the facility or the life sciences center.
- 176 (2) Buildings should appear to be integrated into the natural terrain, avoiding  
177 unnatural looking grading.



178 (3) Service areas should not detract from the design of the facility. All service  
179 areas should be effectively screened from adjoining lots, pedestrian areas,  
180 and parking lots by incorporating them into the building or by the use of  
181 walls, berms, level changes and landscaping.

182 (4) In the Shady Grove Life Sciences Center, pedestrian paths or sidewalks  
183 must be provided in accordance with the 1986 Shady Grove Life Sciences  
184 Center Development Plan, as amended.]

185 [(i) **Building design standards.**

186 (1) All sides of the building are to be built with finish materials.

187 (2) Recommended finish materials include:

188 (A) Architectural masonry units (excluding standard concrete and  
189 cinder block);

190 (B) Natural stone;

191 (C) Precast concrete

192 (D) Aluminum and architectural metals

193 (E) Porcelain covered metal panels; and

194 (F) Glass

195 (3) Mechanical equipment should be located within the building or within a  
196 mechanical equipment penthouse. If mechanical equipment is located on  
197 the roof or is free-standing on the site, it must be effectively screened from  
198 view by means fully compatible with the architecture. Mechanical  
199 equipment must be screened from view from all roads and immediately  
200 adjacent structures (existing or future) four stories in height or less.

201 Required flues or vents must be compatible in design with the architecture  
202 and preferably incorporated into that design.

203 (4) Outdoor storage must not be permitted except when effectively screened  
204 within a court or a wall made of substantial materials compatible with  
205 those of the building skin.

206 (5) All trash containers, transformers, meters, telephone junction boxes etc.,  
207 must be integrated architecturally or effectively screened with screen walls  
208 and/or landscaping materials. Locations must be compatible with building  
209 and site design.

210 (6) No temporary structures may be constructed or trailers located within the  
211 LSC except for those approved by the Director to service a construction  
212 project and only for the duration of the construction.]

213 [(j) **Site lighting standards.**

214 (1) Site lighting must be provided to maintain a minimum level of  
215 illumination within the parking areas (ft. candle minimum maintained).

216 (2) Maximum pole heights for drives and parking lots must be approximately  
217 24 feet with “cut off” type luminaries. Poles and luminaries must be  
218 compatible with established lighting in the existing core area.

219 (3) Lighting bollards must be used adjacent to pedestrian walk areas. The  
220 design must be compatible with architectural materials.]

221 **[59-C-5.474. Landscaping guidelines.**

222 (a) Landscaping should be an integral part of the building design and should provide  
223 effective screening and shade.

224 (b) Every effort should be made to avoid formality in plantings except as it may be  
225 integral to an architectural concept. Emphasis should be placed on the natural  
226 grouping of groves of trees and every opportunity should be taken to emphasize  
227 or take advantage of natural terrain features.]

228 [(c) Plants should be restricted to those with low maintenance requirements and which  
229 have already proven themselves hardy and easily cared for in this area.]

230 [(d) To ensure year-round interest and beauty, a skeletal planting of evergreen trees  
231 and major shrubs of seasonal interest should be used in each project so that the  
232 design does not disintegrate at leaf-fall.]

233 [(e) Native flowering trees should be planted in groves placed near areas of pedestrian  
234 use. Whenever possible, larger specimens should be selected in order to create an  
235 immediate effect at major points in the design. Smaller plantings may be used in  
236 peripheral areas.]

237 **[59-C-5.475. Special trip reduction guidelines.** Where the approved subdivision plan  
238 of the life sciences center allows a development density exceeding 0.3 FAR, it is the  
239 intent of the special trip reduction guidelines to achieve as a goal a reduction in auto trips  
240 for projects of 10 percent below the peak hour trip generation rates adopted by the  
241 Planning Board for the administration of the Adequate Public Facilities Ordinance. To  
242 help achieve the trip reduction goal, design measures should be incorporated in the  
243 project to meet trip reduction objectives established in this section, as well as non-design  
244 measures for the purpose of reducing dependence on single-occupant automobiles. The  
245 Planning Board may establish a schedule for achieving the goal and time periods during  
246 which the trip reduction measures will be in effect. Any or all of the following trip

247 reduction guidelines or other measures proposed by an applicant are to be considered as  
248 appropriate on a case-by-case basis taking into consideration specific circumstances of  
249 the project.]

250 [(a) **Design guidelines.**

251 (1) Buildings clustered near internal streets to minimize walking distance to  
252 available transit and to promote an attractive, active and safe pedestrian-  
253 oriented streetscape, to accommodate bus service, carpooling and  
254 vanpooling within a project.

255 (2) An uninterrupted pedestrian circulation system linking the various uses  
256 within a project . The pedestrian system should provide convenient  
257 connections to transit service and employee convenience services to  
258 reduce dependence on single-occupant automobiles and to promote an  
259 active streetscape.

260 (3) If convenience services are provided, space on the ground floor of a  
261 building for such services to reduce the need for private vehicle trips  
262 during the day.]

263 [(b) **Non-design guidelines.**

264 (1) Trip reduction programs such as limiting off-street parking after  
265 consideration of market demand, flex time, the provision of or  
266 participation in share-a-ride programs, transit/vanpool fare discounts, bus  
267 shelters, emergency ride-home programs, reserved HOV spaces, or other  
268 acceptable measures that may be proposed; provided that a limitation on

269 off-street parking below the applicable standards of Article 59-E shall not  
270 be required in order to achieve trip reduction goals.

271 (2) Development phased in accordance with public or private transit  
272 availability.]

273 [(c) **Implementation.**

274 (1) The Planning Board may establish a schedule for achieving the  
275 requirements and time periods during which the trip reduction measures  
276 will be in effect. The Planning Board may also require the applicant to  
277 enter into an agreement providing for the monitoring, enforcement, and  
278 other terms of the trip reduction program. Provision must be made in the  
279 agreement to allow for the inclusion of a maximum cost for the  
280 implementation of substitute components of the trip reduction measures in  
281 the event initial components do not achieve the requirements.

282 (2) Results of on-site trip reduction programs implemented by the applicant to  
283 satisfy other traffic mitigation conditions of development approvals may  
284 be credited toward achieving the trip reduction requirement. All traffic  
285 mitigation requirements otherwise applicable remain in effect. The  
286 Planning Board may phase implementation of some or all of the trip  
287 reduction in accordance with the build-out of the project and/or  
288 availability of transit so that the measures are feasible and effective,  
289 except the Planning Board must not defer such implementation for more  
290 than 10 years from the issuance of any use-and-occupancy permit for a  
291 building in the project.]

292

293 **59-C-5.473. Special regulations for use of a Building Lot Termination (BLT) Development**

294 **Right.**

295 Except for residential development subject to the requirement of workforce housing under  
296 Section 59-C-5.474(b) and except for health care services:

297 (a) 12.5 percent of any floor area above an FAR of 0.50 must be supported through the  
298 purchase by the applicant of a BLT easement or through a contribution to the Agricultural  
299 Land Preservation Fund, under Chapter 2B, for purchase of a BLT easement on real  
300 property to preserve agricultural land in the County. One buildable RDT zoned lot must  
301 be extinguished for each 9,000 square feet of residential space, or for each 7,500 square  
302 feet of non-residential space.

303 (b) If the applicant for development under the LSC zone cannot purchase an easement, or if  
304 the amount of density to be attributed to BLT easement is a fraction of the applicable  
305 floor area equivalent, the Planning Board must require the applicant to pay the  
306 Agricultural Land Preservation Fund an amount set annually by Executive Regulation.

307 **59-C-5.474 MPDUs and Workforce Housing.**

308 (a) **Moderately Priced Dwelling Units.** If residential uses are included in a development,  
309 Moderately Priced Dwelling Units must be provided under Chapter 25A. The maximum  
310 residential FAR may be increased in proportion to any MPDU bonus density units  
311 provided on-site.

312 (b) **Workforce Housing.**

313 (1) Notwithstanding Section 59-A-6.18 and Chapter 25B, this zone requires that any  
314 site plan containing residential units at a density of 20 dwelling units per acre or

315 higher, or containing 100 dwelling units or more, include an amount of workforce  
316 housing units that is not less than 5 percent of the total number of proposed  
317 market rate dwellings, not including any MPDUs or resulting bonus density units,  
318 or dwelling units excluded under Chapter 25B.

319 (2) To allow the construction of all workforce housing units on site, the Planning  
320 Board must permit:

321 (A) any residential density or residential FAR limit of the applicable zone to  
322 be exceeded to the extent required for the number of workforce housing  
323 units that are constructed, but not by more than 5 percent;

324 (B) any residential density or residential FAR limit established in a master or  
325 sector plan to be exceeded to the extent required for the number of  
326 workforce housing units that are constructed, but not more than the  
327 maximum density and FAR of the zone, except as provided in paragraph  
328 (2)(A); and

329 (C) any building height limit established in a master or sector plan to be  
330 exceeded to the extent required for the number of workforce housing units  
331 that are constructed, but not more than the maximum height of the zone.

332 **59-C-5.475** **Parking. Off-street parking must satisfy Article 59-E.**

333 **59-C-5.476.** **Procedure for application and approval.**

334 (a) [The procedure for site plan approval in the LSC zone is set forth in] Site plan approval  
335 in the LSC Zone must satisfy Division 59-D-3. The site plan must be substantially  
336 consistent with the recommendations of the applicable master or sector plan. In addition  
337 to the site plan submission requirements, the applicant must submit for approval

338 comprehensive design standards that address building types, facades, and architecture,  
339 except when the site plan is proposed for amendment through a limited plan amendment,  
340 a consent agenda amendment, or a Director level amendment. Site plans also must be  
341 substantially consistent with the general design principles recommended by the  
342 applicable master or sector plan and design guidelines adopted by the Planning Board to  
343 implement the applicable master or sector plan.

344 (b) For site plan or subdivision plan approvals before {Effective Date}, [The] the following  
345 regulations apply [in the LSC zone]:

346 (1) In the Shady Grove Life Sciences Center, except as provided below, an applicant  
347 for site plan or subdivision plan approval must comply with the requirements of  
348 the Amended and Restated Declaration of Covenants and Easements dated March  
349 9, 1990 and recorded May 25, 1990 in Liber 9332 at folio 591, or as the  
350 Declaration may be later amended, that governs the development of the Shady  
351 Grove Life Sciences Center. Any project that receives site plan or subdivision  
352 plan approval on property identified as University Sites in the 1995 Shady Grove  
353 Life Sciences Center Development Plan is not required to comply with the  
354 Declaration.

355 (2) Properties within the Shady Grove Life Sciences Center, except as provided  
356 below, are subject to the provisions of:

357 A. an approved subdivision plan which may restrict the maximum density  
358 allowed, and

359 B. the 1986 Shady Grove Life Sciences Center Development Plan, as  
360 amended. This subparagraph does not apply to any project on the property



361 identified as the University Sites in the 1995 Shady Grove Life Sciences  
362 Development Plan. Any application of the 1986 Shady Grove Life  
363 Sciences Center Development Plan to such University Sites arises by  
364 private agreement only.

365 (3) Any proposed development shown on a site plan or plan of development approved  
366 prior to June 11, 1996 may be constructed in accordance with the approved plan,  
367 regardless of whether said development is built in one or more phases. Such  
368 development is not subject to the provisions of Section 59-G-4.1 and 59-G-4.25,  
369 and may be continued, repaired, reconstructed, or structurally altered in  
370 accordance with the approved site plan or plan of development. In cases where  
371 detailed review of subsequent phases of an approved plan is anticipated, such  
372 reviews will continue to be required under the provisions of Division 59-D-3.

373 **59-C-5.477. Existing approved buildings, building permits, or uses.**

374 (a) Any existing building or structure for which a lawful building permit was issued, and any  
375 lawful use which was instituted on property within the Shady Grove Life Sciences Center  
376 and subject to the provisions of the 1986 Shady Grove Life Sciences Center Development  
377 Plan, as amended, prior to a sectional zoning map amendment approved on June 11,  
378 1996, where such lot was rezoned to the life sciences center zone by sectional or local  
379 map amendment, will not be regarded as a non-conforming use. Such building or use  
380 may be structurally altered, replaced, or repaired, or may be changed in conformance  
381 with the requirements of the previous lease agreement or memorandum of understanding  
382 with the County entered into prior to June 30, 1984, so long as it remains an otherwise  
383 lawful use. Properties which are subject to a lease agreement or memorandum of

384 understanding with the County entered into prior to June 30, 1984 may be developed [in  
385 accordance with] under agreements and procedures applicable prior to June 11, 1996.

386 Any lawful uses or development which were approved in a plan of development  
387 approved by the District Council may be instituted on the Shady Grove Life Sciences  
388 Center properties.

389 (b) Construction underway in the Shady Grove Life Sciences Center [pursuant to] under a  
390 building permit validly issued and existing at the time of reclassification to the [life  
391 sciences center] Life Sciences Center zone [shall be] are permitted, and buildings and  
392 structures so constructed [shall] must not be considered nonconforming.

393 (c) Any lawful structure, building, or use that existed for which a building permit was issued  
394 before the date the LSC zone was applied to the property is a conforming structure or use  
395 and may be continued, structurally altered, repaired, renovated, or enlarged up to 10  
396 percent of the gross building floor area. However, any enlargement of the building that is  
397 more than 10 percent of the gross floor area, or construction of a new building, must  
398 comply with the new standards of the LSC zone.

399 (d) Any preliminary plan or site plan approved before the date the LSC zone was applied to  
400 the property remains valid, and construction may proceed subject to applicable approvals.  
401 A preliminary plan approved before the date the LSC zone was applied to the property  
402 may be amended under the standards of the previous zone or under the LSC zone  
403 standards.

404 **59-C-5.478. Definitions.**

405 In the Life Sciences Center zone, the following words and phrases have the meanings indicated:

406 **Cultural, entertainment, and recreation:** Establishments that operate facilities or provide  
407 services to meet cultural, entertainment, and recreational interests of their patrons. Such  
408 establishments include art/cultural centers, health clubs, libraries, private clubs, and theaters.

409 **Communications facilities or structures:** Facilities or structures that support or facilitate  
410 communications by radio, television, or telephone. Such facilities or structures include amateur  
411 radio facility, cable communications system, radio and television broadcasting studio, radio and  
412 television stations, telephone office or communications center, and rooftop mounted antennas  
413 and related equipment.

414 **Food services:** Establishments that prepare meals, snacks, and beverages for human  
415 consumption. Such establishments include restaurants, cafes, and coffee shops.

416 **Health care services:** Establishments providing health care by trained professionals. These  
417 establishments include hospitals, hospice care facilities, life care facilities, nursing homes,  
418 medical clinics, physical therapy facilities, and occupational therapy facilities.

419 **Personal services:** Establishments that provide services to individuals, households, and  
420 businesses. These establishments include self-service laundromats, dry cleaning and laundry  
421 establishments of no more than 3,000 square feet of gross floor area, dry cleaning and laundry  
422 pick-up stations, beauty and barber shops, shoe repair, photo studios and photo finishing  
423 services, data services, appliance repair shops, duplicating services, tailor or dress making shops,  
424 and pet grooming services.

425 **Retail trade:** Establishments engaged in selling merchandise to the general public and services  
426 incidental to the sale of merchandise. These establishments include grocery stores, pharmacies,  
427 automobile filling stations, electronic and appliance stores, office supply stores, computer and  
428 software stores, hardware stores, and clothing stores.

429 **Transportation facilities or structures:** Facilities or structures that support or facilitate  
430 transportation of people. Such facilities or structures include bus terminals, bus stops, transit  
431 stations, transit stops, taxi stands, heliports, helistops, and off-street parking of motor vehicles, in  
432 connection with any use permitted.

433 **Utilities:** Buildings and structures that provide services such as telephone, electric power, natural  
434 gas, water, and sewage removal.

435

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

438

439 This is a correct copy of Council action.

440

441 \_\_\_\_\_

442 Linda Lauer, Clerk of the Council

Resolution No.: \_\_\_\_\_  
Introduced: July 28, 2009  
Adopted: \_\_\_\_\_

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

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By: District Council

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Subject: Notice of Public Hearing on Zoning Text Amendment 09-07

Background

1. Section 59-H-9.3 of the Montgomery County Ordinance requires that, within 30 days of introduction of any text amendment, the Council act by resolution to set a date and time for public hearing on the proposed amendment.
2. Zoning Text Amendment No. 09-07, introduced on July 28, 2009 would revise the Life Sciences Center (LSC) zone.
3. The Planning Board requested the consideration of the Zoning Text Amendment to help implement the Planning Board Draft Gaithersburg West Sector Plan.

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:

Legal notice will be given of the public hearing to be held on September 15, 2009 at 7:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, for the purpose of giving the public an opportunity to comment on the proposed amendment.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council