



**Subdivision Regulation Amendment 21-02, Administrative Subdivision – Biohealth Priority Campus**

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**Completed: 11/10/2021**

**Description**

Subdivision Regulation Amendment (SRA) 21-02 would amend Section 6.1 of Chapter 50 Subdivision of Land to add a new type of administrative subdivision for property to be used as a Biohealth Priority Campus under Section 3.5.8.E of the Zoning Ordinance.

**Summary**

Staff recommends the Board transmit comments to the District Council supporting SRA 21-02 with minor revisions for consistency with other sections of Chapter 50. The SRA was introduced by Councilmember Friedson on October 26, 2021. The Public Hearing date is set for November 30, 2021.

**Background/Analysis**

SRA 21-02 was introduced as a companion to ZTA 21-09. Collectively these proposed code amendments establish a new use for a Biohealth Priority Campus (BPC), and this SRA establishes a new regulatory Administrative Subdivision process that a BPC can use. The requirements for filing a BPC Administrative Subdivision are the same as for the Signature Business Headquarters. While most Administrative Subdivisions are intended to be for small, simple applications, the county has identified advancing the Biohealth industry as an economic development priority deserving a streamlined review process. The review of subdivisions under the Administrative Process does not result in any less detail of review by Planning Staff, but does shorten the review time from 120 days to 90 days, and allows certain approvals from county and state agencies to be put off until record plat.

**Modification to the SRA**

While staff is supportive of the goals and framework of the SRA, there are a few suggested modifications to keep this new Administrative Subdivision section consistent with others. Following is the entire content of the proposed SRA, as amended by Staff:

**DIVISION 50.6. Administrative Subdivision Plan**

\* \* \*

**Section 6.1. Applicability**

The subdivider may file an administrative subdivision plan application instead of a preliminary plan under the following circumstances. The Director must review the necessary technical requirements of the administrative subdivision plan under Section 4.3.

\* \* \*

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

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

\* \* \*

First, staff recommends removing “or lots” from the introductory statement, because the rules of interpretation under 50.2.1 are clear that singular and plural forms of a term are interchangeable. The other two changes under subsections 3 and 4 are to be consistent with other sections that already include this language.

## Conclusion

Staff supports SRA 21-02 to add a new Administrative Subdivision process for the Biohealth Priority Campus use and recommends the Planning Board transmit comments of support with the modifications staff has recommended above.

## Attachments

- A – SRA 21-02 – introduction packet.
- B – Proposed modifications to SRA 21-02

Subdivision Regulation Amendment No.: 21-02  
Concerning: Administrative Subdivision –  
Biohealth Priority Campus  
Draft No. & Date: 1 – 10/18/2021  
Introduced: October 26, 2021  
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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Lead Sponsor: Councilmember Friedson  
Co-Sponsor: Council President Hucker

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**AN AMENDMENT to:**

- create an administrative subdivision process for a Biohealth Priority Campus

By amending

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

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

ORDINANCE

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

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

2       \*   \*   \*

3       **DIVISION 50.6. Administrative Subdivision Plan**

4       \*   \*   \*

5       **Section 6.1. Applicability**

6       The subdivider may file an administrative subdivision plan application instead of a  
7       preliminary plan under the following circumstances. The Director must review the  
8       necessary technical requirements of the administrative subdivision plan under  
9       Section 4.3.

10      \*   \*   \*

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

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

25      \*   \*   \*

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

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30 *Approved:*

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Marc Elrich, County Executive	Date
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34 *This is a correct copy of Council action.*

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Selena Mendy Singleton, Esq.	Date
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37 Clerk of the Council

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24       **area.]] when located in a special protection area, all applicable special**  
25       **protection area requirements and guidelines are satisfied before the**  
26       **Board approves the plat.**

27  \*   \*   \*

28  
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30 Council adoption.  
31

32 *Approved:*

33  
34 \_\_\_\_\_  
35 Marc Elrich, County Executive Date

36 *This is a correct copy of Council action.*

37  
38 \_\_\_\_\_  
39 Selena Mendy Singleton, Esq. Date  
Clerk of the Council