



Montgomery Planning Downcounty Planning

Bethesda Minor Master Plan Amendment

Public Hearing Draft Worksessions



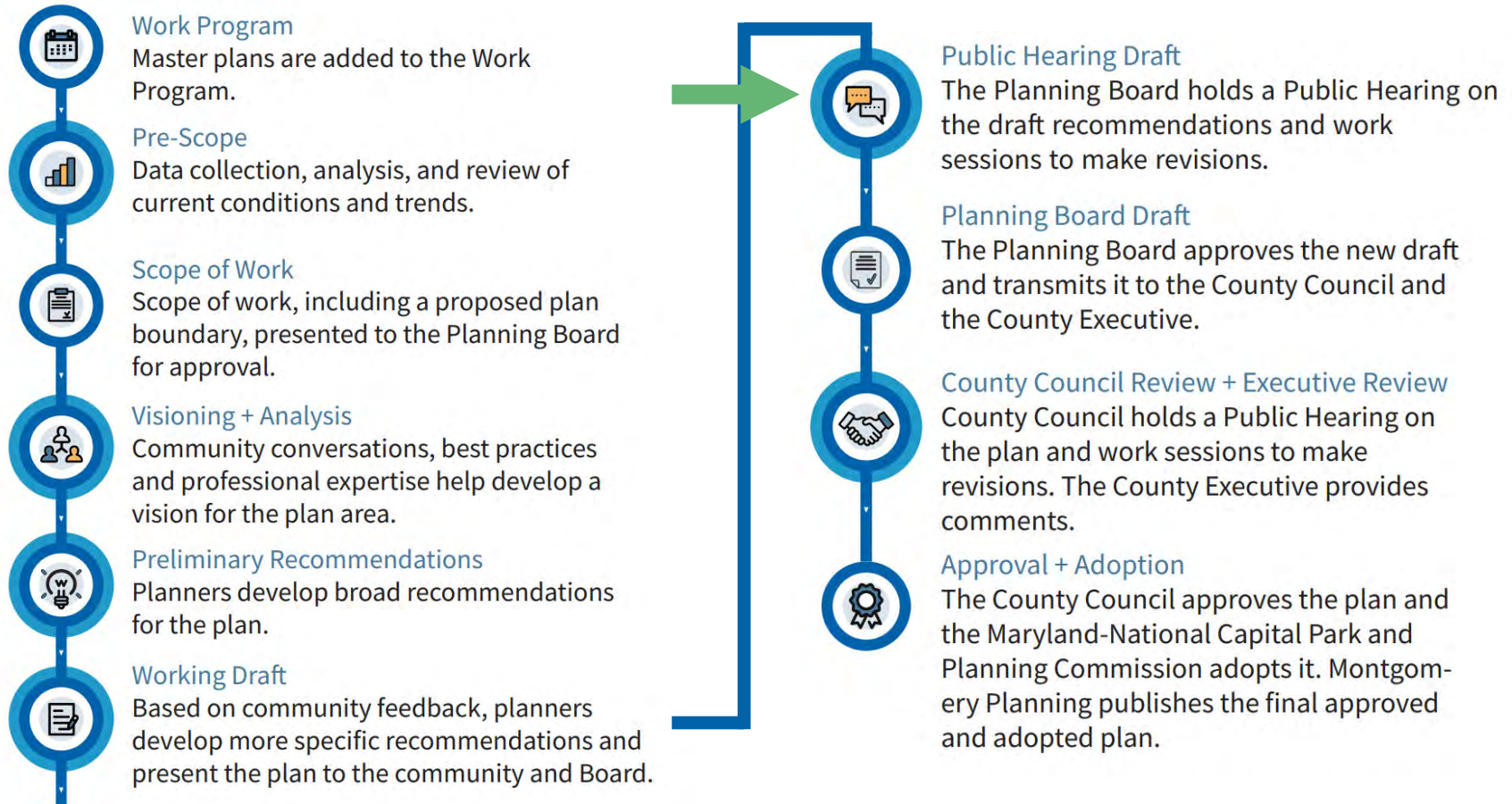
Agenda

- Introduction
- Review of testimony and issues
- Recommendation



Master Plan Process

○ MASTER PLAN MILESTONE ○ COMMUNITY ENGAGEMENT



MMPA Schedule

June 2024	Scope of Work at Planning Board
Summer 2024	Public workshops on tools to implement recommendations
September 2024	Preliminary Recommendations
October 2024	Draft MMPA
December 2024	Planning Board Public Hearing
December 2024- January 2025	Planning Board Worksessions & Planning Board Draft to County Council
Winter 2025	County Council Public Hearing, County Executive review & County Council review and approval

General

Testimony Received

- Nine individuals provided oral testimony, including representatives of the Bethesda IAC, the Town of Chevy Chase, and the development and resident communities.
- Over 60 pieces of written testimony were received by COB on December 9, from the County Executive, Maryland Department of Transportation, representatives of Section 3 of Chevy Chase Village, community associations in the larger B-CC area and the development and resident communities.

Testimony Received

- Development Cap
- Transportation
- Affordable Housing
- Park Impact Payment (PIP)
- Additional Review
- Bethesda Overlay Zone (BOZ)
- General
- Parks
- Environment

County Executive Comments

- Opposes removing development cap because it undermines APF and will not attract commercial development
- Parks
 - Recommends continuing Planning Board oversight of Parks Department
 - Opposes recommendation to shift focus for Veterans Park Civic Green to west side of Woodmont Avenue
 - Supports existing BDP recommendation to explore additional sources of park funding

County Executive Comments

- Transportation
 - Recommends a new funding mechanism to pay for new transportation infrastructure

County Executive Comments

- Environment
 - Plan should mention the County's Comprehensive Water Supply and Sewerage Systems Plan
 - Recommends expanding tree canopy beyond streetscape and parks but does not say how
 - Recommends maintaining high-performance energy requirements

Bethesda IAC Testimony

- Supports removal of the cap “only if a requirement for multiple check-in points is included in the Bethesda Overlay Zone (BOZ) to ensure community resources (parks, transportation, recreation center, etc.) are keeping pace with development, and that the policies and funding mechanisms needed to implement infrastructure improvements and public amenities have been established.”

Bethesda IAC Testimony

- “These check-ins should not require any action by the Planning Board or County Council but will ensure that additional analyses occur as build-out occurs since the hard cap is proposed to be eliminated from the BOZ.”
- Discussion and staff recommends text changes below

Bethesda IAC Testimony

- Work with Parks to review park priorities and implementation
- Be open to the acquisition of properties for parks not specified in the Plan and for acceptance of parks created through privately owned public open space, as opposed to dedication to the Parks Department
- Alternative park funding sources

Bethesda IAC Testimony

- Supports PIP rate increase conditional on provision of a predictable and feasible metric for increasing PIP over time and conditional on the County seeking to identify additional local, state, and federal funding sources for park development as called for in the Plan

General Testimony on Data Sufficiency

- Testimony that data used to support recommendations did not adequately address potential future development impacts
- Staff used data and methodology consistent with County Council direction for master plan analysis and reflective of best professional judgement on demographic and economic trends
- Recommend exploring additional metrics to measure lived impacts

Development Level

Recommendation

- **The MMPA recommends removal of a specific development level in the BOZ in favor of project-specific mitigation of impacts and improvements.**
- The MMPA also recommends future transportation-related functional plans continue to look at ways to improve these metrics.

Testimony

- Testimony in support, including from the Bethesda IAC
- Testimony in opposition, citing impacts on traffic, schools, and environment
- Staff recommends no changes to the recommendation
- Testimony also supported additional analysis – beyond monitoring – at appropriate interval to inform future policy making.

Analyses Currently Performed

- Every new master plan
 - Master Plan Transportation Adequacy
- Every development application
 - Meets Zoning Ordinance
 - Adequate Public Facilities
 - Master Plan conformance
 - Design Excellence

Analyses Currently Performed

- Every six months
 - Bethesda Implementation Tracking website updates for development, parks, tree cover, transportation
- Every year
 - School utilization review
 - Capital budget (incl. agency work programs and funding)
 - Annual Monitoring Report for parks, schools, transportation

Analyses Currently Performed

- Every two years
 - Capital Improvement Program (e.g, parks, schools, transportation)
 - Travel monitoring report
- Every four years
 - Growth and Infrastructure Policy

Analyses Currently Performed

- Development- and infrastructure-related issues are complex and analyzed in many ways
- Each analysis uses different inputs to measure elements of the complex ecosystem of these issues
- None can address all of the elements
- Regularly performed
- Each informs recommendations and decisions of agency staff, the Planning Board, and the County Council
- How to analyze lived experience of impacts?

Recommendation

- Add a new subsection under Section 4.1 Development Level:

Additional Analysis for Monitoring Implementation Progress and Impact

Montgomery Planning and Parks and County and County Council staff undertake significant efforts to analyze master plan implementation progress and impacts in a variety of timeframes, from each development application to the capital budget and the capital improvement program to the Growth and Infrastructure Policy to the 20-year master plan vision. While each of the analyses is essential to addressing a particular set of questions, they may not address some of the lived experiences of the people who live, work, and play in a community. The MMPA recommends studying additional analyses used in other jurisdictions to measure these factors and present them to the Planning Board as part of an upcoming Annual Monitoring Report.

Transportation & APF

Recommendation

- **Continue LATR per Growth and Infrastructure Policy (GIP) to improve pedestrian, bike, and transit-related alternatives to driving.**
- Support implementation of Loading Management Districts recommended in *Urban Loading Study*.
- Support Planning & County implementation and further study to continue improvements.

Testimony

- Testimony concerned about traffic impact of additional development
- County Executive recommends additional funding mechanism for transportation improvements
- MDOT suggests expanding recommendation about enhanced transit service to include expanding transit support facilities needed to accommodate it

Testimony

- Recommend updating recommendation:
 - Support MCDOT study and implementation of enhanced transit service connecting downtown Bethesda to nearby residential neighborhoods and regional activity centers, **including expanded transit support facilities needed to accommodate enhanced service.**
- Transportation improvements funded directly or indirectly by private development
- No other changes recommended

Implementation of Park Recommendations

Recommendation

- Montgomery Parks should continue to implement the 2017 Plan recommendations and refine implementation strategies as necessary to adapt to changing conditions such as the Purple Line construction status and schedule, development opportunities and challenges, and lessons learned since 2017.
- Montgomery Parks should continue to seek advice from the IAC.

Testimony

- Testimony received in support of diversifying funding sources for park implementation
- Existing 2017 BDP recommendation to investigate alternative funding sources
- Recommend no text changes

Refining the Recommendations for Veteran's Park Civic Green

- The 2017 Plan and associated Design Guidelines identified potential locations and configurations for the expansion of one of downtown Bethesda's key public spaces.
- To better guide implementation of the Veteran's Park recommendation and to provide clarity regarding potential redevelopment of sites near Veteran's Park, the MMPA recommends that the expansion of the park take place on the west side of Woodmont Avenue.

Testimony

- County Executive opposed to recommendation
- Recommend no text changes

Park Impact Payment

Recommendation

- The PIP rate should be adjusted to \$15.57 per square foot of BOZ density to correct for the 2019 and 2021 rate adjustment calculations that used the annual average instead of cumulative inflationary increases.

Testimony

- Testimony received both in general support & opposition
- Testimony recommended finding new cost index for biannual adjustment.
- Recommend no text changes.

Recommendation

- In acknowledgement of the potential financing burden posed by making a full PIP at the first above ground building permit, the PIP may be made in two equal payments – the first half at the first above ground building permit and the second half at the first use and occupancy permit.

Testimony

- Testimony received both in general support & opposition
- Testimony that supported paying PIP upfront and testimony that supported delaying PIP until final building inspection
- Recommend no text changes

Testimony: PIP Reduction

- Testimony received from a property owner and the IAC in support of allowing land recommended in the plan as a park and created as privately owned public space (POPS) to be eligible for a PIP reduction currently afforded only to land formally dedicated to Montgomery Parks.

Testimony: PIP Reduction

- The suggestion to extend the PIP reduction to include POPS deserves further consideration. Staff is analyzing the potential implications and will return next week with a recommendation.

Recreation Center

Recommendation

- Incentivize public/private partnerships or developer amenity.
- Provide PIP & Public Open Space credit for area dedicated.
- Designate as a “major public facility” for CR priority Public Benefit.
- Allow up to two additional stories to accommodate.



Testimony

- Public funds should be used to improve recreation centers elsewhere in the county before building a new one in Bethesda
- Recommend no change to text

Affordable Housing

Recommendation

- Update the BOZ to allow the Planning Board, in coordination with the County Department of Housing and Community Affairs (DHCA) – which implements the MPDU program – to approve the above credits also for developments with only 15 percent MPDUs but with family-sized MPDUs that exceed the minimum number required under 25A and/or deeply affordable MPDUs (as defined by DHCA).

Testimony

- Testimony received in support of the recommendation
- Recommend no changes

Recommendation

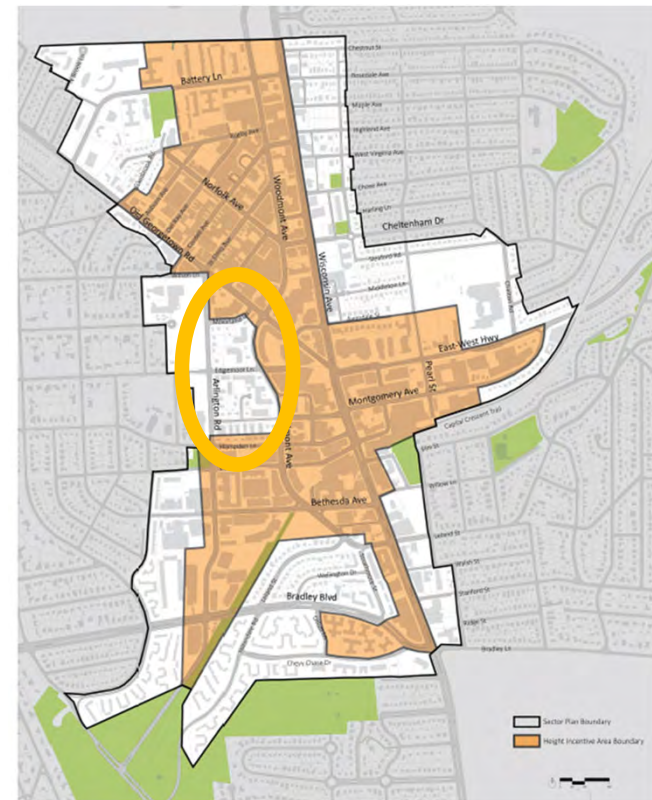
- Redevelopment of NOAH sites in downtown Bethesda strive for no net loss of the NOAH units within the larger redevelopment.
- The MMPA also supports the codification of standards for redevelopment of sites with NOAH, as there are for MPDUs and Workforce Housing today. The Master Plan recommends that DHCA coordinate a workgroup to determine how to define NOAH, how to demonstrate the existence of NOAH affordability, and what could be done when such units are demolished.

Testimony

- Testimony received in support of the recommendation
- Recommend removing sentence supporting “codification”.
 - The Master Plan recommends that DHCA coordinate a workgroup to determine how to define NOAH, how to demonstrate the existence of NOAH affordability, and what could be done when such units are demolished.

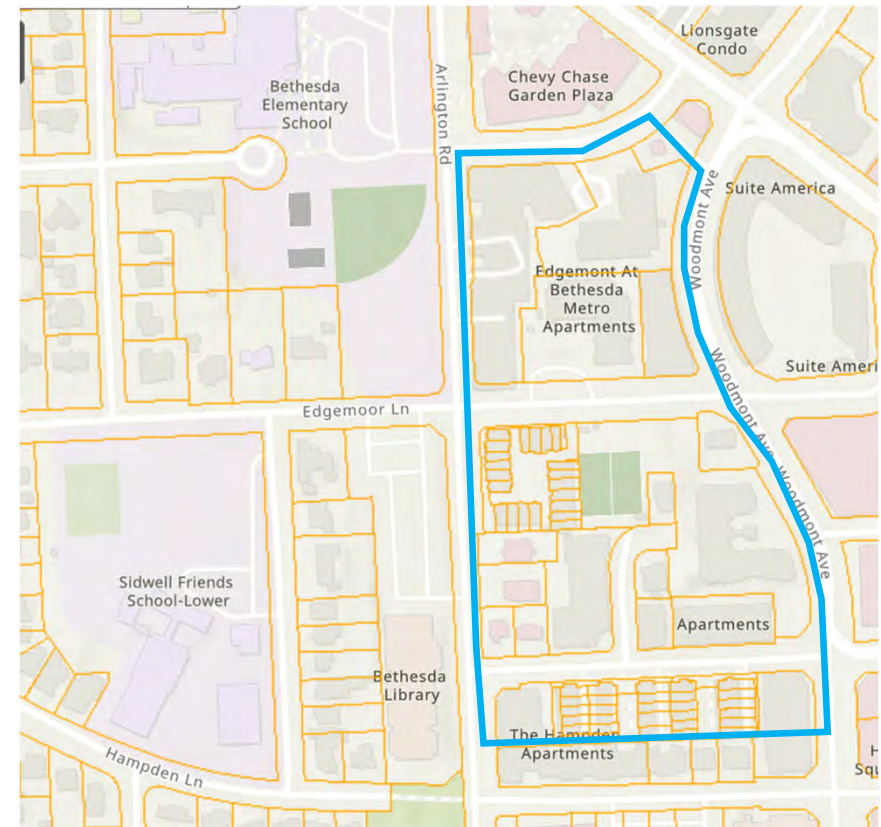
Testimony: Expand Height Incentive Area

- BOZ limits extra height for MPDUs to a Height Incentive Area
- Request to expand BOZ Height Incentive Area to include properties between Arlington Road and Woodmont Avenue



Testimony: Expand Height Incentive Area

- Mix of multi-family buildings, townhouses, & single-family structures
- Separated from single-family homes to the west by Arlington Road, Bethesda ES, & library
- Current height for SF structures 60 & 70 feet



Potential language

For properties in the CR zone, the Zoning Ordinance allows developments providing greater than the minimum percentage of MPDUs to exceed the height limit of the applicable zone to the extent required to provide the MPDUs. The BOZ supersedes this provision, first by raising the threshold percentage of MPDUs to 17.5%, and second by limiting the allowance to projects located in the designated Height Incentive Area included in the BOZ and shown below. The purpose of this delineation was to provide surrounding primarily single-family communities greater certainty on maximum building height for new development in the downtown.

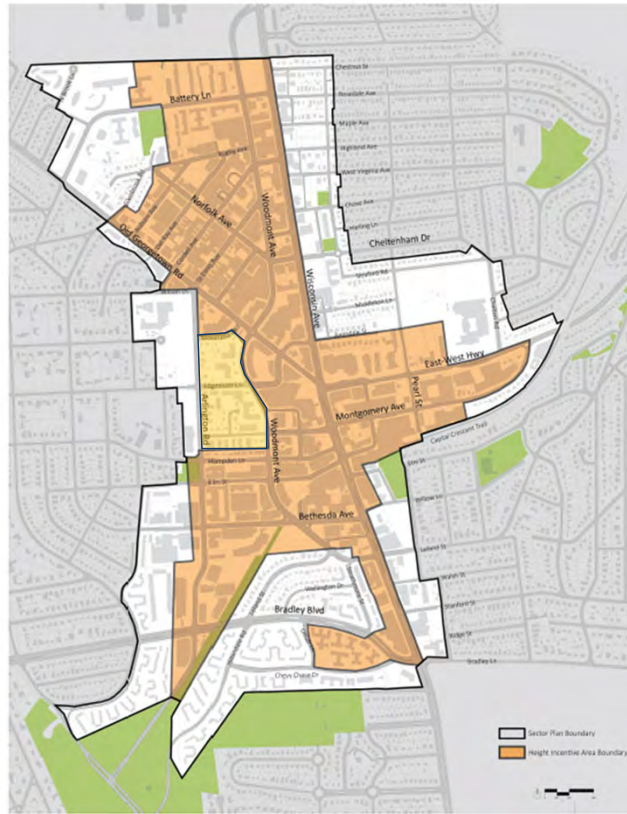
Potential language

Excluded from the Height Incentive Area are the blocks east of Arlington Road, between Moorland Lane to below Montgomery Avenue. These blocks include a mix of multi-family apartment buildings ranging in height from four to 15 stories, townhouses ranging from three to four stories, and single-family structures, predominantly used as businesses. The single-family structure sites are zoned CR with a maximum height of 60 and 70 feet.

Potential language

To encourage underdeveloped sites to redevelop and provide more much-needed affordable housing, the MMPA recommends expanding the Height Incentive Area to Arlington Road in this area, but limiting any additional height to a maximum of 24 feet or not more than two stories. These blocks front onto the library and Bethesda Elementary School sites and will have reduced impact on the single-family homes behind those sites.

Testimony: Expand Height Incentive Area



Additional BOZ Updates

Recommendation

- To promote flexibility to meet market conditions, allow purchase of BOZ density for projects using all mapped commercial **or** residential FAR.
- Will result in higher Park Impact Payments.

Testimony

- Testimony received in support
- Recommend no change

Recommendation

- To promote flexibility to meet market conditions, remove duplicative “use-or-lose” provision.

Testimony

- Several testimonies supported recommendation, none opposed
- Recommend no change

Recommendation

- Based on discussions with DPS, in recognition of the County's higher efficiency standards and to remove an unintended obstacle to development, update the BOZ to remove the requirement to achieve 15 points in the Energy Conservation and Generation Public Benefit category.

Testimony

- Testimony received in support and from County Executive in opposing
- Recommend updated language

Updated Recommendation

- Based on discussions with DPS, in recognition of the County's higher efficiency standards and to remove an unintended obstacle to development, update the BOZ **to change the requirement to achieve 15 points in the Energy Conservation and Generation Public Benefit category to exceed the applicable building and/or energy code.**
- **Update the Bethesda Downtown Plan Implementation Guidelines to identify the appropriate standard and methodology for determining the appropriate number of public benefit points.**

Recommendation

- Any Zoning Text Amendment resulting from the IZU to modify the Zoning Ordinance Public Benefit section acknowledges this success when determining if and how the BOZ should transition to utilizing the new Incentive Zoning framework.

Testimony

- No testimony received
- Recommend no change

Testimony: Public Art Public Benefit

- Bethesda Arts & Entertainment District supported allowing Public Benefit points for payments for public art to organizations other than the Public Arts Trust Steering Committee.

Testimony: Public Art Public Benefit

Public Art

The BOZ increases the maximum number of Public Benefit points for Public Art from 15 to 20 but does not have other specific language for this public benefit. The Public Benefit provisions for Public Art in the CR Zone allow points for paying a fee accepted by the Public Arts Trust Steering Committee.

The State of Maryland designated downtown Bethesda as an Arts and Entertainment (A&E) District, which is managed by the Bethesda Urban Partnership (BUP). In coordination with BUP, the A&E Board fundraises, as a not-for-profit organization, and champions a diverse number of arts and entertainment projects in the District. To provide greater flexibility to promote payments for public art projects in downtown Bethesda, the MMPA recommends updating the BOZ to allow fee payments to also be accepted by the Bethesda Urban Partnership, Bethesda Arts and Entertainment District, or other civic arts organization accepted by the Planning Board.

Staff Recommendation

Staff Recommendation

- Return next week to address PIP reduction language and any other issues.