

From: [REDACTED]
To: [MCP-Chair](#)
Subject: Testimony for the Oct. 23 Friendship Heights Geico Preliminary Site Plan - Item 5
Date: Monday, October 13, 2025 1:59:41 PM
Attachments: [2025 10 13 Carleton Statement on Geico Site Plan.docx](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Greetings attached is my testimony for the October 23rd meeting regarding the Geico Preliminary Site Plan.

Please feel free to contact me if you have any question or need more information. I have signed up on line to testify in person about this matter.

Thank you,

Dan Dozier

Daniel P. Dozier

[REDACTED]
Chevy Chase, MD 20815
[REDACTED] (cell)
[REDACTED]

Carleton HOA Statement on the Geico Property Preliminary Site Plan

Introduction

My name is Daniel P. Dozier, and I serve as President of the Homeowners Association (HOA) at the Carleton of Chevy Chase Condominium. I am submitting this statement on behalf of the Association in response to Geico's application to amend the Preliminary Site Plan. These views reflect the deliberations of an Ad Hoc Committee and was unanimously approved by the Association Board of Directors on August 5, 2025.

Support for Urban Development

The Carleton HOA supports dense, urban development on the Geico property. Many residents, including myself, chose to live in Friendship Heights because of its walkable, urban character. We believe that urban environments thrive when thoughtfully designed to include green spaces, trees, and pedestrian-friendly infrastructure.

Environmental Preservation

We urge the Planning Board and County to:

- **Preserve green space and mature trees** along Willard Avenue, especially those with trunk circumferences of 24 inches or more.
- **Daylight the creek** on the western edge of the property to the extent feasible.
- **Enforce all County stormwater and environmental regulations** and deny any waiver requests that would compromise ecological integrity.

Historic Preservation

We recommend preserving at least one of the historic mid-century modern GEICO buildings—preferably the eight-story high-rise—for adaptive reuse as housing and public amenities such as a library.

Traffic and Safety Recommendations

To minimize adverse traffic impacts on Friendship Heights:

- **Vehicular access** to the new development should be primarily from Friendship Boulevard and the existing Willard Avenue entrance.
- **Shoemaker Farm Lane and North Park Avenue should not be extended across Willard Avenue** into the property. Doing so would increase traffic congestion and pose significant risks to pedestrians, especially near proposed pedestrian paths and intersections with limited visibility.

- The intersection of North Park Avenue and Willard Avenue is particularly hazardous due to its steep slope and blind curve. Increased traffic here would endanger both pedestrians and drivers.

Site Plan Modifications

We propose relocating the planned apartment buildings from Willard Avenue to the open space along Friendship Boulevard. This recommendation is based on the following:

- **Preservation of trees and green space** along Willard Avenue.
- **Friendship Boulevard currently abuts a large, undeveloped surface parking lot** with no significant trees, making development along the street a more suitable location for higher-density residential buildings.
- **Proximity to the Metro station** supports the County's housing policy and enhances accessibility for future residents.
- **Commercial development in this area is not viable**, and reserving space for speculative commercial use is inefficient and environmentally detrimental.

Pedestrian Connectivity

We request that the Site Plan include:

- **Pedestrian paths** connecting Willard Avenue to Brookdale Park and the new housing.
- **Safe pedestrian access to the Metro station**, including paths through the garages on Friendship Boulevard across from the Geico property.

Conclusion

The Carleton HOA supports the County's goals to increase housing near Metro stations. We believe our recommendations will enhance the livability, safety, and sustainability of the proposed development while preserving the character and environment of Friendship Heights.

Thank you for your consideration.

From: [REDACTED]
To: [MCP-Chair](#)
Cc: [Margolies, Atara](#); elsa.hisel_mccoy@montgomeryplanning.org
Subject: Geico Preliminary Plan-Amendment 11999039A
Date: Thursday, September 11, 2025 8:16:33 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Chair Harris,

I support the application for the Amended Preliminary Plan application for the GEICO property in Friendship Heights.

I have lived in Friendship Heights since 1995. It's a great place to live, yet we are stagnant in planning to meet future needs. This is a plan that will address unmet needs in housing. And the addition of 500 new apartments and townhomes will attract residents of all types, bringing vitality to our neighborhood and helping to bring more retail and eating establishments to the area.

This application is merely extending the validity period of the Preliminary Plan that was approved by the Planning Board and supported by the Friendship Heights Village Council in 1998. The only difference is that the plans for high-rise office space have been eliminated, which makes perfect sense, given the change in the demand for office space. I look forward to seeing how the Planning Board approaches the use of that space during upcoming Sector Plan deliberations.

I urge the Planning Board to support this amendment to the Preliminary Plan. It will make our wonderful community even more vibrant and diverse. In my view, it is short sighted to oppose this development, especially when our neighborhood is behind the curve in encouraging new development that will refresh Friendship Heights. This will be welcome addition to our neighborhood.

I therefore respectfully ask that the Planning Board approve Preliminary Plan Amendment No. 11999039A.

Thank you for your consideration.

[REDACTED]
[REDACTED]
Chevy Chase, MD 20815
[REDACTED]

Cell [REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [MCP-Chair](#)
Cc: [Hisel-McCoy, Elza](#); [Margolies, Atara](#)
Subject: Fwd: GEICO Preliminary Plan Amendment No. 11999039A
Date: Saturday, September 6, 2025 3:47:04 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Re:Geico Preliminary Plan Amendment No. 11999039A

Dear Chairman Harris,

We are writing to express our support for the Preliminary Plan Amendment application related to the GEICO property in Friendship Heights.

We are residents of the Village of Friendship Heights. We moved here from Bethesda in 2002. When we moved here it was an exciting place to live. My husband had retired then and I continued to work, taking the subway downtown while he enjoyed the grocery chains, the quick but good restaurants and the huge variety of retail options.

We are so sad that this is no longer Friendship Heights. Yes, there have been some restaurant additions over the past five years, but some of those places are struggling or have closed. Most recently, The Heights Food Hall closed its doors in August after being open for just two years.

Our community strongly needs more residents to support new retailers and restaurants. Thus, we were very pleased to hear about the plans to extend the validity period of the Preliminary Plan for the GEICO property. Our condominium faces the site, so we have a particular interest in any redevelopment that will be part of our view in the future.

Extending the Preliminary Plan to allow for redevelopment will help bring a variety of new people to the neighborhood. The Plan's 300 new apartments and 200 new townhomes could give us the "shot in the arm" that will help regain the vitality of the area. It makes sense to build new housing here as we are so close to the Friendship Heights Metro.

We are not opposed to the plans that extend North Park Avenue and Shoemaker Farm Lane across Willard Avenue into the new community. Those roads already extend into the GEICO parking lot, so maintaining that connection makes sense. We would be concerned, however, if the plans call for cut-through traffic all the way to Western Ave. Thankfully, this is not called for in the amended Preliminary Plan.

We understand that the application eliminates the plans for high-rise office space on Friendship Boulevard. That makes sense, given the post-pandemic office market. Perhaps

that space could be used for community amenities such as a library or performing arts center, in addition to more housing. We look forward to having that discussion as part of the Sector Plan process.

We have great hope that your appreciation of the need for changes in our community will help you approve the Preliminary Plan Amendment application.

We thank you for your consistent concern about making Montgomery County a vibrant, successful County.

[REDACTED]

Chevy Chase, MD 20815

[REDACTED]

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From: [REDACTED]
To: [MCP-Chair](#)
Cc: [Hisel-McCoy, Elza](#); [Margolies, Atara](#)
Subject: GEICO Preliminary Plan Amendment No. 11999039A
Date: Thursday, September 4, 2025 10:24:30 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Chairman Harris,

I am a resident of Friendship Heights in Chevy Chase. When I moved into my condo in 2008, Friendship Heights had a vibrant commercial area; indeed, it was one of the reasons I moved here. Sadly, those days are over. Even with the addition of a few restaurants, Friendship Heights remains largely a dead zone commercially.

I have been heartened by the plans to redevelop the GEICO property and therefore support GEICO's Preliminary Plan Amendment application for the site. This amendment simply extends for 10 years the already approved Preliminary Plan from 1998, with the exception of the removal of high-rise office space, which makes sense given the current office market.

If Friendship Heights is to thrive again, it needs new residents with a broader demographic profile, which I believe the GEICO redevelopment will address. I like that the Plan still calls for no more than four-story apartment buildings on Willard Avenue, as well as for townhomes throughout. The Plan also includes the extension of Shoemaker Farm Lane and North Park Avenue into the new development. While I understand these roads are necessary for access into the new development, I would oppose any extension of the new roads to Western Avenue.

I was pleased to learn that the plan includes GEICO's donation of Brookdale Park to the County, and that pedestrian access to the Park from the Village will be created. At present, it is very difficult for us to gain access to Brookdale Park. I am a proponent of ensuring that there is plenty of open and green space for us all to enjoy, and I encourage the Planning Board to examine how best to achieve that goal on the balance of the site.

I understand that discussions regarding the best use of the land that formerly called for office space will take place during Sector Plan deliberations. I support adding high-rise apartment buildings on that site, as long as it also includes space for the types of community amenities that will enhance our experience as local residents.

I have loved living in Friendship Heights for the past 17 years. I believe the community envisioned in the Preliminary Plan Amendment will inject new vitality into the community. I hope the Planning Board will support this application.

Sincerely,

[REDACTED]
[REDACTED]

Chevy Chase, MD 20815



From: [Allie Williams](#)
To: [MCP-Chair](#)
Cc: [Hisel-McCoy, Elza](#); [Margolies, Atara](#); [Allie Williams](#)
Subject: GEICO Preliminary Plan Amendment No. 11999039A
Date: Wednesday, September 3, 2025 4:15:19 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.



Dear Chair Harris,

I am writing on behalf of the more than 600 members of the Greater Bethesda Chamber of Commerce in support of Preliminary Plan Amendment #11999039A for the property currently owned by GEICO in Friendship Heights. The amendment extends the validity period of the 1998 approved Preliminary Plan, which includes 300 multi-family units and 200 townhomes. It also dedicates to the Parks Department the more than three-acre Brookdale Park, currently owned by GEICO.

The Greater Bethesda Chamber supports government policies that focus on creating new housing that is affordable to a variety of incomes, as well as building new housing near high-capacity transit. The plans for the GEICO property, just steps away from Friendship Heights Metro is certainly consistent with those policies.

Our support for the Amendment application is based on the following:

- This is not a new plan. Rather, the 1998 Preliminary Plan (which this application seeks to extend) is the result of a working consensus between a number of parties, including the Friendship Heights Village Council and GEICO. It made sense in 1998 and it makes sense now. We understand the reasoning for the one change to the Plan, which deletes the plans for high-rise office space.
- The plan not only increases the County's housing supply; it also calls for 15 percent of the 500 units to be Moderately Priced Dwelling Units, providing opportunity for 75 potential residents and families to locate in an otherwise out-of-reach community due to economic constraints.
- Friendship Heights is on the cusp of re-establishing itself as an attractive location for retail and dining. However, there have been difficulties in

achieving that goal, such as the recent closure of The Heights Food Hall. We need to revitalize the area by adding more and diverse residents that will support the businesses who choose to locate there.

We therefore request that the Planning Board vote to approve Preliminary Plan Amendment #11999039A.

Thank you for your excellent service and dedication to making Montgomery County the best it can be.

Sincerely,

Allie Williams, IOM
President & CEO
Greater Bethesda Chamber of Commerce
7910 Woodmont Ave., Suite 1204, Bethesda, MD 20814
P: (301) 652-4900 x 203; C: (301) 768-2212
AWilliams@greaterbethesdachamber.org

Home:

[REDACTED]

From: [Sarah Morse](#)
To: [MCP-Chair](#)
Subject: Fwd: LFWA Comments for 11999039A - GEICO Request for Amendment to Plan
Date: Monday, October 13, 2025 10:53:57 PM
Attachments: [LFWA Comments,GEICO Site Plan changes Oct 2025.pdf](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Planning Board,
Please find attached comments from Little Falls Watershed Alliance on GEICO request for an amendment to preliminary plan 11999039A for the Friendship Commons Site in Friendship Heights.

Thank you for your work on this,
Sarah

Sarah Morse
Little Falls Watershed Alliance

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Sarah Morse

*Support your local watershed group. Visit Little Falls Watershed Alliance online -
www.LFWA.org
Find us on [Facebook!](#)*

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Sarah Morse

*Support your local watershed group. Visit Little Falls Watershed Alliance online -
www.LFWA.org
Find us on [Facebook!](#)*



LITTLE FALLS WATERSHED ALLIANCE

EDUCATION - ACTION - STEWARDSHIP

Date: October 13, 2025

Sarah Morse
Executive Director

Re LFWA response to GEICO Request for an Amendment to Preliminary Plan 11999039A for the Friendship Commons Site in Friendship Heights

Board of Directors:

Karen Thornton
President

John Drake
Vice President

Sara Schneeberg
Robinson
Secretary

George Wyeth
Treasurer

Mikel Moore

Emily Simone

Jack Sobel

Dear Planning Staff and Board,

Little Falls Watershed Alliance (LFWA) is a group of local citizens dedicated to protecting the Little Falls Watershed—a natural ecosystem in northwest DC and south-western Montgomery County, whose waters flows to the Potomac River and ultimately the Chesapeake Bay. We were founded in 2008 and have over 6,500 members. Our sole mission is to protect the natural environments of the Little Falls watershed through action, outreach and advocacy. We do habitat restoration, install stormwater management facilities, run a robust water quality monitoring program, and work with local agencies on environmental issues. Our primary stream, the Little Falls Branch, flows through Friendship Heights so we are following the proposed development carefully.

GEICO has requested an amendment to the Friendship Commons Preliminary Plan No. 1-99039, approved by the Planning Board in 1999. GEICO hopes to extend the Plan expiration date and to make various changes to it. Among these changes are a request for a waiver of stormwater management under section 50.4.2.B.2.c, which states that “the Department of Permitting Services must approve a stormwater management concept and floodplain delineation, if required under Chapter 19,” and section 50.4.3.H, which states that “all stormwater management requirements must satisfy Chapter 19.” Chapter 19 provides the county regulations regarding erosion, sediment control, and stormwater management.

LFWA opposes waivers to any such stormwater management (SWM) requirements. We support nothing less than 100% SWM in the area as well as the implementation of a robust plan that uses green techniques that promote infiltration of water deep below the surface - such as suspended pavement, rain gardens, swales, and tree boxes with curb cuts - rather than techniques that merely treat the water without recharging the ground water, such as green roofs or ponds. To do anything less puts the environment and our creeks at risk.

In addition to requesting strong SWM requirements for the area, we ask the Planning Board to condition an extension of the current Preliminary Plan on other issues that affect the general environment in the subject area.

Board@lfw.org



4920 Dorset Avenue, Chevy Chase, MD 20815 ▪ www.LFWA.org

Little Falls Watershed Alliance is a 501(c)(3) non-profit organization. All donations are tax deductible.

We ask that the conditions of the Board include:

1. **retaining all of the mature trees on the GEICO site, and adding more trees.** Any non-native trees should be replaced with native shade trees that will benefit the environmental resilience of the area by attracting birds and insects, providing shade to reduce the urban heat effect, reducing storm water run-off, and generally creating a more appealing living and working environment;
2. **expanding and improving the greenways** that provide a buffer for nearby single-family communities;
3. **creating green trails** (with permeable surfaces) that better connect residential areas more closely to transit, offices, and retail;
4. **restoring the stream along Cortland Road**, and prevent any new development within its 100-foot buffer, to comply with current stream buffer guidelines and all other environmental standards. The Cortland Road stream should be added to all maps and plans that concern the area;
5. **identifying and mapping other streams within and near the site**, such as Jenifer Run and Little Falls Branch, and ensuring that they are being well-managed, if not restored;
6. **conveying Brookdale Park to the county as a forested park**, maintained with an emphasis on retaining its mature tree canopy;
7. **preserving significant open space and mature trees** throughout the GEICO site to avoid an overly built environment that would produce an additional heat island in Friendship Heights; and
8. **planting street trees along Willard Avenue and Friendship Blvd** and requiring **suspended pavement for all tree boxes**. Trees planted in suspended pavement systems are known to have a better survival rate and to grow bigger.

Thrive 2025 Supports Robust Storm Water Management

LFWA supports strong SWM and other environmental protections for any new development and redevelopment, both to comply with existing regulations and to go further, so as to **comply fully with the goals of Thrive 2025**. That document emphasizes environmental sustainability and resiliency, stating:

Stormwater management and sediment and erosion control systems are especially important for managing flooding and protecting and improving water quality in the developed and developing areas of the county, especially as our climate continues to change . . . Some environmental policies which will need to be considered in the context of future master planning efforts and other county land-use decisions should include:

- *minimizing imperviousness in new development and redevelopment and removing unnecessary impervious surfaces where feasible;*
- *protecting, enhancing, and increasing the coverage, connectivity, and health of natural habitats such as forests, non-forest tree canopy, wetlands, and meadows through land acquisition, easements, habitat restoration, and ecosystem management; and*

- *protecting watersheds and aquifers and improving water quality and stream conditions through enhancements and retrofits such as green streets, increased tree canopy, and green stormwater management.*

... new compact development along corridors [such as Friendships Heights] that provides modern stormwater management allows for a continued emphasis on open space preservation elsewhere in the county.

1998 Sector Plan Recognized need to Protect Creek and Create Green Spaces

Even back in 1998 when the current plan was developed, the Friendship Heights Sector Plan (p. 118-120) noted that the Little Falls upper mainstem in Friendship Heights was designated as a Watershed Restoration Area as 31% of the streams in the area were channelized or piped, causing fierce run-off and erosion and adversely affecting aquatic life in the area. The recommendations in the plan at that time included minimizing impervious surfaces, expanding stormwater control, and stabilizing streams, while adhering closely to county environmental guidelines.

Many of our other requests also echo recommendations in the 1998 Sector Plan for Friendship Heights, and we hope they will be incorporated broadly throughout the 2026 revision to that plan. For example,

- on p. xxvii, the 1998 Sector Plan calls for “providing small green open spaces” and “other open spaces with potentially active uses” on the GEICO site, expanding Brookdale Park, and “[p]reserving and extending greenways on the edges of the Sector Plan area for visual screening, pedestrian and bicycle paths, wildlife habitat, and watershed protection.”
- On p. 63, a plan objective is to retain “the park-like characteristics of the site, preserve existing mature trees, where possible, and expand the amount of usable green open space to meet residents’ recreational needs.”
- Open spaces were to be added to the GEICO site north of Brookdale Park and along Western Avenue, as well as greenway improvement and bike trails.

Friendship Heights is a unique area because of the green spaces, mature trees, and the Little Falls Branch.

Residents value walking by the creek and enjoy the many birds and wildlife that it attracts. Children play in the creek and people even fish there. It is a true asset for the area and for the County. We are lucky to have this right on the edge of such density of development. We very much appreciate the emphasis on environmental matters within the current Planning Department and hope that our concerns will be reflected in any future sector and site plans for the Friendship Heights area.

By working together, we can preserve and improve this environment for generations to come.

Thank you for your consideration.



Sarah Morse,
Executive Director, LFWA

From: [Carrie Kisicki](#)
To: [MCP-Chair](#)
Subject: Re: Support for Friendship Commons (Geico) – Preliminary Plan Amendment No. 11999039A
Date: Tuesday, October 14, 2025 4:21:41 PM
Attachments: [GEICO Planning Board Letter October 2025.pdf](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good afternoon,

Please find attached CSG's testimony in support of Friendship Commons (Geico) – Preliminary Plan Amendment No. 11999039A, hearing date October 23, 2025.

Our mailing address is as follows:
PO Box 73282
Washington, DC 20056

Best,
Carrie

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Carrie Kisicki | Montgomery Advocacy Manager
Coalition for Smarter Growth
Coordinator for Montgomery for All
carrie@smartergrowth.net | calendly.com/carrie-csg
www.smartergrowth.net | @betterDCregion

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**Coalition for Smarter Growth's 2025 Smart Growth Social is October 30th!** [Get your tickets](#)

October 23, 2025

Chair Artie Harris  
Montgomery County Planning Board  
2425 Reedie Dr, 14th Floor  
Wheaton, MD 20902

Re: Support for Friendship Commons (Geico) – Preliminary Plan Amendment No. 11999039A

Dear Chair Harris and members of the Planning Commission:

Please accept this testimony on behalf of the Coalition for Smarter Growth, the leading organization advocating for walkable, inclusive, transit-oriented communities as the most sustainable and equitable way for the D.C. region to grow and provide opportunities for all.

We are writing to express our support for Preliminary Plan Amendment No. 11999039A, which extends the validity period of the already approved Preliminary Plan for the GEICO property in Friendship Heights.

This plan for a new multi-family apartment and townhome community addresses a critical need in Montgomery County. Providing more housing close to high-frequency transit is essential for the county to thrive as a sustainable, equitable, and economically-competitive community—accommodating expected growth, providing residents alternatives to driving, and generating the tax revenues necessary to maintain high-quality services.

We wish to note a number of specific reasons why we support this application:

- This application simply extends the validity period of a plan that was already approved in 1998. We understand that the Preliminary Plan was the product of a consensus between the property owner, neighbors in the Brookdale Civic Association, and other local organizations.
- The Plan is consistent with the core tenets of smart growth, placing a significant number of new homes 1/4 mile or less from the Friendship Heights Metro and bus station, grocery stores, and the Wisconsin Place Community Center.

These homes are ideally located to support walkable access to nearby service and amenities—accommodating future residents who do not drive, helping future residents to minimize combined housing and transportation costs, and maximizing options for non-auto travel, helping to reduce greenhouse gas emissions.

- The removal of planned high-rise office buildings from the plan is a thoughtful reflection of changing dynamics and community needs, and we support this proposed

amendment. We take note of the context of surrounding multi-family apartment buildings on Friendship Boulevard and Willard Avenue, and of the site's proximity to walkable shops, amenities, and frequent public transit, and hope to see this portion of the site reimaged to provide additional homes.

- The Plan addresses our market-rate and affordable housing shortage by adding up to 300 new multifamily units and 200 townhomes, with 15% of the units designated for MPDUs. This will help attract young professionals to Friendship Heights and provide access to opportunity for families that are seeking to climb the economic ladder. We hope to see additional homes, including affordable homes, added on the portion of the site formerly designated for office space.
- In terms of enhancing walkability and open space, the Plan includes the dedication of the over three-acre Brookdale Park to the County. It also adds much-needed pedestrian access between Willard Avenue and Western Avenue via a planned pedestrian trail.

Overall, for the reasons listed above, the Coalition for Smarter Growth respectfully encourages the Planning Board to approve the Preliminary Plan Amendment No. 11999039A. We also look forward to working with the Planning Board and staff over the coming months to ensure the new Friendship Heights Sector Plan achieves community goals for more housing, thriving local businesses, safe walking and biking, and great public spaces.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Carrie Kisicki".

Carrie Kisicki  
Maryland Housing Advocacy Manager

**From:** [Diehl, Jennifer M.](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Harris, Robert R.](#)  
**Subject:** ON BEHALF OF ROBERT HARRIS - Friendship Heights Commons – Preliminary Plan Amendment 11999039A  
**Date:** Wednesday, October 15, 2025 9:05:14 AM  
**Attachments:** [Future of Housing in Greater Washington FINALFORWEB.pdf](#)  
[EO 01.01.2025.19 Addressing Maryland's Affordable Housing Crisis Accessible .pdf](#)  
[Ordinance No. 20-17.pdf](#)  
[Ordinance No. 20-20.pdf](#)

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On behalf of Robert Harris, please find the following email and attachments for Chairman Harris.

Chairman Harris,

In advance of the Planning Board hearing on this matter, scheduled for October 23, 2025, we want to provide some of the supporting documents which we have referenced in our discussions with Planning Staff and others in support of this Application. More specifically, as you are aware, Montgomery County, the Metropolitan Washington Council of Governments and the State of Maryland all have been working hard over the past several years to increase our housing supply. The Metropolitan Washington Council of Governments set a goal of adding 320,000 housing units between 2020 and 2030 and Montgomery County agreed to add 10,000 of those units (see attached Metropolitan Washington Council of Governments study of September 2019 and Montgomery County Resolution No. 19 – 284, adopted November 5, 2019). In addition, we would like the record to reflect Montgomery County's Thrive Montgomery 2050 plan (link attached <https://montgomeryplanning.org/wp-content/uploads/2023/06/THRIVE-Approved-Adopted-Final.pdf>) and the Planning Commission's 2024 Attainable Housing study (link attached <https://montgomeryplanning.org/wp-content/uploads/2024/06/2024-AHS-Final-Report.pdf>) both of which advocated strongly for more housing and identified ways to help achieve the goals. Most recently, Montgomery County adopted Ordinance No. 20 – 17 and Ordinance No. 20 – 20 allowing for denser housing types and providing for expedited approvals for replacing vacant commercial buildings with residential units. Finally, Governor Moore recently signed Executive Order 01 – 01.2025.19 addressing the State's housing crisis. We are pleased to see this advocacy and believe the GEICO project is a great example.

In 1998, the County adopted the Friendship Heights Sector Plan calling for significant residential development on the GEICO property. Since then, these other reports, resolutions and legislation further document the importance of such housing.

Robert Harris

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**Jennifer M. Diehl**, Legal Assistant  
Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years  
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814  
T 301-657-0733 | F 301-986-0332 | Main 301-986-1300  
[jmdiehl@lerchearly.com](mailto:jmdiehl@lerchearly.com)

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# *The State of Maryland*

## Executive Department

### EXECUTIVE ORDER

01.01.2025.19

### ADDRESSING MARYLAND'S AFFORDABLE HOUSING CRISIS

WHEREAS, The State of Maryland faces an unprecedented and rapidly growing housing affordability crisis caused by a shortage of at least 96,000 housing units and driven by insufficient housing construction over the past 15 years;

WHEREAS, The increasing unavailability and unaffordability of safe, stable, livable housing for working families has created an imminent threat of widespread social and economic disruption, including severe negative impacts on Maryland's economic and business climate and the inability to retain new people entering the workforce, resulting in a lack of innovation and a stifling of overall economic development;

WHEREAS, The Moore-Miller Administration's commitment to making Maryland a more affordable place to live, work, and raise a family includes ensuring that all Marylanders are able to obtain safe, stable, livable housing that fits their budget;

WHEREAS, State government plays a vital role in fostering an environment that is conducive to the construction of enough housing to serve the needs of the State's residents; and

WHEREAS, In order for Maryland to address its housing crisis and prevent economic stagnation, State government must take action to spur the construction of housing by removing regulatory barriers, accelerating building supply lines, shortening permit waiting times, reforming financing for affordable housing, leveraging State-owned property, and encouraging local jurisdictions to adopt land use rules more favorable to housing construction.

NOW, THEREFORE, I, WES MOORE, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

#### **A. Developing Housing on State-Owned Land and Accelerating Funding for Affordable Housing.**

1. The Department of Housing and Community Development and the Department of Transportation shall develop strategies to implement

their October 2024 Interagency Agreement on Transit Oriented Development to increase the production of housing near transit stations.

- a) In accordance with the Interagency Agreement, the Department of Transportation will lead the development of land owned by the Department of Transportation for transit-oriented development and will coordinate with the Department of Housing and Community Development on these sites.
- b) The Department of Transportation shall commit to prioritizing development of affordable housing in the development of transit-oriented development projects on land owned by the Department of Transportation.
- c) The Department of Housing and Community Development shall commit to providing bonus points or special consideration to the extent permitted by law in the Low Income Housing Tax Credit Program and State Revitalization Programs funding rounds for projects tied to the Department of Transportation's transit-oriented development efforts.

2. The Department of Transportation shall:

- a) Pursue the development of land owned by the Department of Transportation for dense, mixed-use, transit-oriented development, with housing as a priority goal for the development of these sites;
- b) Coordinate funding and investment with the Department of Housing and Community Development, and other State partners, to support the development of housing at these sites as a priority use; and
- c) Work with local jurisdictions through the transit-oriented development designation process to ensure local jurisdiction planning for transit-oriented development supports housing as a priority use.

3. The Department of Housing and Community Development and the Department of General Services shall, in coordination with other executive departments and agencies, identify State-owned land that is:

- a) Subject to the control of the Department of General Services;
- b) Determined to be surplus; and
- c) Appropriate for consideration for the development of housing.

4. The Department of General Services shall:

- a) Maintain a database of parcels of State-owned land identified as appropriate for the development of housing;
- b) For properties that have been identified as suitable for affordable housing by the Department of Housing and Community Development, issue:
  - i. Within 30 days after determination of suitability, a notice of intent to release a request for proposals; and
  - ii. Within 90 days after the issuance of the notice of intent, a request for proposals;
- c) Pursuant to statutory requirements, dispose of State-owned parcels for the development of housing by entering into land disposition agreements with parties that will develop such parcels into new housing units, selected through a competitive process; and
- d) Maximize the housing use of surplus State-owned parcels, whether the parcel remains under State ownership, is subject to long-term lease, or is disposed of, through:
  - i. Reducing the cost of the land or pairing the development of land with funding to create deed-restricted low-income housing, and
  - ii. Exercising the governmental immunity from local zoning laws to the extent permitted by law.

## **B. State Housing Permitting Acceleration/Ombudsman Creation.**

### **1. Definitions.**

- a) "Housing development project" means the new construction or substantial renovation of a residential real estate project.
- b) "Permit related to housing construction" means a permit or approval required by law or regulation to be issued by a principal department of the Executive Branch or a division thereof, to a developer, contractor, or subcontractor in order to commence, continue, or support a housing development project.
- c) "Third-party reviewer" means an independent contractor engaged by the proponent of a housing development project to inspect, review, and provide an independent evaluation, including recommendation for approval or denial, of an application for a State permit related to the housing development project.

2. Each principal department of the Executive Branch that issues permits related to housing construction shall:
  - a) Designate a senior point of contact for coordination and efficient processing of permits related to housing construction;
  - b) By January 1, 2026, submit to the Office of the Governor and the Maryland Coordinated Permitting Review Council updated permit application processing procedures with timelines for permits related to housing construction;
  - c) By November 21, 2025, draft and submit to the Office of the Governor for review and approval standards and procedures for applicants for State-issued permits related to housing development projects to hire third-party reviewers to help expedite permitting timelines at the applicant's expense, including:
    - i. Registration procedures and required qualifications for third-party reviewers;
    - ii. Rules governing conflicts of interest for third-party reviewers;
    - iii. Procedures for review and approval or denial of recommendations made by third-party reviewers; and
    - iv. Provisions requiring the principal department to follow recommendations made by third-party reviewers except in cases of clear error, serious deficiency, or conflict of interest;
  - d) Upon approval by the Office of the Governor, complete implementation of the new third-party permitting standards and procedures for permits related to housing development projects by March 1, 2026;
  - e) By November 21, 2025, provide to the Office of the Governor a written enumeration and assessment of additional potential legislative, regulatory, and administrative actions to increase efficiency in permitting processes;
  - f) For permit applications that require review by multiple State agencies or by different levels of government, to the extent allowed by law, engage in simultaneous, rather than sequential, review of such permit applications;
  - g) By November 21, 2025, provide written recommendations to the Office of the Governor for ways to increase predictability and transparency related to applications for permits related to housing construction;

- h) Fully digitize permit applications and permit fee payments within the extent of budgetary authority no later than March 1, 2026; and
  - i) Seek every opportunity to provide transparency in the permit application process and, whenever possible, reduce processing times.
- 3. The Department of Housing and Community Development shall:
  - a) By November 21, 2025, draft and submit to the Office of the Governor for review a written plan to accelerate processes related to the distribution of funding for affordable multifamily housing projects, including:
    - i. Awarding of funds and tax credits;
    - ii. Closing of deals, contracts, and loan agreements; and
    - iii. Distribution of awarded funds, including release of construction funds.
  - b) Upon approval by the Office of the Governor, complete implementation of the plan to accelerate the distribution of funding for affordable multifamily housing projects by March 1, 2026.
- 4. The Department of Housing and Community Development shall:
  - a) Designate a State Housing Ombudsman to facilitate navigation through local, State, and federal permitting processes and act as a liaison between the Department of Housing and Community Development, other State agencies, local governments and planning and zoning authorities, housing developers and other stakeholders, and local communities.
  - b) The State Housing Ombudsman's duties shall include:
    - i. Coordinating and reporting on the activities undertaken by executive departments and State agencies pursuant to section B.2 of this Order;
    - ii. Facilitating and participating on the Department of Housing and Community Development's behalf in discussions between units of State government, local government, and housing developers to assist with navigation through permitting requirements and processes;
    - iii. Evaluating if there are opportunities for the state to acquire land to further housing development opportunities;

- iv. Evaluating methods to improve the housing building materials supply chain in the State;
- v. Gathering and compiling information on local permitting and planning and zoning processes throughout the State and identifying "pain points" in those processes; and
- vi. Tracking the progress of housing development projects throughout the State and providing periodic updates to the Department of Housing and Community Development leadership and the Office of the Governor on housing production in Maryland.

### **C. Establishment of Housing Targets.**

- 1. The Department of Housing and Community Development shall:
  - a) Publish on or before January 1, 2026, and every five years thereafter, housing production targets for the State, each county, and each municipality that exercises zoning or planning authority;
  - b) Conduct a public engagement process on draft housing targets; and
  - c) Publish a methodology and supporting basis for calculating the housing production targets.
- 2. The Department of Housing and Community Development shall publish an annual report on January 1, 2027, and each year thereafter that:
  - a) assesses the progress of the State and each local jurisdiction with meeting applicable housing production targets; and
  - b) provides potential solutions to assist the state or a local jurisdiction with meeting applicable housing production targets.

### **D. Housing Leadership Award**

- I. The Secretary of the Department of Housing and Community Development shall establish an annual Maryland Housing Leadership Award to recognize local jurisdictions that demonstrate outstanding progress in advancing housing opportunities.
- 1. The Award may be granted to jurisdictions that:
  - a) Are on track to meet or exceed housing production targets; or
  - b) Enact policies or legislation that significantly promote the development of housing.

2. The Department of Housing and Community Development may award bonus points to applications for department funding to local jurisdictions that have received a Maryland Housing Leadership Award.

**E. General Provisions.**

1. This Executive Order shall be implemented in a manner that is consistent with all applicable statutes and regulations. Nothing in this Executive Order shall operate to contravene any State or federal law or to affect the State's receipt of federal funding.
2. If any provision of this Executive Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Executive Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are severable.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Columbia, this 3rd Day of September, 2025.



Wes Moore  
Governor



ATTEST:



Susan C. Lee  
Secretary of State



# THE FUTURE OF HOUSING IN GREATER WASHINGTON

A Regional Initiative to Create Housing Opportunities, Improve Transportation, and Support Economic Growth

September 2019



Metropolitan Washington  
**Council of Governments**



## **THE FUTURE OF HOUSING IN GREATER WASHINGTON**

Prepared by COG Staff for the COG Board of Directors

September 4, 2019

### **ABOUT COG**

The Metropolitan Washington Council of Governments (COG) is an independent, nonprofit association that brings area leaders together to address major regional issues in the District of Columbia, suburban Maryland, and Northern Virginia. COG's membership is comprised of 300 elected officials from 24 local governments, the Maryland and Virginia state legislatures, and U.S. Congress.

### **CREDITS**

Contributors: Hilary Chapman, Paul DesJardin, Megan Goodman, Steve Kania, Monica Beyrouti Nunez

Cover Photos: H Street NE (Ted Eytan/Flickr); Clarksburg (Dan Reed/Flickr); Row Houses (Alan Kotok/Flickr); Arlington Square (Dan Reed/Flickr).

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Arlington Square (Dan Reed/Flickr)

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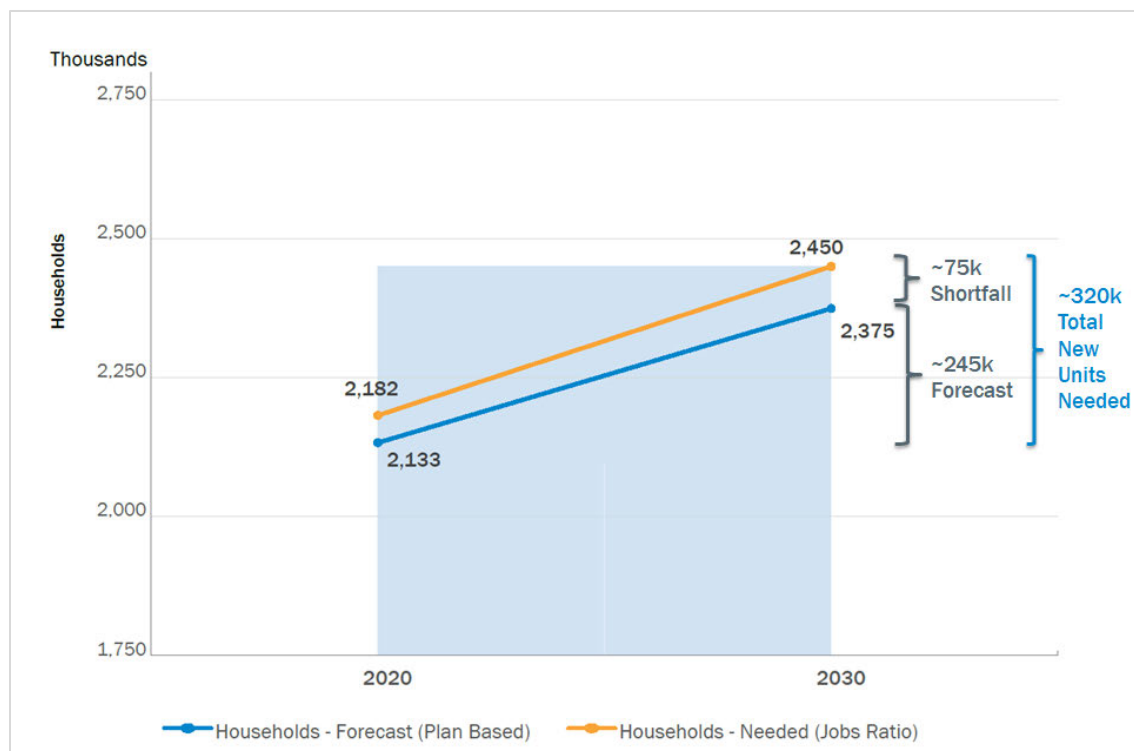
The region's current unmet housing needs undercut its appeal to new companies and talent, strain the transportation system, and impact the environment and quality of life for residents. The solution is for housing to be preserved and created at a higher rate than has been achieved in the recent past.

## OVERVIEW

Metropolitan Washington is a dynamic region. With vibrant, diverse communities, sought-after amenities, and burgeoning industries, it is no surprise that families and businesses want to call the area home.

But with continued growth and an increased demand to live here, the region now finds itself in a challenging situation. There is an imbalance between the number of jobs and the amount of housing available to the workforce. This gap is expected to widen without intervention; the region is forecast to add approximately 413,000 new jobs to its employment base between 2020 and 2030, but only approximately 245,000 new housing units over the same period.<sup>1</sup>

### COG Regional Housing Need 2020-2030 (Planned vs. Needed)



Source: COG Cooperative Forecasts

Using a widely accepted metric for “balancing” the number of households and jobs, a Metropolitan Washington Council of Governments (COG) analysis showed the region needs, between 2020 and 2030, more than 75,000 additional households than what is currently anticipated (245,000 households). If the timeframe is stretched from 2020 to 2045, more than 100,000 additional households will be needed beyond the new households anticipated.

<sup>1</sup> COG, Cooperative Forecast, <https://www.mwcog.org/community/planning-areas/cooperative-forecast/>; Actual figures rounded for simplicity.

This housing shortage—or “shortfall”—has created a dynamic where, according to the National Capital Region Transportation Planning Board (TPB) at COG, more than 325,000 workers are commuting to jobs in the region each day from communities located beyond its footprint.

This situation affects the area’s affordability, potentially undercuts its appeal to new companies and talent, strains the transportation system, and impacts the environment and quality of life for the region’s residents. For some, this means not only long commutes to work, but also difficult choices between paying rent or affording other basic necessities such as food or medicine.

A year ago, area officials on the COG Board of Directors passed a resolution acknowledging the region’s housing production challenges and directing COG staff and local government housing and planning directors on COG’s Planning Directors Technical Advisory Committee and Housing Directors Advisory Committee to conduct additional research to address them.

What followed was a deep dive into determining the **Amount** of housing needed to address the shortfall and whether the region could produce it, the ideal location for new housing to optimize and balance its proximity to jobs (**Accessibility**), and the **Affordability** of new units to ensure they are priced appropriately for those who need them. This information gathering, data analysis, and consultation with officials and partners resulted in three regional housing targets for COG member governments to pursue, which were adopted by the COG Board in September 2019:

**Regional  
Target 1:**

**AMOUNT**

At least 320,000 housing units should be added in the region between 2020 and 2030. This is an additional 75,000 units beyond the units already forecast for this period.

**Regional  
Target 2:**

**ACCESSIBILITY**

At least 75% of all new housing should be in Activity Centers or near high-capacity transit.

**Regional  
Target 3:**

**AFFORDABILITY**

At least 75% of new housing should be affordable to low- and middle-income households.

These targets address the region’s housing need from an economic competitiveness and transportation infrastructure standpoint; for example, the TPB estimates that meeting the targets could result in a nearly 20 percent reduction in traffic congestion, if coupled with continued investment in existing transportation infrastructure, supportive land-use policies, among other factors.<sup>2</sup> Reaching the targets would also have broad significance for the future of the region and its residents and their quality of life.

<sup>2</sup> TPB, Long Range Task Force Reports, <https://www.mwcog.org/documents/2017/12/20/long-range-plan-task-force-reports-projects-regional-transportation-priorities-plan-scenario-planning-tpb/>

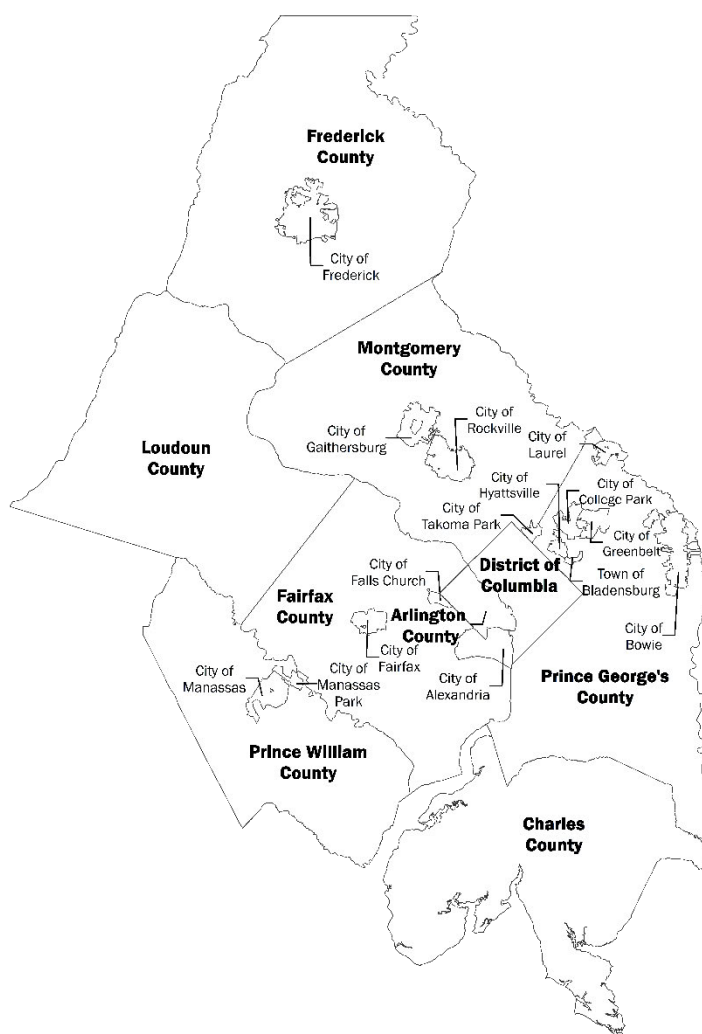
Local governments are already planning and working to preserve and increase the supply and diversity of affordably-priced homes in their jurisdictions but face a variety of challenges—from community dynamics and market forces, to competing funding priorities and reduced federal resources. It will take a range of tools and innovative policies to meet these targets over the next ten years, including strategic partnerships with the business, non-profit, and philanthropic sectors. No one sector alone can solve the region’s housing challenges.

The region has a record of success when it comes to addressing big challenges together, whether securing dedicated funding for Metro, achieving impressive air quality progress over the last 40 years, or executing planning visions like Activity Centers, a visionary goal in 1998 but a reality today.

3, 4, 5

There is a renewed energy locally, regionally, at the state level, and from a variety of sectors, to take action to address the country’s and the region’s housing challenges. COG and its members have already taken a critical first step in metropolitan Washington by putting a fine point on the regional need and developing a set of targets for local governments and partners. Together, and through a variety of methods and partnerships, it will be possible to ramp up housing production, and create it in ways that ensure inclusive communities, so that the benefits of economic growth in this dynamic region are shared by all.

#### COG Member Governments



<sup>3</sup> COG, Restoring Metro, <https://www.mwco.org/restoringmetro/>

<sup>4</sup> COG, Air Quality, <https://www.mwco.org/environment/planning-areas/air-quality/>

<sup>5</sup> COG, Activity Centers, <https://www.mwco.org/community/planning-areas/land-use-and-activity-centers/activity-centers/>





Clarksburg (Dan Reed/Flickr)

# HOUSING PRODUCTION IN GREATER WASHINGTON

In order to understand the extent of the region's unmet housing needs, it is helpful to understand the changing housing landscape from the early 2000s through today. This information is for the COG footprint—which includes the District of Columbia, suburban Maryland, and Northern Virginia.

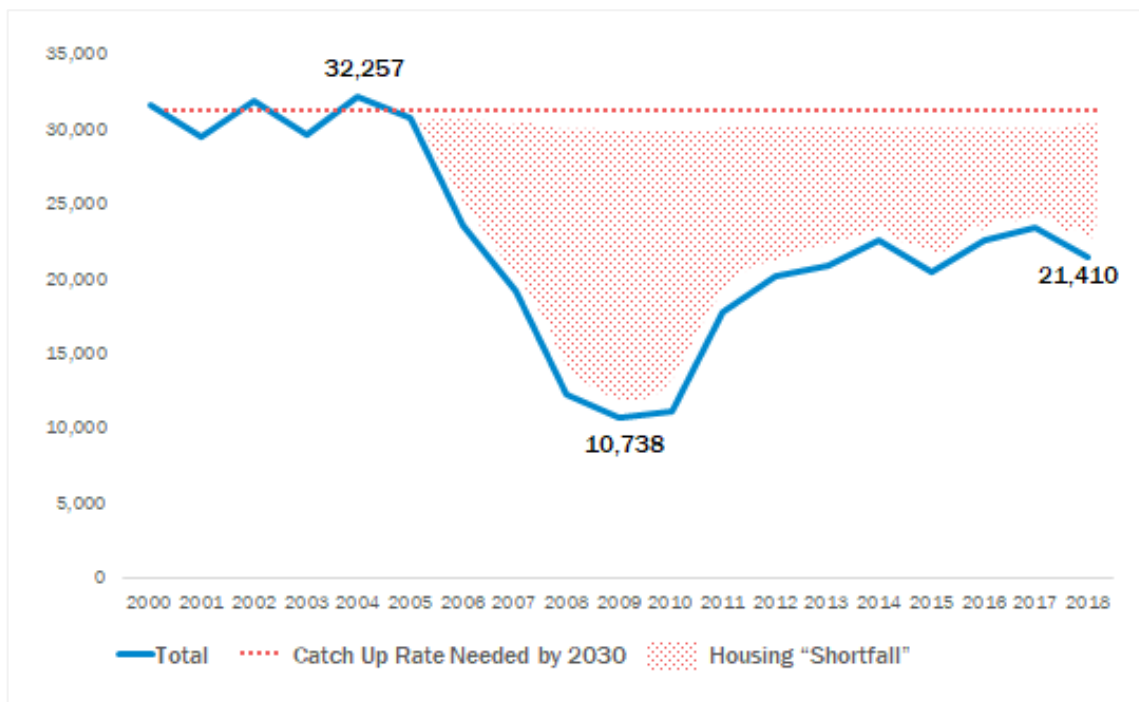
## Recent Production Trends

To address the region's housing shortfall, housing must be preserved and created at a higher rate than has been achieved in the recent past.

According to a COG analysis of U.S. Census Bureau housing permit data, the region averaged over 25,000 new housing units per year in the 1990s. In the early 2000s, the region produced more than 30,000 units per year, much of that in the form of single-family homes in the outer suburbs, like Loudoun County.<sup>6</sup> When the Great Recession hit the country around 2008, regional production dropped to approximately 10,000 units per year.

Housing production has improved since 2011. In 2018, the region produced just over 21,000 housing units per year. Although this is the right trajectory, this production level is not sufficient to meet the growing need in the region.

**Figure 1: Housing Construction Permits by Year in Metropolitan Washington**



Source: COG Analysis of U.S. Census Bureau C-40 Residential Permit Data

<sup>6</sup> George Washington University, *State of the Capital Region*, [https://cpb-us-e1.wpmucdn.com/blogs.gwu.edu/dist/7/677/files/2019/05/20190507\\_socr\\_2019\\_pages.pdf](https://cpb-us-e1.wpmucdn.com/blogs.gwu.edu/dist/7/677/files/2019/05/20190507_socr_2019_pages.pdf)



## Current Housing Landscape

According to COG's [Cooperative Forecasts](#), official growth projections that include data provided by area jurisdictions, employment growth currently outpaces housing growth in metropolitan Washington.

The region anticipates its projected 2020 employment of 3.36 million jobs will grow to 3.77 million by 2030—an increase of approximately 413,00 jobs. During this same period, the total number of households would grow from the projected 2020 base of approximately 2.13 million units to 2.38 million—an increase of approximately 245,000 housing units.

This situation—a mismatch between the amount of housing and jobs—affects the area's affordability, potentially undercuts the region's appeal to new companies and talent and necessitates commuting into the region for work, straining the transportation system.

The TPB studied this challenge as part of their long-range planning process.<sup>7</sup> In seeking a better balance between growth in jobs and housing, a TPB task force determined a jobs-to-housing ratio of 1.54 could optimize economic competitiveness and improve future transportation system performance.

Using the ratio, COG determined the region needs, by 2030, at least 75,000 additional households beyond those currently anticipated. This is the region's "housing shortfall," and it is expected to worsen without intervention.

Overall, the region needs to add 75,000 additional housing units to the 245,000 units already planned, bringing the region's total net new housing to 320,000 units produced between 2020 and 2030. This means the region needs a sustained annual housing production of at least 32,000 units per year.

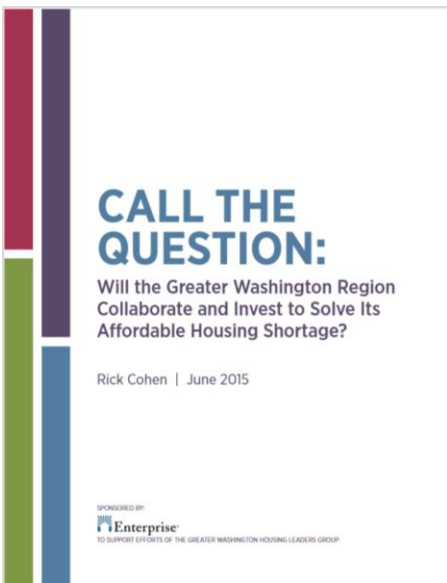
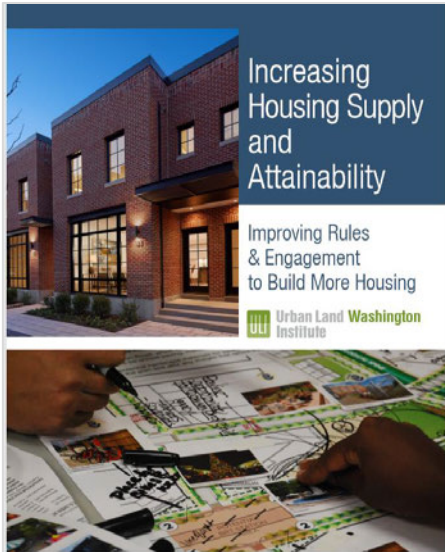
**Figure 2: Forecast of Employment, Households, and Calculated Housing Need**

|                             | 2020      | 2030      | 2045      |
|-----------------------------|-----------|-----------|-----------|
| Forecast Employment         | 3,361,000 | 3,774,000 | 4,274,000 |
| Forecast Households         | 2,133,000 | 2,375,000 | 2,660,000 |
| Households Needed for Jobs  | 2,182,000 | 2,450,000 | 2,775,000 |
| Housing Shortfall (Approx.) | ~49,000   | ~76,000   | ~115,000  |

**By 2030, the region needs at least 75,000 additional households beyond what's planned.**

Source: COG Round 9.1 Cooperative Forecasts

<sup>7</sup> TPB, Long Range Task Force Reports, <https://www.mwcog.org/documents/2017/12/20/long-range-plan-task-force-reports-projects-regional-transportation-priorities-plan-scenario-planning-tpb/>



The region's housing challenges have been documented by many leading experts, including the Urban Land Institute and Housing Leaders Group.

In addition to the TPB's consensus that housing and jobs must be brought closer together to reduce strains on the area transportation system, the region's housing challenges have also been documented in research by many other leading experts, including the [Urban Institute](#), Greater Washington Partnership, George Mason University's [Center for Regional Analysis](#), George Washington University's [Center for Washington Area Studies](#), the [Housing Leaders Group of Greater Washington](#), [ULI Washington](#), and the [2030 Group](#), among others.

Local governments have already started to act. Based on COG's analysis of the regional need, District of Columbia Mayor Muriel Bowser signed an Order on Housing in spring 2019 that called for the production of 36,000 new housing units in the District by 2025.<sup>8</sup> Prince George's County completed its first-ever comprehensive housing strategy, *Housing Opportunities for All*, a plan to support and house existing residents and new residents, and build on strategic assets like transit.<sup>9</sup> Fairfax County recently completed its *Communitywide Housing Strategic Plan* and *Housing Arlington* is a direct response to the decision by Amazon to locate its second headquarters in the county.<sup>10,11</sup>

Non-profits, philanthropy, and business are responding, too. For example, the Housing Leaders Group of Greater Washington's Capital Region Housing Challenge and the Washington Housing Initiative launched by JBG Smith and the Federal City Council are facilitating investment in affordable housing for low- and moderate- income residents.<sup>12,13</sup>

<sup>8</sup> District of Columbia, Mayor Bowser Signs Order to Drive Bold Goal of 36,000 Housing Units by 2025, <https://mayor.dc.gov/release/mayor-bowser-signs-order-drive-bold-goal-36000-housing-units-2025>

<sup>9</sup> Prince George's County Comprehensive Housing Strategy, *Housing Opportunities for All*, <https://www.princegeorgescountymd.gov/2803/Comprehensive-Housing-Strategy>

<sup>10</sup> Fairfax County Housing and Community Development, *Communitywide Housing Strategic Plan*, <https://www.fairfaxcounty.gov/housing/communitywideplan>

<sup>11</sup> Arlington County, Housing Arlington initiative, <https://housing.arlingtonva.us/housing-arlington/#>

<sup>12</sup> Housing Leaders Group Launches the Capital Region Housing Challenge, <https://www.handhousing.org/hand-housing-leaders-group-launch-the-capital-region-housing-challenge/>

<sup>13</sup> JBG Smith, The Impact Pool, <https://www.jbgsmith.com/about/washington-housing-initiative/impact-pool>



2019 COG Board Officers, Vice Chair Derrick L. Davis, Chair Robert C. White, Jr., and Vice Chair Christian Dorsey

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“...I can think of no higher regional priority than to ensure a sufficient supply of affordably-priced housing for our current residents as well as the workers we need to fill the new jobs anticipated in the future. I’m looking forward to applying COG’s expertise and connections to thoroughly analyze the issue at the regional level and help us identify solutions that we can implement in our local jurisdictions.”

- Chair Robert White, Jr. (January 2019)

# COG'S HOUSING INITIATIVE

During an annual leadership retreat in July 2018, COG staff briefed attending members on its analysis of the region's housing challenge, and the need to increase production and preservation efforts to sustain economic growth, ease the strain on the transportation system, and improve quality of life. Members discussed impediments to addressing the current housing needs, as well as tools and strategies that could be employed to achieve long-term goals.

As a result, in September 2018, the COG Board of Directors unanimously passed a resolution directing COG staff and its relevant committees to work together to identify the exact housing need and assess what it would take to ramp up production.<sup>14</sup>

Under the leadership of new officers in January 2019, the COG Board received a workplan for the initiative. The workplan directed COG and its Planning Directors Technical Advisory Committee and Housing Directors Advisory Committee to study three areas of the housing production challenge over the course of the next nine months:

1. **Amount** - How much new housing should be added in the region and what is the region's ability to produce it?
2. **Accessibility** - How much of the additional housing should be located in Activity Centers and near high-capacity transit stations?
3. **Affordability** - At what price points should housing be added to accommodate the type of household growth anticipated?

In April 2019, the COG Board established a Housing Strategy Group to focus on the impediments to addressing the housing need and help guide the initiative forward.<sup>15</sup> The strategy group included representatives from Prince George's County, Montgomery County, the District of Columbia, Fairfax County, and the City of Alexandria.

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<sup>14</sup> COG Certified Resolution R33-2018, <https://www.mwcog.org/documents/2018/09/12/certified-resolution-r33-2018---housing-needs/>

<sup>15</sup> COG Certified Resolution R12-2019, Housing Strategy Group, <https://www.mwcog.org/documents/2019/04/10/certified-resolution-r12-2019---housing-strategy-group/>

# ADDRESSING UNMET NEEDS: SETTING REGIONAL HOUSING TARGETS

Under the direction of the COG Board of Directors, local housing and planning directors and COG staff spent a year studying what it would take to increase the area's housing supply to accommodate the region's growing workforce. Their findings have been distilled into three regional aspirational housing targets focused on the Amount, Accessibility, and Affordability of additional units. The three targets were adopted by the COG Board of Directors in September 2019.

## Regional Target 1:

### AMOUNT

At least 320,000 housing units should be added in the region between 2020 and 2030. This is an additional 75,000 units beyond the units already forecast for this period.

## Regional Target 2:

### ACCESSIBILITY

At least 75% of all new housing should be in Activity Centers or near high-capacity transit.

## Regional Target 3:

### AFFORDABILITY

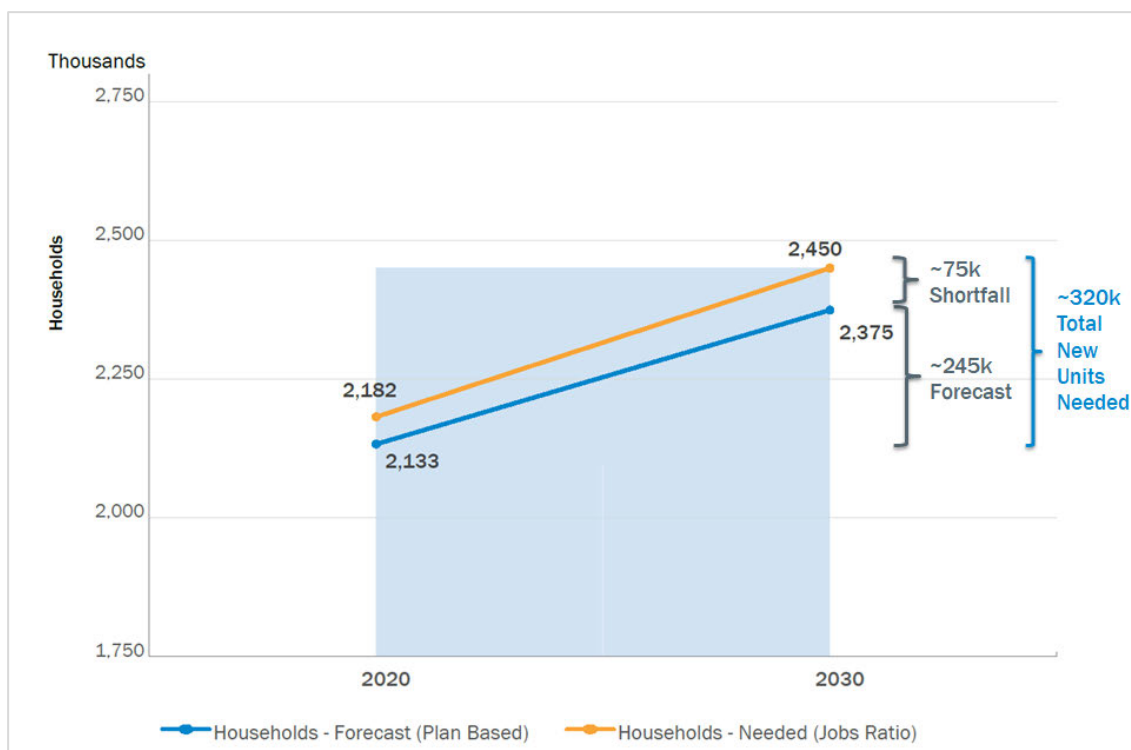
At least 75% of new housing should be affordable to low- and middle- income households.

## Regional Target 1: Amount

**AT LEAST 320,000 HOUSING UNITS SHOULD BE ADDED IN THE REGION BETWEEN 2020 AND 2030. THIS IS AN ADDITIONAL 75,000 UNITS BEYOND THE UNITS ALREADY FORECAST FOR THIS PERIOD.**

This 320,000-unit production target is for the timeframe of 2020–2030. It includes both the 245,000 new households currently forecast by local governments and COG for this period, in addition to the 75,000 extra units needed to address the regional shortfall and house workers for anticipated new jobs.<sup>16</sup>

**Figure 3: COG Regional Housing Need 2020-2030 (Planned vs. Needed)**



Source: COG Cooperative Forecasts

As part of its long-range planning process, the TPB at COG determined that a ratio of 1.54 jobs per household would be sufficient to boost the region’s economic competitiveness and reduce strain on the transportation system by bringing the number of households more in balance with the number of jobs.<sup>17</sup> This ratio was used to calculate the regional shortfall (see page 6). Currently, the region averages 1.64 jobs per household.

<sup>16</sup> COG, *Growth Trends: Cooperative Forecasting in Metropolitan Washington*, <https://www.mwcog.org/documents/2018/10/17/growth-trends-cooperative-forecasting-in-metropolitan-washington-cooperative-forecast-growth-development/>

<sup>17</sup> TPB, *An Assessment of Regional Initiatives for the National Capital Region*, <https://www.mwcog.org/documents/2017/12/20/long-range-plan-task-force-reports-projects-regional-transportation-priorities-plan-scenario-planning-tpb/>



## Amount: Findings

- Is there capacity for an additional 100,000 households beyond what's currently forecast within the region's existing comprehensive plans?
  - YES, comprehensive plans have enough capacity to address increased housing production
  - However, zoning and comprehensive plan changes may still be necessary for jurisdictions
  - And, supply alone doesn't address the region's current and future housing affordability needs



Addressing the Region's Capacity for Additional Housing  
February 13, 2019

**"On the District government side, we've had a big push from the Mayor who's acknowledged the challenges we have locally and as a region...and has challenged us to think bigger and differently...building on a lot of the work that has happened in these [COG] committees."**

**- COG Planning Directors Committee Co-Chair and District of Columbia Office of Planning Director Andrew Trueblood (February 2019)**

Slide from the February 2019 presentation by COG Planning and Housing Directors Committees to the COG Board of Directors.

During the February 2019 COG Board of Directors meeting, the COG Planning Directors Technical Advisory Committee and Housing Directors Committee confirmed on behalf of the region's housing and planning directors that existing local comprehensive plans could indeed accommodate this additional necessary capacity.<sup>18</sup>

As part of the initiative, COG staff and the planning directors also studied ways to allocate the 75,000 additional households needed across the region's jurisdictions. For example, they determined each jurisdiction could contribute a portion of the additional households needed based on its share (percentage) of forecast household growth between 2020 and 2030. Although this is not included in the regional targets at this time, the jurisdictions are identifying the local actions needed to produce more housing in priority locations, as well as the partners who must be part of the solution.

<sup>18</sup> COG, *Addressing Region's Capacity for Additional Housing Presentation*, <https://www.mwcog.org/events/2019/2/6/cog-board-of-directors/>

## Regional Target 2: Accessibility

### AT LEAST 75 PERCENT OF ALL NEW HOUSING SHOULD BE IN ACTIVITY CENTERS OR NEAR HIGH-CAPACITY TRANSIT

The idea of concentrating growth in specific locations called **Activity Centers** has been endorsed, promoted, and implemented by area leaders in places throughout the region for almost 20 years. There are currently 141 designated Activity Centers in the COG region, and they occupy about nine percent of the region's land.

In 2010, as part of its **Region Forward Vision**, the COG Board endorsed a goal to accommodate 50 percent of projected new housing in Activity Centers.<sup>19</sup> An analysis of jurisdictions' current growth trends revealed that this goal is already being exceeded; the most recent COG analysis found 64 percent of projected new housing through 2030 will be located in Activity Centers.

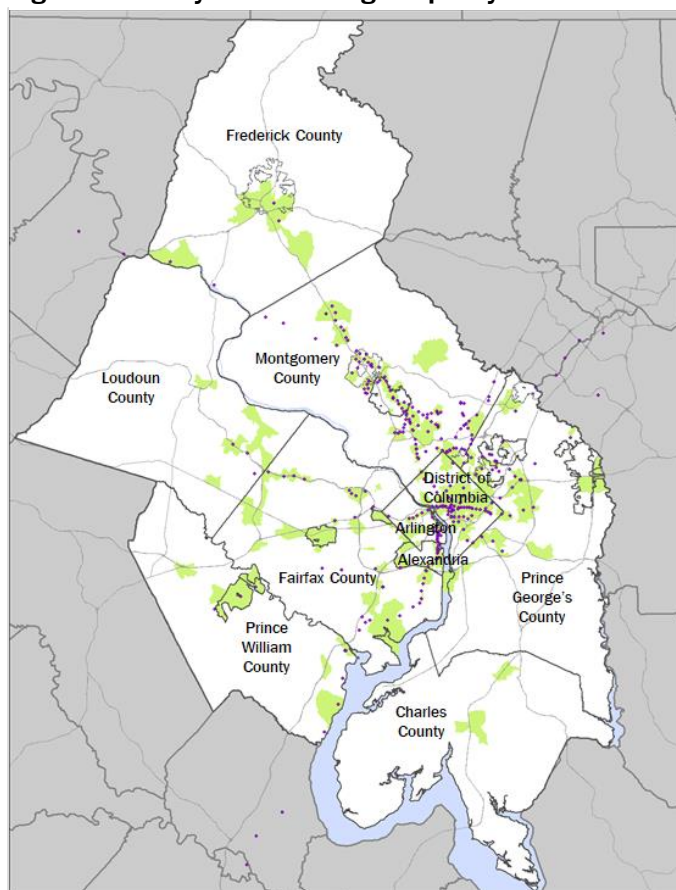
As part of its **Visualize 2045** long-range transportation plan approved in 2018, the TPB identified a regional network of 297 high-capacity transit stations, including many outside of Activity Centers, that could also be potential locations for additional growth.

As a result, COG analysis found that 68 percent of new housing is anticipated in Activity Centers and high capacity transit stations through 2030, paving the way for planning and housing directors to propose a more ambitious goal for locating additional new housing.

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**In 2010, the COG Board endorsed a goal to accommodate 50 percent of projected new housing in these Activity Centers. An analysis of current growth trends revealed that the region already exceeded this goal.**

**Figure 4: Activity Centers & High-Capacity Transit**



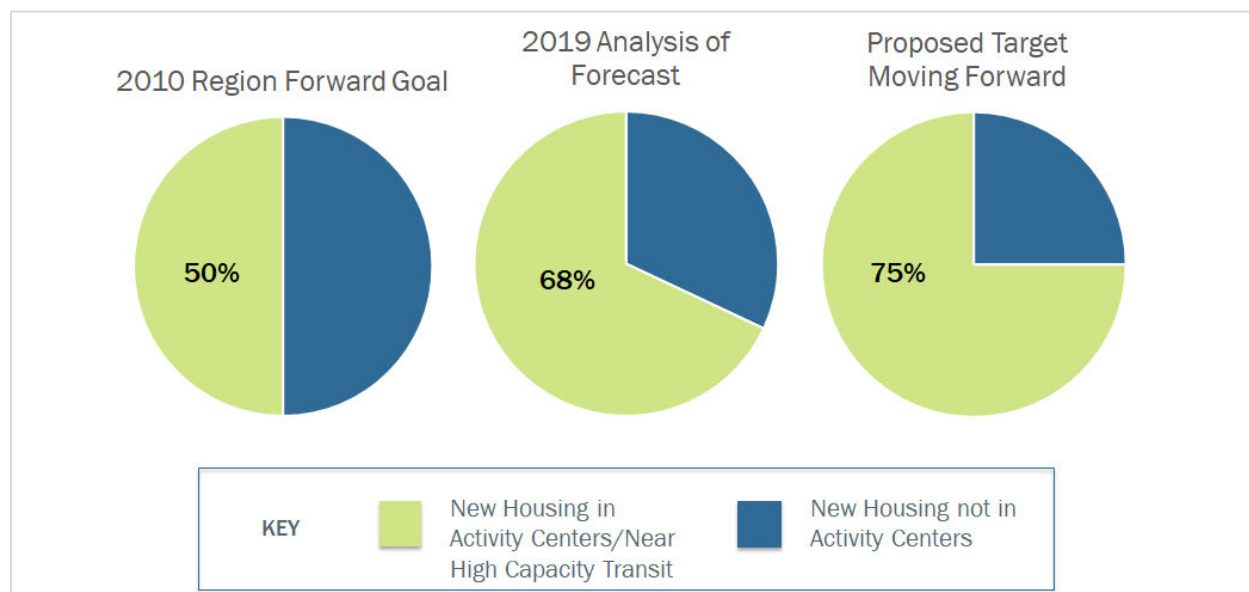
Source: COG. The green areas denote the region's 141 Activity Centers, and purple dots denote the location of high-capacity transit stations, to include 90 Metro stations, 39 commuter rail stations, 21 light rail stations, 120 BRT stations, and 19 streetcar stations.

<sup>19</sup> COG, Region Forward Targets, <https://www.mwco.org/community/planning-areas/regional-planning/region-forward/targets/>



Based on data provided by member jurisdictions' planning departments, it was confirmed at the April 2019 COG Board of Directors meeting that these areas indeed have the capacity to accommodate all the additional housing the region needs to meet the goal in Target 1 of 75,000 units.<sup>20</sup> Therefore, COG staff recommended a regional target of 75 percent of all new housing in Activity Centers or near high-capacity transit.<sup>21</sup>

**Figure 5: Region's Progress Toward Housing Growth in Activity Centers**



Source: COG

<sup>20</sup> COG, *Addressing Accessibility of Region's Housing Presentation*, <https://www.mwcog.org/events/2019/4/10/cog-board-of-directors/>

<sup>21</sup> See Appendix C.

## Regional Target 3: Affordability

### AT LEAST 75 PERCENT OF NEW HOUSING SHOULD BE AFFORDABLE TO LOW- AND MIDDLE-INCOME HOUSEHOLDS

As the region considers the amount and location of new housing needed to align with future growth, local leaders must also ensure it is priced appropriately for those who will need it. When housing is affordable, residents can build savings, invest in health care, education, childcare, and more.

In a presentation to the COG Board of Directors in June 2019, the Urban Institute revealed that many area households are “housing cost-burdened,” meaning a family spends more than 30 percent of its income on housing. Those in the lowest to middle household income brackets are most burdened.<sup>22</sup> Occupations in these bands might include service workers, nursing attendants, paramedics, security guards, firefighters, and graphic designers, among others.

Currently, too few housing units are affordable for these households, and the situation is getting worse. According to the Urban Institute, in the recent past the region’s low-cost housing stock—or units that cost \$0 - \$1,299 per month—totaled 540,000 units.<sup>23</sup> Further, the region lost more than 13,000 units in these low-cost bands each year between 2010 and 2017. If the region continued to lose low cost housing at this rate between 2020 and 2030, a quarter of the stock in this cost band would be eliminated, affecting more than 365,000 people.<sup>24</sup>

**Figure 6: Amount of Low Cost Housing Stock Potentially Lost (2020 - 2030)**



Currently, too few housing units are affordable for low- and middle-income households, and the situation is getting worse.

Source: COG portrayal of Urban Institute findings

<sup>22</sup> Up to 150% of Area Median Income (AMI) or approximately monthly housing costs up to \$2,500 to define “low and middle income” households as described in the Urban Institute’s *Meeting the Washington Region’s Future Housing Needs: A Framework for Regional Deliberations*.

<sup>23</sup> Urban Institute, *Meeting the Washington Region’s Future Housing Needs*.

<sup>24</sup> Assumes 2.5 to 3 people per new household per COG estimate of regional average household size.

The story is the same in many of the region’s jurisdictions. For example, the City of Alexandria reports that its low cost, market-affordable (non-subsidized) rental housing declined by 88 percent from 2000-2018.<sup>25</sup>

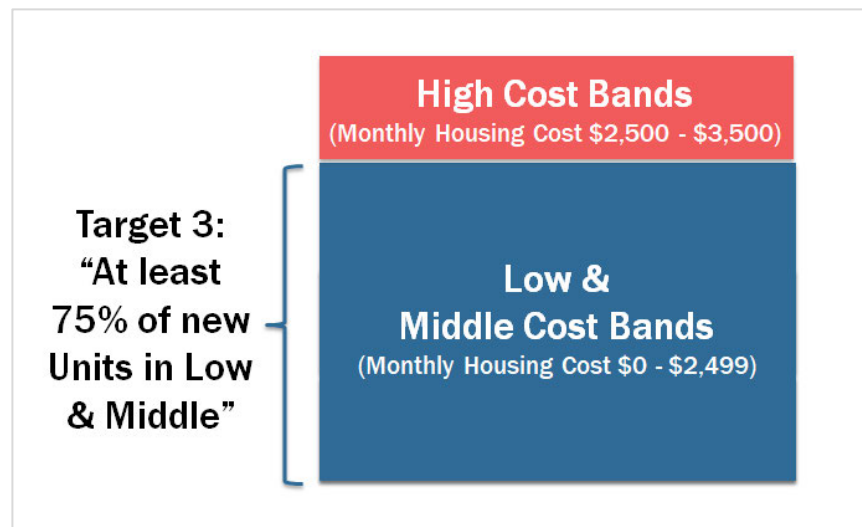
“This dramatic loss in housing affordability reflects the gap between the growth in housing costs versus the growth in wages, as well as the strong demand for housing in the region,” reads the city’s analysis.

To remedy this situation, the Urban Institute’s *Meeting the Washington Region’s Future Housing Needs* sponsored by the Greater Washington Partnership, calls for a better mix of housing across cost bands. The framework recommends that about 38 percent of new units are priced in the lowest cost bands (housing costs of \$0-\$1,299 per month), about 40 percent priced in middle cost bands (\$1,300-\$2,499 per month), and about 22 percent in the highest cost bands (\$2,500-\$3,500 per month).

“Ideally, every jurisdiction would provide sufficient housing across cost bands to meet the needs of current and future residents,” says the Urban Institute report. “Mismatches in any single jurisdiction can add costs for households, impede productivity through extended commutes, and reduce equitable access to public goods and services. A healthy regional housing market offers opportunities for households to find a reasonable place to live in a community that fits their needs.”

Local governments are already building affordability into their housing plans and efforts. For example, Mayor Bowser’s plan in the District of Columbia, calls for 36,000 new housing units, a third of them affordable to lower income residents, by 2025.

**Figure 7: COG Affordability Target’s Allocation of New Housing Across Cost Bands**



Source: COG portrayal of Urban Institute findings

To form a regional target on affordability, COG staff and the planning and housing directors weighed these local-level affordability targets and the Urban Institute’s report and consulted with officials from across the region. The resulting target—where at least 75 percent of new housing is affordable to low and middle-income households—is considered compatible with these efforts and would be a significant regional achievement.

<sup>25</sup> City of Alexandria, *Market Affordable 2018 Update*, <https://www.alexandriava.gov/uploadedFiles/housing/info/2018MarketAffordableUpdate.pdf>

# CONCLUSION



H Street NE in the District of Columbia (Ted Eytan/Flickr)

There is a growing consensus that the current housing landscape—where supply is low, costs are high, and even more growth is projected—is affecting many families throughout the region and in regions across the country.

Metropolitan Washington residents are especially feeling the strain. The Urban Institute estimates that more than half a million of the region’s households are “housing cost-burdened,” meaning those families spend more than 30 percent of their income on housing.<sup>26</sup> COG models estimate that more than 325,000 people commute daily into the region for work from outside the region, signaling that families are having to move further and further from the region’s core and their jobs in search of an affordable home and lifestyle. Models show these types of trips increasing by 24 percent by 2045, placing even more demand on transportation infrastructure, with implications for quality of life and the local environment.

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**The region’s elected, business, and non-profit leaders are mobilizing to create a sufficient supply of affordably priced housing for area families while also ensuring their children can live and work here in the future.**

The region’s elected, business, and non-profit leaders are mobilizing to create a sufficient supply of affordably priced housing for area families while also ensuring the workforce of the future—people like their children—can live and work here. Housing is increasingly becoming a key factor in the region’s ability to attract and retain talent and businesses.

A year ago, COG released an analysis that helped the region better understand its unmet housing needs.

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<sup>26</sup> Urban Institute, *Meeting the Washington Region’s Future Housing Needs*, forthcoming.



Between 2020 and 2030, the region needs to produce at least 75,000 additional units beyond what is already anticipated. Between 2020 and 2045, that number grows to more than 100,000 additional units.

The COG Board of Directors reacted to this shortfall by calling on the region's planning and housing directors to help determine whether there was capacity in local plans to accommodate additional housing, and if so, where new housing should be located and how it should be priced to make the biggest impact.

Over the last year, through information-gathering, data analysis, and consultation with elected officials and partners, COG staff and area planning and housing directors worked collaboratively to create three regional housing targets, which were adopted by the COG Board in September 2019.

**Regional Target 1:**

**AMOUNT**

At least 320,000 housing units should be added in the region between 2020 and 2030. This is an additional 75,000 units beyond the units already forecast for this period.

**Regional Target 2:**

**ACCESSIBILITY**

At least 75% of all new housing should be in Activity Centers or near high-capacity transit.

**Regional Target 3:**

**AFFORDABILITY**

At least 75% of new housing should be affordable to low- and middle-income households.

If achieved, these targets will address the region's housing need from an economic competitiveness and transportation infrastructure standpoint and will also have broad significance for the future of the region and its residents and their quality of life.

COG recognizes that local government efforts to preserve and increase their supply of affordably-priced homes will vary from jurisdiction to jurisdiction. For example, zoning policies allowing

**COG recognizes that the local government efforts to preserve and increase housing supply will vary from jurisdiction to jurisdiction. Cumulatively, these individual policies contribute to progress toward the region's shared housing production goals.**

residents to build accessory dwelling units (ADU) on their properties are a tool being used in Montgomery County, Arlington County, and the District of Columbia.<sup>27</sup>

Inclusionary zoning policies, widely used throughout the region, ensure that residents of all incomes have opportunities to live in desirable neighborhoods, with access to jobs, transit, and high-performing schools.

Transit-oriented development is also a key strategy to achieve the COG Board's regional housing targets.

<sup>27</sup> Hans Riemer, *Council Approves Zoning Change for Accessory Dwelling Units*, <https://councilmemberriemer.com/category/accessory-dwelling-units>

Opportunities to create new housing options on underdeveloped land around some of Metro's stations as well as along new transit lines like Metro's Silver Line in Virginia and the Purple Line in Maryland supports shared goals to meet future housing needs without further straining the transportation system. Cumulatively, these policies contribute to the region's progress toward its shared housing production goals.

COG also acknowledges that no sector alone can solve the region's housing challenges. The region can only meet its housing goals through strategic partnerships with other key stakeholders in business, non-profits, and philanthropy.

For example, this year the Housing Leaders Group of Greater Washington launched its Capital Region Housing Challenge to secure \$1 billion in investments for housing affordability by 2020, \$500 million in new private capital and \$500 million in new public funds.<sup>28</sup> One component of the Washington Housing Initiative launched by JBG Smith and the Federal City Council is an Impact Pool, which facilitates investment in low cost loans for developing and acquiring affordable workforce housing.<sup>29</sup>

There is no question that impediments like community dynamics, market forces, or lack of critical public infrastructure can hinder progress on housing production. COG will continue to work alongside its members and partners to identify housing tools and policies that ensure preservation of existing housing and production of new affordably priced units and housing incentives that could benefit from private sector support and resources.

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**The time for solutions is *now*.  
The region should continue to  
create and preserve housing at  
a higher rate than has been  
achieved in the recent past so  
the benefits of economic growth  
are shared by all.**

The time for solutions to address the region's unmet housing needs is *now*. COG's analysis revealed that the region's housing shortfall and the harmful ripple effects it causes will only worsen without intervention.

In a July 2019 *Washington Business Journal* article, COG Executive Director Chuck Bean described another reason for action: there is energy and appetite for working on housing locally, regionally, and nationally by a range of sectors.<sup>30</sup>

"Things change — sometimes incrementally, sometimes it's a big leap forward," said Bean. "It's a big challenge, that's the downside. The upside is that with the energy coming out of the jurisdictions and out of the developers and out of nonprofits and advocates, the hope is that the region is going to use its mojo on Metro funding and on HQ2 and apply it to housing."

The region should continue to create and preserve housing at a higher rate than has been achieved in the recent past to close the gap and provide adequate housing options in places that ensure inclusive communities, so the benefits of economic growth are shared by all.

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<sup>28</sup> Housing Leaders Group Launches the Capital Region Housing Challenge, <https://www.handhousing.org/hand-housing-leaders-group-launch-the-capital-region-housing-challenge/>

<sup>29</sup> JBG Smith, The Impact Pool, <https://www.jbgsmith.com/about/washington-housing-initiative/impact-pool>

<sup>30</sup> Washington Business Journal, The Housing Disconnect, <https://www.bizjournals.com/washington/news/2019/07/12/the-housing-disconnect-how-builders-and.html>

## APPENDIX

|                                                                                               |    |
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| APPENDIX A: RESOLUTION DIRECTING COG TO FURTHER EXPLORE ADDRESSING THE REGION'S HOUSING NEEDS | 21 |
| APPENDIX B: HOUSING THE REGION'S WORKFORCE: JURISDICTIONAL CAPACITY ANALYSIS (MEMO)           | 23 |
| APPENDIX C: CALCULATING REGIONAL TARGET 2 (ACCESSIBILITY)                                     | 27 |

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS  
777 NORTH CAPITOL STREET, NE  
WASHINGTON, DC 20002**

**RESOLUTION DIRECTING COG TO FURTHER EXPLORE ADDRESSING THE REGION'S HOUSING NEEDS**

**WHEREAS**, the Metropolitan Washington Council of Governments (COG) is comprised of the 24 jurisdictions of the National Capital Region's local governments and their governing officials, plus area members of the Maryland and Virginia legislatures and the U.S. Senate and House of Representatives, and COG provides a focus for action on issues of regional concern; and

**WHEREAS**, the Transportation Planning Board Chairman briefed the COG Board in April 2018 on the endorsed initiatives of the Long-Range Plan Task Force (LRPTF) that were found to have the most potential to significantly improve the performance of the region's transportation system compared to current plans and programs, including the need for additional housing in the region; and

**WHEREAS**, at the COG Leadership Retreat in July 2018 the Board engaged in discussions on the region's current housing production challenges, housing affordability, and the potential need for additional housing in the future to support likely new job growth; and

**WHEREAS**, retreat participants generally agreed that housing production is a regional challenge that needs to be addressed to ensure that the growth of jobs does not continue to outpace the growth of housing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS THAT:**

The board supports additional research to address the increasing demand for housing in the region and directs the Executive Director, or his designee, to work with the following committees and boards on the below next steps:

- a. Direct the Planning Directors Technical Advisory Committee (PDTAC), and the Housing Directors Advisory Committee (HDAC), to assess the region's ability to accommodate the estimated need for slightly more than 100,000 housing units beyond those currently anticipated in the Cooperative Forecasts with a focus on affordable and work force housing regionally.
- b. Building on the adopted Region Forward goals and targets, the PDTAC should examine the optimal incentives for adding additional housing, with an emphasis on preservation and production within the Regional Activity Centers and around high capacity transit stations and work to update future Cooperative Forecasts as needed.
- c. Direct that the PDTAC and HDAC work with the Region Forward Coalition, and key regional business, civic, and philanthropic organizations to assess ways to assist local governments with meeting the enhanced housing production targets while ensuring that future growth creates truly inclusive communities.



- d. The PDTAC should also include an assessment of factors or impediments to adding more housing units such as lack of critical public infrastructure (transportation, schools, water and sewer).
- e. Reaffirm the work underway within PDTAC to identify current local government planning efforts that support the initiatives of the TPB Long-Range Plan Task Force.

**I HEREBY CERTIFY THAT the foregoing resolution was adopted by the COG Board of Directors on September 12, 2018.**

**Laura Ambrosio  
COG Communications Specialist**

## MEMORANDUM

**TO:** COG Board of Directors  
**FROM:** Paul DesJardin, COG Director of Community Planning and Services  
**SUBJECT:** Housing the Region's Workforce: Jurisdictional Capacity Analysis  
**DATE:** February 6, 2019

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## BACKGROUND

Since the September 2018 COG Board meeting, the COG Planning Directors and Housing Directors Committees have met monthly to discuss the opportunities and challenges to producing an additional 100,000 homes by 2045 to balance job and household growth.

At the January 2019 board meeting, staff presented a proposed work plan to determine how to meet the goal through careful analysis of three key questions:

- **Amount:** Does capacity exist under current comprehensive plans and zoning to accommodate housing production levels beyond what is shown in the current Cooperative Forecasts?
- **Accessibility:** Can these additional homes be located within Activity Centers and High-Capacity Transit Station areas?
- **Affordability:** What are the appropriate price points and typologies to meet the current and future workers' needs?

This memorandum summarizes the results of that initial assessment and details next steps in the process.

## MEETING OUR HOUSING GOALS

The COG Board established the Cooperative Forecasting Program to develop a consistent set of local and regional growth projections based upon a common set of economic assumptions. The Cooperative Forecasts are the official growth projections of each participating jurisdiction and are the planning inputs for transportation and other regional capital improvement decisions. The forecasts are guided by an economic model that represents the maximum amount of employment, population, and household growth that the region is likely to experience given a range of national and regional economic and demographic assumptions. Those assumptions include the likely mix of future jobs by industry sector, and population and housing growth.

Local planning departments generally prepare their housing and household forecasts in short-term (5 to 10-year horizon) and longer-term (15 or more years) periods. Short-term household projections are based upon current permitting and development activity. COG staff summarized the recent trends in housing permitting during the September board meeting, during which the regional housing shortfall trend was noted.

Planning staffs develop longer-term forecasts (15 to 30 years) based upon local comprehensive plans and zoning, as well as assumptions regarding local land use policies, infrastructure investments, and demographic changes. Planners use these economic and policy assumptions to estimate the likely market and development responses for the timing and location of future residential growth.

During their meetings throughout 2018, the Planning Directors presented their current work program and planning priorities, particularly as they related to the challenges of balancing growth, housing location and affordability, and transportation investments. As shown in the excerpted slides below, nearly all jurisdictions are engaged in updates to their comprehensive and small-area plans or engaging in broad-based visioning efforts.

## What Have We Learned

### Multiple jurisdictions are currently working on their Comprehensive Plans



1

A common goal within each initiative is focusing development in priority places such as Activity Centers to accommodate growth and capitalize on new and existing transit investments such as the Silver Line, the Purple Line, Richmond Highway, and many planned BRT routes. The Round 9.1 Cooperative Forecasts indicate that the 2.1 million households in the COG region today are expected to grow to nearly 2.8 million by 2045. More significantly, the forecasts confirm the success of these many local planning initiatives with more than 64 percent of new housing now anticipated to be located within Activity Centers compared to the adopted target of 50 percent called for in Region Forward.

# What Have We Learned

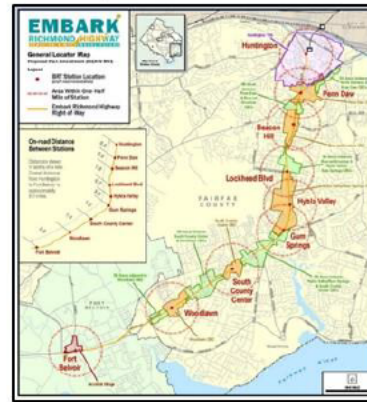
## The region is planning for Redevelopment



Buzzard Point



White Flint



Richmond Highway



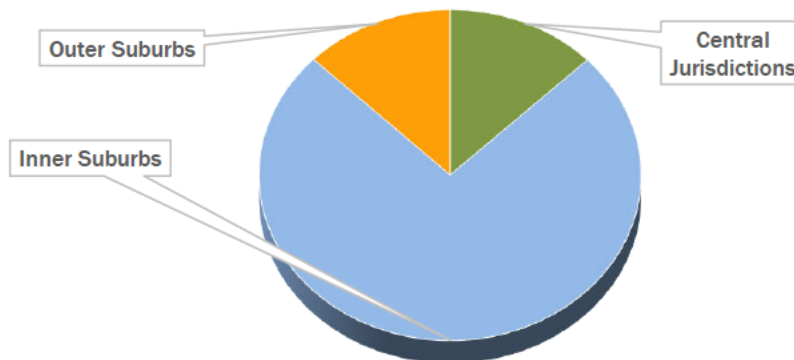
Eisenhower East



Historic Downtown Manassas

Building on these briefings, at their December and January meetings, the Planning Directors Committee reported on their initial assessments of their jurisdictions' ability to accommodate additional housing beyond what is assumed in their current Cooperative Forecasts. The results of this initial assessment confirm that the region can accommodate – within existing comprehensive plans and zoning – the additional 100,000 units called for in the board directive. The chart below shows the relative distribution of the Planning Directors' initial assessment.

### Initial Assessment: Subregional Shares of +100,000 Additional Housing Units Beyond Current Forecasts



## **NEXT STEPS**

The next phase of the housing analysis will include the task of estimating the amount (or share) of the additional housing growth which could be accommodated within Activity Centers and High-Capacity Transit Station Areas as well as the specific challenges (public and private) to developing more housing in those priority places.

Review of those impediments will guide consideration of solutions to these challenges and strategies to alter the region's current trajectory to improve, not exacerbate, housing affordability, transportation system performance, and ensure thriving, inclusive communities for all of the region's residents.

## Calculating Regional Target 2 (Accessibility)

How did COG come up with a goal of 75% of all new housing in Activity Centers (AC) or near high capacity transit (HCT)?

- 141 Activity Centers were designated as places ideal for growth by the COG Board. These occupy about 9% of the region's land.
- In 2010, officials at COG set a Region Forward Vision goal to accommodate 50% of projected new housing in Activity Centers.
- As jurisdictions' comprehensive plans have evolved the 2010 Region Forward goal has been exceeded; **the most recent COG analysis of the (Round 9.1) Cooperative Forecasts found 64% of projected new housing anticipated in Activity Centers.**
- As part of its Visualize 2045 long-range transportation plan in 2018, the TPB identified a regional network of 297 high-capacity transit stations, including many outside of Activity Centers, that could be potential locations for additional growth.
- As a result, a recent COG analysis found projected new housing anticipated in Activity Centers *and* high capacity transit stations at 68%.
- In 2019, based on data provided by member jurisdictions' planning departments, COG planners determined these areas can accommodate the additional housing the region needs (75,000 units from Target 1).

### Regional Housing Target 2 By the Numbers

|                                                                                                                     |                                 |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------|
| In the next 10 years 68% of the 245,000 forecast new units will be in AC and around HCT.                            | $68\% \times 245,000 = 167,000$ |
| Planning directors determined capacity does exist to add 75,000 more housing units in AC and around HCT. (Target 1) | $100\% \times 75,000 = 75,000$  |
| Total housing units in next 10 years possible in AC and around HCT.                                                 | $167,000 + 75,000 = 242,000$    |
| Total units in the next 10 years in AC and around HCT as a proportion of all new housing units by 2030.             | $242,000 / 320,000 = 75\%$      |



Metropolitan Washington  
**Council of Governments**

777 North Capitol Street NE, Suite 300  
Washington, DC 20002

[mwcog.org](http://mwcog.org)



*Clerks Note: Lines 344-352 have been updated to reflect the Council amendment to the 30% cap on residential development.*

**CORRECTED COPY**

Ordinance No.: 20-17  
Zoning Text Amendment No.: 25-03  
Concerning: Expedited Approvals –  
Commercial to  
Residential  
Reconstruction  
Revised: 4/8/2025 Draft No.: 3  
Introduced: February 4, 2025  
Public Hearing: March 11, 2025  
Adopted: April 8, 2025  
Effective: April 28, 2025

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

---

Lead Sponsor: Councilmembers Friedson and Fani-González  
Co-Sponsors: Councilmember Luedtke, Council President Stewart and  
Councilmembers Balcombe and Sayles

---

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

- (1) create a Commercial to Residential Reconstruction use;
- (2) provide an expedited approval process for the Commercial to Residential Reconstruction use;
- (3) consolidate existing expedited regulatory approvals;
- (4) ~~[[allow reallocation of FAR in certain Employment zones]]~~ remove the gross floor area cap on household living in certain zones; and
- (5) generally amend expedited regulatory approvals.

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

|                |                                         |
|----------------|-----------------------------------------|
| Division 1.4.  | “Defined Terms”                         |
| Section 1.4.2. | “Specific Terms and Phrases Defined”    |
| Division 3.1.  | “Use Table”                             |
| Section 3.1.6. | “Use Table”                             |
| Division 3.3.  | “Residential Uses”                      |
| Section 3.3.2. | “Group Living”                          |
| Division 3.4.  | “Civic and Institutional Uses”          |
| Section 3.4.2. | “Charitable, Philanthropic Institution” |
| Section 3.4.6. | “Hospital”                              |

|                       |                                        |
|-----------------------|----------------------------------------|
| Division 4.5.         | "Commercial/Residential Zones"         |
| Section 4.5.2.        | "Density and Height Allocation"        |
| Section 4.5.4.        | "Optional Method Development"          |
| Division 4.6.         | "Employment Zones"                     |
| <u>Section 4.6.1.</u> | <u>"Intent Statements"</u>             |
| Section 4.6.2.        | "Density and Height Allocation"        |
| <u>Section 4.6.3.</u> | <u>"Standard Method Development"</u>   |
| Section 4.6.4.        | "Optional Method Development"          |
| Division 7.3.         | "Regulatory Approvals"                 |
| Section 7.3.3.        | "Sketch Plan"                          |
| Section 7.3.5.        | "Signature Business Headquarters Plan" |
| Section 7.3.6.        | "Biohealth Priority Campus Plan"       |
| Section 7.3.7.        | "Mixed-Income Housing Community Plan"  |
| Division 7.5.         | "Notice Standards"                     |
| Section 7.5.1.        | "Noticed Required"                     |

**EXPLANATION:** ***Boldface** indicates a Heading or a defined term.*  
*Underlining indicates text that is added to existing law by the original text amendment.*  
*[Single boldface brackets] indicate text that is deleted from existing law by 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:*



| USE OR USE GROUP | Definitions and Standards | Ag | Rural Residential |   |    |     | Residential          |       |      |       |      |      |                       |     |     |     | Commercial/Residential |      |      |     | Employment |     |    |    | Industrial |     |     |    |    |    |     |    |    |    |     |     |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|                  |                           |    | AR                | R | RC | RNC | Residential Detached |       |      |       |      |      | Residential Townhouse |     |     |     | Residential Multi-Unit |      |      |     | CRN        | CRT | CR | GR | NR         | LSC | EOF | IL | IM | IH |     |    |    |    |     |     |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|                  |                           |    |                   |   |    |     | RE-2                 | RE-2C | RE-1 | R-200 | R-90 | R-60 | R-40                  | TLD | TMD | THD | R-30                   | R-20 | R-10 | CRN |            |     |    |    |            |     |     |    |    |    | CRT | CR | GR | NR | LSC | EOF | IL | IM | IH |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| • • •            |                           |    |                   |   |    |     |                      |       |      |       |      |      |                       |     |     |     |                        |      |      |     |            |     |    |    |            |     |     |    |    |    |     |    |    |    |     |     |    |    |    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

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**Sec. 3. DIVISION 59-3.3 is amended as follows:**

**Division 3.3. Residential Uses**

\* \* \*

**Section 3.3.2. Group Living**

**A. Defined, In General**

Group Living means the residential occupancy of a structure by a group of people that does not meet the definition of any Household Living use under Section 3.3.1.

**B. Commercial to Residential Reconstruction**

**1. Defined**

Commercial to Residential Reconstruction means a vacant [[office or retail]] building that is at least 2 stories high and is converted to or demolished and rebuilt as a residential building that qualifies as Townhouse Living under Section 3.3.1.D. or Multi-Unit Living under Section 3.3.1.E. [[Vacancy is defined in this Section as an Office or Retail building, as defined in Sections 3.5.8.B. or 3.5.11, that has no tenants in 50% of the building at the time of application.]]

a. In the EOF zone, vacancy is defined as a building that has no tenants in at least 50% of the building at the time of application and qualifies as an Office use under Section 3.5.8.B., which may include ancillary nonresidential uses, or a Retail use under Section 3.5.11.

b. In the GR, NR, and Commercial/Residential zones, vacancy is defined as a building that has no tenants in at least 50% of the building at the time of application and qualifies as an Office use under Section 3.5.8.B., which may include ancillary nonresidential uses.

- 52           c.     Notwithstanding the underlying zone, in the RSC Overlay Zone,  
53                 vacancy is defined as a building that has no tenants in at least  
54                 50% of the building at the time of application and qualifies as an  
55                 Office use under Section 3.5.8.B., which may include ancillary  
56                 nonresidential uses, or a Retail use under Section 3.5.11.

57         **2. Exemptions**

- 58           a.     A sketch plan and a site plan are not required for a Commercial  
59                 to Residential Reconstruction if the Planning Board approves a  
60                 Commercial to Residential Reconstruction expedited approval  
61                 plan under Section 7.3.5.
- 62           b.     Development of a Commercial to Residential Reconstruction  
63                 should proceed under the standards of Chapter 50 and the  
64                 underlying zone, including any overlay zones, except as  
65                 modified by Section 3.3.2.B. and in conformance with the  
66                 hearing and review schedule in Sections 7.3.5.
- 67           c.     After [[a Commercial to Residential Reconstruction]] an  
68                 expedited approval plan is approved, subsequent additions or  
69                 expansions of the Commercial to Residential Reconstruction, in  
70                 any size or amount, will be processed under Section 7.3.5 as  
71                 amendments.

72         **3. Use Standards**

- 73           a.     Commercial FAR limits on the subject property may be  
74                 reallocated to residential FAR if the total FAR does not exceed  
75                 the maximum total mapped FAR of the property and the building  
76                 height does not exceed the maximum mapped height, including  
77                 any increases in each allowed by this Chapter.



- 78           **b.**     In a red policy area, Commercial to Residential Reconstruction  
 79                     must be in an Apartment Building type that satisfies Section  
 80                     4.1.3.D.
- 81           **c.**     If not in a red policy area, Commercial to Residential  
 82                     Reconstruction must be in a Townhouse building type that  
 83                     satisfies [[Townhouse Living under]] Section 4.1.5.C.  
 84                     [[3.3.1.D.]] or [[Multi-Unit Living under Section 3.3.1.E.]] in an  
 85                     Apartment Building type that satisfies Section 4.1.3.D.
- 86           **d.**     Gross floor area of all non-residential uses is limited to 30% of  
 87                     the gross floor area on the subject site.

88     **[B] C. Dormitory**

89                                     \*       \*       \*

90     **[C] D. Independent Living Facility for Seniors or Persons with Disabilities**

91                                     \*       \*       \*

92           **2. Use Standards**

93                                     \*       \*       \*

- 94           **c.**     Where an Independent Living Facility for Seniors or Persons  
 95                     with Disabilities is allowed as a conditional use, it may be  
 96                     permitted by the Hearing Examiner under all limited use  
 97                     standards, Section 7.3.1, Conditional Use, and the following  
 98                     standards:

99                                     \*       \*       \*

- 100           **iv.**    The maximum building height of an Independent Living  
 101                     Facility for Seniors or Persons with Disabilities is the  
 102                     height of the applied-for building type in the underlying  
 103                     zone under the standard method of development, except

for the apartment building type which may be up to 60 feet. If a particular building type is not allowed under the standard method of development, the maximum height is the height of a Conditional Use in the underlying zone. The maximum density is determined by the Hearing Examiner under the development standards of [Section 3.3.2.C.2.c.vi] ~~[[Section 3.3.2.C.2.c.vi]]~~ Section 3.3.2.D.2.c.vi through [Section 3.3.2.C.2.c.ix] ~~[[Section 3.3.2.C.2.c.ix]]~~ Section 3.3.2.D.2.c.ix, without regard to any other limitation in this Chapter.

- v. Height, density, coverage, and parking must be compatible with surrounding uses and the Hearing Examiner may modify height, density, coverage, and parking to maximize the compatibility of buildings with the residential character of the surrounding neighborhood.
- vi. The minimum front setback to the street for a lot abutting a property not included in the application is equal to the front setback for a detached house in the underlying zone under the standard method of development. Except for an access driveway, this front setback area must be maintained as green area.
- vii. The minimum side and rear setback is 25 feet to abutting lots not included in the application.
- viii. The minimum green area is 50%.
- ix. Principal building setbacks for all building types must meet the minimum setbacks required under the standard

130 method of development for the subject building type in the  
131 R-30 zone (see Section 4.4.14.B.3, Placement).

132 **[D] E. Personal Living Quarters**

133 \* \* \*

134 **[E] F. Residential Care Facility**

135 **1. Defined, In General**

136 Residential Care Facility means a group care or similar arrangement for the  
137 care of persons in need of personal services, supervision, or assistance  
138 essential for sustaining the activities of daily living, or for the protection of  
139 the individual, in which:

- 140 a. the facility must meet all applicable Federal, State, and County
- 141 certificate, licensure, and regulatory requirements;
- 142 b. resident staff necessary for operation of the facility are allowed
- 143 to live on-site; and
- 144 c. the number of residents includes members of the staff who reside
- 145 at the facility, but does not include infants younger than 2 months
- 146 old.

147 Residential Care Facility includes a nursing home, an assisted living facility,  
148 a Continuing Care Retirement Community, a hospice, a group home, and a  
149 Senior Care Community. Residential Care Facility does not include a Hospital  
150 (see Section 3.4.6, Hospital) or Independent Living Facility for Seniors or  
151 Persons with Disabilities (see [Section 3.3.2.C] Section 3.3.2.D, Independent  
152 Living Facility for Seniors or Persons with Disabilities.)

153 \* \* \*

154 **Sec. 4. DIVISION 59-3.4 is amended as follows:**

155 **Division 3.4. Civic and Institutional Issues**

156 \* \* \*

**Section 3.4.2. Charitable, Philanthropic Institution****A. Defined**

1. Charitable, Philanthropic Institution means a private, tax-exempt [organiza-tion] organization whose primary function is to provide:
  - a. services, research, or educational activities in areas such as health and social services;
  - b. housing and support services for persons who are present as a result of treatment or care being provided to a member of their household by a federal treatment facility or a Hospital;
  - c. recreation; or
  - d. environmental conservation.
2. Charitable, Philanthropic Institution does not include a trade or business whose primary purpose or function is promoting the economic advancement of its members, such as a professional or trade association or a labor union. Charitable, Philanthropic Institution also does not include other uses specifically defined or regulated in this Chapter such as a: Religious Assembly (See Section 3.4.10, Religious Assembly), public or private educational institution (See Section 3.4.5, Educational Institution (Private) and Section 3.4.9, Public Use (Except Utilities)), library or museum (See Section 3.4.3, Cultural Institution), Private Club, Service Organization (See Section 3.4.8, Private Club, Service Organization), Hospital (See Section 3.4.6, Hospital), Residential Care Facility (See [Section 3.3.2.E] Section 3.3.2.F, Residential Care Facility), or Independent Living Facility for Senior Adults or Persons with Disabilities (See [Section 3.3.2.C] Section 3.3.2.D, Independent Living Facility for Seniors or Persons with Disabilities).

\* \* \*

**Section 3.4.6. Hospital**

**A. Defined**

Hospital means an institution providing health services primarily for the sick or injured and offering inpatient medical or surgical care. Hospital includes accessory facilities, such as laboratories, medical/dental clinics, helistops, training facilities, classrooms, central service facilities, and staff offices integral to the Hospital. Hospital does not include a stand-alone hospice (see [Section 3.3.2.E] Section 3.3.2.F, Residential Care Facility).

\* \* \*

**Sec. 5. DIVISION 59-4.5 is amended as follows:**

**Division 4.5. Commercial/Residential Zones**

\* \* \*

**Section 4.5.2. Density and Height Allocation**

\* \* \*

**B. FAR Averaging**

1. Only standard method development projects that require site plan approval or optional method development projects can average FAR between properties.
2. FAR may be averaged over 2 or more directly abutting or confronting properties in one or more Commercial/Residential zones if:
  - a. the properties are under the same site plan, sketch plan, [Signature Business Headquarters plan, or Biohealth Priority Campus plan] or expedited approval plan; however, if a sketch plan[, Signature Business Headquarters plan, or Biohealth Priority Campus] or expedited approval plan is required, density averaging must be shown on the applicable plan;

- b. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved sketch plan[, Signature Business Headquarters plan, or Biohealth Priority Campus plan] or expedited approval plan;
  - c. the maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;
  - d. the total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use does not exceed that allowed by the property's zone; and
  - e. public benefits are required to be provided under any phasing element of an approved sketch plan[, Signature Business Headquarters plan, or Biohealth Priority Campus] or expedited approval plan.
- 3. Density may be averaged over 2 or more non-contiguous properties in one or more CRT or CR zones if:
  - a. each provision under Section 4.5.2.B.2 is satisfied;
  - b. the properties are within ¼ mile of each other, located in a designated master-planned density transfer area, or are part of [a Signature Business Headquarters plan or Biohealth Priority Campus] an expedited approval plan;
  - c. the minimum public benefit points required under Section 4.5.4.A.2 must be exceeded by at least 50%; and
  - d. the applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.

4. If the Planning Board approves a site plan[, Signature Business Headquarters plan, or Biohealth Priority Campus] or expedited approval plan for a development project using FAR averaging across two or more lots, the maximum density on certain lots in the development project will be less than or greater than the zone allows, as indicated in the applicable plan. To provide additional notice of the FAR averaging, before the Planning Board approves a certified site plan[, certified Signature Business Headquarters plan, or Biohealth Priority Campus] or certified expedited approval plan for such a project or, if plat approval is required, before plat approval, the applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the Planning Board and must record the instrument in the Montgomery County land records.

\* \* \*

#### **Section 4.5.4. Optional Method Development**

The CRT and CR zones allow development under the optional method.

#### **A. General Requirements**

##### **1. Procedure for Approval**

A sketch plan must be approved under Section 7.3.3, unless [a Signature Business Headquarters plan is approved under Section 7.3.5 or a Biohealth Priority Campus plan is approved under Section 7.3.6] an expedited approval plan is approved under Section 7.3.5. A site plan must be approved under Section 7.3.4 for any development on a property with an approved sketch plan.

\* \* \*

#### **Sec. 6. DIVISION 59-4.6 is amended as follows:**

#### **Division 4.6. Employment Zones**

\* \* \*

#### **Section 4.6.1. Intent Statements**

##### **A. In General**

\* \* \*

##### **B. General Retail (GR)**

1. The GR zone is intended for commercial areas of a general nature, including regional shopping centers and clusters of commercial development. The GR zone provides development opportunities adjacent to the County's most auto-dominated corridors and those areas with few alternative mobility options, with limited mixed-use and residential uses.
2. The GR zone allows flexibility in building, circulation, and parking lot layout. Retail/Service Establishment gross floor area is not restricted.

##### **C. Neighborhood Retail (NR)**

1. The NR zone is intended for commercial areas that have a neighborhood orientation and which supply necessities usually requiring frequent purchasing and convenient automobile access. The NR zone addresses development opportunities within primarily residential areas with few alternative mobility options and without a critical mass of density needed for pedestrian-oriented commercial uses. The NR zone provides limited mixed-use and residential uses, providing opportunities to live near work and amenities.
2. The NR zone allows flexibility in building, circulation, and parking lot layout.

\* \* \*

##### **E. Employment Office (EOF)**



The EOF zone is intended for office and employment activity combined with limited residential and neighborhood commercial uses. The EOF zone allows flexibility in building, circulation, and parking lot layout. The EOF zone provides limited mixed-use and residential uses, providing opportunities to live near work and amenities.

\* \* \*

#### **Section 4.6.2. Density and Height Allocation**

##### **A. Density and Height Limits**

\* \* \*

[[5. In the NR and EOF zones, commercial FAR limits on the subject property may be reallocated to residential FAR if the total FAR does not exceed the maximum total mapped FAR of the property and the building height does not exceed the maximum mapped height, including any increases in each allowed by this Chapter.]]

##### **B. FAR Averaging**

1. Only standard method development projects that require site plan approval or optional method development projects can average FAR between properties.
2. FAR may be averaged over 2 or more directly abutting or confronting properties in one or more Employment zones if:
  - a. the properties are under the same site plan, sketch plan, or [Biohealth Priority Campus] expedited approval plan; however, if a sketch plan or [Biohealth Priority Campus] expedited approval plan is required, density averaging must be shown on the applicable plan;
  - b. the resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an

approved sketch plan or [Biohealth Priority Campus] an expedited approval plan;

\* \* \*

- e. public benefits are required to be provided under the phasing element of an approved sketch plan or [Biohealth Priority Campus] an expedited approval plan.

3. Density may be averaged over 2 or more non-contiguous properties in one or more LSC or EOF zones if:

- a. each provision under Section 4.6.2.B.2 is satisfied;
- b. the properties are within ¼ mile of each other or in a designated master-planned density transfer area or part of [a Biohealth Priority Campus] an expedited approval plan;
- c. the minimum public benefit points required under Section 4.6.4.A.2 are exceeded by at least 50%; and
- d. the applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.

4. If the Planning Board approves a site plan or [Biohealth Priority Campus] an expedited approval plan for a development project using FAR averaging across two or more lots, the maximum density on certain lots in the development project will be less than or greater than the zone allows, as indicated in the applicable plan. To provide additional notice of the FAR averaging, before the Planning Board approves a certified site plan or a certified [Biohealth Priority campus] expedited approval plan for such a project or, if plat approval is required, before plat approval, the applicant must state the gross square footage taken from any lot with reduced density in an instrument

approved by the Planning Board and must record the instrument in the  
Montgomery County land records.

\* \* \*

### **Section 4.6.3. Standard Method Development**

The GR, NR, LSC, and EOF zones allow standard method development under the  
following limitations and requirements.

\* \* \*

#### **C. GR and NR Zones, Standard Method Development Standards**

|                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------|
| * * *                                                                                                                  |
| <b>2. Lot and Density</b>                                                                                              |
| * * *                                                                                                                  |
| <b>[[Specification for Density]]</b>                                                                                   |
| [[a. Gross floor area of all Household Living uses is limited to 30% of the gross floor area<br>on the subject site.]] |

\* \* \*

#### **E. EOF Zone, Standard Method Development Standards**

|                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------|
| * * *                                                                                                                  |
| <b>2. Lot and Density</b>                                                                                              |
| * * *                                                                                                                  |
| <b>[[Specification for Density]]</b>                                                                                   |
| [[a. Gross floor area of all Household Living uses is limited to 30% of the gross floor area<br>on the subject site.]] |

\* \* \*

### **Section 4.6.4. Optional Method Development**

The LSC and EOF zones allow development under the optional method.

#### **A. General Requirements**

##### **1. Procedure for Approval**

A sketch plan must be approved under Section 7.3.3 or [a Biohealth  
Priority Campus] an expedited approval plan must be approved under

Section [7.3.6] 7.3.5. A site plan must be approved under Section 7.3.4 for any development on a property with an approved sketch plan.

\* \* \*

**Sec. 7. DIVISION 59-7.3 is amended as follows:**

**Division 7.3. Regulatory Approvals**

\* \* \*

**Section 7.3.3. Sketch Plan**

**A. Applicability and Description**

1. Development under optional method in the CRT, CR, EOF, or LSC zone requires approval of a sketch plan, unless the development is approved as [a Signature Business Headquarters plan under Section 7.3.5, a Biohealth Priority Campus plan under Section 7.3.6, or a Mixed-Income Housing Community plan under Section 7.3.7] an expedited approval plan under Section 7.3.5.

\* \* \*

**Section 7.3.5. Expedited Approval Plan**

**A. Applicability and Description**

1. An expedited approval plan provides a detailed overview of a proposed expedited approval. An expedited approval plan review will be used to determine if the proposed development satisfies current laws, regulations, and this Chapter, and substantially conforms with the intent of the applicable master plan and approved guidelines.
2. The following uses may be approved under an expedited approval plan:
  - a. Signature Business Headquarters;
  - b. Biohealth Priority Campus;
  - c. Mixed-Income Housing Community; and
  - d. Commercial to Residential Reconstruction.

- 387        3.    An expedited approval plan may be phased, with each phase approved  
388                    separately under this section.
- 389        4.    An expedited approval plan may encompass all or part of any property  
390                    on which the applicable use will be located and must demonstrate its  
391                    relation to and coordination with other applicable approvals or  
392                    submittals. Any amendment to a previously approved plan may follow  
393                    the timeframe for review under Section 7.3.5.B.3 through Section  
394                    7.3.5.B.6, Section 7.3.5.C, and Section 7.3.5.D.

395    **B.    Application Requirements**

- 396        1.    Ownership
- 397                    a.    An applicant must own the subject property or be authorized by  
398                    the owner to file the application.
- 399                    b.    If any land or right-of-way encompassed by an expedited  
400                    approval plan application is owned or controlled by the State,  
401                    County, or any other entity or agency, a written agreement or  
402                    authorization from that entity or agency must be submitted with  
403                    the expedited approval plan application.
- 404        2.    An expedited approval plan application must include:
- 405                    a.    a legally binding commitment or other evidence accepted by the  
406                    Planning Director that the expedited approval plan will meet the  
407                    requirements of the use;
- 408                    b.    an application form and fees required by the Planning Director;
- 409                    c.    a vicinity map at 1" = 200", and a site map showing existing  
410                    buildings, structures, circulation routes, significant natural  
411                    features, historic resources, and zoning and legal descriptions on  
412                    the proposed development site and within 500 feet of the  
413                    perimeter boundary;

- 414           d.    a list of abutting and confronting property owners in the State tax  
415                   records;
- 416           e.    a list of any civic, homeowners, and renters associations that are  
417                   registered with the Planning Department and located within ½  
418                   mile of the site;
- 419           f.    documentation of property interest in the proposed development  
420                   site under Section 7.3.5.B.1 and, if applicant is not the property  
421                   owner, documentation from the property owner authorizing the  
422                   application;
- 423           g.    a statement of justification outlining how the proposed  
424                   development satisfies the standards and criteria required to grant  
425                   the application;
- 426           h.    verification that the applicant has posted notice on the property,  
427                   notified affected properties, and held a pre-submittal community  
428                   meeting that followed the Planning Department's Administrative  
429                   Procedures for Development Review process;
- 430           i.    a Traffic Statement or Study accepted by the Planning Director,  
431                   if not submitted with a previous or concurrent application;
- 432           j.    environmental documentation or exemption for:
  - 433               i.    an approved Natural Resources Inventory/Forest Stand  
434                   Delineation;
  - 435               ii.   a Stormwater Management Concept Application or, if  
436                   required, a Water Quality Plan Application; and
  - 437               iii.   a final Forest Conservation Plan application;
- 438           k.    existing and proposed dry and wet utility plan;
- 439           l.    plans of proposed development showing:

- i. use, ground-floor layout, building footprints, massing, and heights of all on-site buildings and structures, and approximate footprints and height for buildings located on abutting and confronting lots;
  - ii. any required open spaces and recreational amenities;
  - iii. detailed layout and dimensions for all sidewalks, trails, paths, roadways, parking, loading, and bicycle storage areas;
  - iv. grading;
  - v. landscaping and lighting; and
  - m. a development program and inspection schedule detailing the construction schedule for the project.
3. The applicant must submit an initial application to the Planning Director for approval of completeness. The Planning Director must review the application for completeness within 3 business days after receipt. An application is incomplete if any required element is missing or is facially defective, e.g., a drawing that is not to scale or lacks proper signatures. The assessment of completeness must not address the merits of the application.
4. The applicant must submit any required revisions to the Planning Director. The Planning Director must review the revised application for completeness within 2 business days after receipt.
5. Once the Planning Director verifies that the application is complete, the applicant must file the final application with the Planning Director, who will accept the application and establish a hearing date under Section 7.3.5.C.
6. Public notice is required under Division 7.5.

467 **C. Hearing Date**

468 The Planning Board must schedule a public hearing to begin 60 to 65 days after the  
 469 date an application is accepted. If the next regularly scheduled hearing date would  
 470 fall after the 60- or 65-day period due to a holiday or recess, then the next regularly  
 471 scheduled hearing date should be used. The applicant may request an extension with  
 472 Planning Director approval. Any extension of the public hearing must be noticed on  
 473 the hearing agenda with the new public hearing date indicated.

474 **D. Review and Recommendation**

475 **1. State and County Agencies**

476 **a. Reviewing State and County agencies and utilities must submit**  
 477 **comments within 15 days after the date an application is**  
 478 **accepted. If no comments are submitted within that time, the**  
 479 **reviewing agency or utility's portion of the application is deemed**  
 480 **approved.**

481 **b. The applicant must submit revised drawings to address the**  
 482 **comments a minimum of 25 days before the date of the hearing.**  
 483 **The Planning Director may extend the deadline if the applicant**  
 484 **submits a written request within 5 days after the revised drawings**  
 485 **were due.**

486 **2. Planning Director**

487 The Planning Director must publish a report and recommendation a minimum  
 488 of 10 days before the Planning Board hearing.

489 **3. Withdrawal of an Application**

490 The Planning Board must send a notice to all parties entitled to notice of the  
 491 hearing when an applicant withdraws an application for an expedited approval  
 492 plan.

493 **E. Necessary Findings**



- 494       1.     When reviewing an application, the approval findings apply only to the  
495             site covered by the application.
- 496       2.     To approve an expedited approval plan, the Planning Board must find  
497             that the proposed development:
  - 498           a.     satisfies any previous approval that applies to the site, unless  
499                 exempt under the applicable use section or amended;
  - 500           b.     satisfies the applicable use and development standards and  
501                 general requirements of this Chapter;
  - 502           c.     satisfies the applicable requirements of Chapter 19 and Chapter  
503                 22A;
  - 504           d.     provides safe, well-integrated parking, circulation patterns,  
505                 building massing, and site amenities;
  - 506           e.     substantially conforms with the intent of the applicable master  
507                 plan, existing and approved or pending adjacent development,  
508                 the requirements of this chapter, and any guidelines approved by  
509                 the Planning Board that implement the applicable plan;
  - 510           f.     if on a property in a master plan area that requires staging based  
511                 on Non-Auto Driver Mode Share (NADMS), is exempt from the  
512                 staging requirement if:
    - 513               i.     the applicant agrees to enter into a Transportation Demand  
514                     Management plan that provides an action plan for  
515                     substantial achievement of the applicable NADMS goal;
    - 516               ii.    parking below the minimum required under Section 6.2.4  
517                     is provided; and
    - 518               iii.   transit, bicycle, and pedestrian infrastructure required by  
519                     the applicable stage of the master plan is funded in the

520                   Capital Improvements Program or Consolidated  
 521                   Transportation Program, or provided by the applicant; and  
 522           g.   will be served by adequate public services and facilities,  
 523                   including schools, police and fire protection, water, sanitary  
 524                   sewer, public roads, storm drainage, and other public facilities.

525   **F.    Decision**

- 526           1.   The Planning Board must act upon the close of the record of the public  
 527                   hearing by majority vote of those present at the public hearing to  
 528                   approve, approve with modifications or conditions, or deny the  
 529                   application. The Planning Board must issue a resolution reflecting its  
 530                   decision within 7 days of the Planning Board vote.
- 531           2.   Any party aggrieved by a decision of the Planning Board may file a  
 532                   petition for judicial review of the decision within 30 days after the  
 533                   Planning Board's action.
- 534           3.   Within 30 days of submission, the final expedited approval plans must  
 535                   be certified by the Planning Director to confirm that the drawings  
 536                   reflect the Planning Board's approval. If the certified plans do not  
 537                   address or comply with the Planning Board's approval, the plans will  
 538                   be rejected with comments for the applicant to address. If no action is  
 539                   taken by the Planning Director within 30 days, the plan is deemed  
 540                   approved and certified.

541   **G.    Conforming Permits**

542   For any development requiring an expedited approval plan, DPS must not issue a  
 543   sediment control permit, building permit, or use-and-occupancy permit for any  
 544   building, structure, or improvement unless the Planning Board has approved an  
 545   expedited approval plan and a bond has been approved under Section 7.3.5.K.4.

546   **H.    Duration of Approval**

- 547       1.    An expedited approval plan expires unless a certified expedited  
548               approval plan is approved by the Planning Director within 24 months  
549               after the date the resolution is mailed.
- 550       2.    An expedited approval plan does not become effective until a record  
551               plat, if required, is recorded that satisfies any approved subdivision plan  
552               for the subject property. If no record plat is required, then the expedited  
553               approval plan becomes effective upon certification under Section  
554               7.3.5.F.3.
- 555       3.    Development activities under Section 7.3.5 must satisfy the certified  
556               expedited approval plan and any conditions of approval.
- 557       4.    If the Planning Board approves an expedited approval plan, the  
558               applicant must have a building permit application, accepted by DPS,  
559               that includes the core and shell of the principal building within 2 years  
560               of the date of the Planning Board's resolution. Within 2 years after DPS  
561               accepts the building permit application that includes the core and shell  
562               of the principal building, the applicant must obtain that building permit.
- 563       5.    The deadlines under Section 7.3.5.H may be extended with approval of  
564               the Planning Board by up to 18 months.
- 565       6.    If an applicant fails to comply with any of the deadlines within this  
566               section, the expedited approval plan approval shall be revoked. The  
567               applicant may request reinstatement of a revoked approval within 30  
568               days of revocation. After holding a hearing on the reinstatement, the  
569               Planning Board may reinstate the approval and extend the deadline for  
570               good cause shown.

571   **I.    Recording Procedures**

572   The certified expedited approval plan and Planning Board resolution must be  
573   maintained in the permanent files of the Planning Department.

574 **J. Amendments**

575 Any property owner may apply for an expedited approval plan amendment to change  
576 a certified expedited approval plan.

577 **1. Major Amendment**

578 **a. A major amendment includes any request to:**

579 **i. increase density or height by more than that allowed under**  
580 **a minor amendment under Section 7.3.5.J.2;**

581 **ii. decrease open space;**

582 **iii. deviate from a condition of approval; or**

583 **iv. alter a basic element of the plan.**

584 **b. Public notice is required under Division 7.5.**

585 **c. A major amendment must follow the same hearing procedures**  
586 **and satisfy the same necessary findings as the original expedited**  
587 **approval plan.**

588 **2. Minor Amendment**

589 **a. A minor amendment includes any request to:**

590 **i. increase density by up to 10% or 15,000 square feet,**  
591 **provided the increase is less than or equal to the total**  
592 **mapped density, including any density increases or**  
593 **bonuses;**

594 **ii. increase height by up to 10%, provided the height is less**  
595 **than or equal to the height and any increases allowed under**  
596 **the applicable use standards; or**

597 **iii. change an ancillary use, a parking or loading area,**  
598 **landscaping, sidewalk, recreational facility or area,**  
599 **configuration of open space, or any other plan element that**

will have a minimal effect on the overall design, layout, quality, or intent of the plan.

A minor amendment also includes a reduction in approved parking to satisfy Article 59-6. A minor amendment does not include any change that prevents circulation on any street or path.

b. Public notice is required under Division 7.5.

c. A minor amendment may be approved by the Planning Director without a public hearing if no objection to the application is received within 15 days after the application notice is sent. If an objection is received within 15 days after the application notice is sent, and the objection is considered relevant, a public hearing is required. A public hearing must be held under the same procedures as an original application.

**K. Compliance and Enforcement**

1. If the Planning Board finds, after holding a public hearing or designating a hearing officer to hold a public hearing, that a property under development is not in compliance with a certified expedited approval plan, it may:

a. impose a civil fine or administrative civil penalty authorized by Chapter 50;

b. suspend or revoke the non-compliant portion of the expedited approval plan approval;

c. order a compliance program that would permit the applicant to take corrective action to satisfy the certified expedited approval plan;

d. allow the applicant to propose modifications to the certified expedited approval plan; or

e. take any combination of these actions.

2. If the Planning Board or its designee finds that the applicant has failed to comply with a compliance program approved under Section 7.3.5.K.1.c, the Planning Board may, without holding any further hearing, take any of the actions identified in Section 7.3.5.K.1.a through Section 7.3.5.K.1.e.

3. If the Planning Board suspends or revokes all or any portion of an expedited approval plan, DPS must immediately suspend any applicable building permit under which construction has not been completed or withhold any applicable use-and-occupancy permit, until the Planning Board reinstates the applicable portion of the expedited approval plan or approves a new plan for the development.

4. The Planning Board may require the applicant to post a commercially acceptable form of surety securing compliance with and full implementation of specified features of the certified expedited approval plan in an amount set by the Planning Board. If such surety is required, DPS must not issue a building permit or use-and-occupancy permit until such surety is accepted.

**[Section 7.3.5. Signature Business Headquarters Plan]**

**[A. Applicability and Description]**

[1. A Signature Business Headquarters plan provides a detailed overview of a proposed Signature Business Headquarters. A Signature Business Headquarters plan review will be used to determine if the proposed development satisfies current laws, regulations, and this Chapter, and substantially conforms with the intent of the applicable master plan and approved guidelines.]

[2. A Signature Business Headquarters plan may be phased, with each phase approved separately under this section.]

[3. A Signature Business Headquarters plan may encompass all or part of any property on which the Signature Business Headquarters will be located and must demonstrate its relation to and coordination with other applicable approvals or submittals. Any amendment to a previously approved plan may follow the timeframe for review under Section 7.3.5.B.3 through Section 7.3.5.B.6, Section 7.3.5.C and Section 7.3.5.D.]

**[B. Application Requirements]**

[1. Ownership

a. An applicant must own the subject property or be authorized by the owner to file the application.

b. If any land or right-of-way encompassed by a Signature Business Headquarters plan application is owned or controlled by the State, County, or any other entity or agency, a written agreement or authorization from that entity or agency must be submitted with the Signature Business Headquarters plan application.]

[2. A Signature Business Headquarters plan application must include:

a. a legally binding commitment or other evidence accepted by the Planning Director that the Signature Business Headquarters will employ at least 20,000 individuals within a single Metro Station Policy Area;

b. an application form and fees required by the Planning Director;

c. a site map showing existing buildings, structures, circulation routes, significant natural features, historic resources, and zoning and legal descriptions on the proposed development site and within 500 feet of the perimeter boundary;

- 680 d. a list of abutting and confronting property owners in the County
- 681 tax records;
- 682 e. a list of any civic, homeowners, and renters associations that are
- 683 registered with the Planning Department and located within ½
- 684 mile of the site;
- 685 f. documentation of interest in the proposed development site
- 686 under Section 7.3.5.B.1;
- 687 g. a statement of justification outlining how the proposed
- 688 development satisfies the standards and criteria required to grant
- 689 the application;
- 690 h. verification that the applicant has posted notice on the property,
- 691 notified affected properties, and held a pre-submittal community
- 692 meeting that followed the Planning Department's Administrative
- 693 Procedures for Development Review process;
- 694 i. a Traffic Statement or Study accepted by the Planning Director,
- 695 if not submitted with a previous or concurrent application;
- 696 j. environmental documentation or exemption for:
- 697 i. an approved Natural Resources Inventory/Forest Stand
- 698 Delineation;
- 699 ii. a Stormwater Management Concept Application or, if
- 700 required, a Water Quality Plan Application; and
- 701 iii. a final Forest Conservation Plan application;
- 702 k. existing and proposed dry and wet utility plan;
- 703 l. plans of proposed development showing:
- 704 i. use, footprints, ground-floor layout, and heights of all
- 705 buildings and structures;
- 706 ii. required open spaces and recreational amenities;



- 707                   iii.   detailed layout and dimensions for all sidewalks, trails,
- 708                               paths, roadways, parking, loading, and bicycle storage
- 709                               areas;
- 710                   iv.   grading;
- 711                   v.   landscaping and lighting; and
- 712               m.   a development program and inspection schedule detailing the
- 713                       construction schedule for the project.]
- 714       [3.   The applicant must submit an initial application to the Planning
- 715               Director for approval of completeness. The Planning Director must
- 716               review the application for completeness within 3 days after receipt. An
- 717               application is incomplete if any required element is missing or is
- 718               facially defective, e.g., a drawing that is not to scale or lacks proper
- 719               signatures. The assessment of completeness must not address the merits
- 720               of the application.]
- 721       [4.   The applicant must submit any required revisions to the Planning
- 722               Director. The Planning Director must review the revised application for
- 723               completeness within 2 days after receipt.]
- 724       [5.   After the Planning Director verifies that the application is complete, the
- 725               applicant must file the final application with the Planning Director, who
- 726               will accept the application and establish a hearing date under Section
- 727               7.3.5.C.]
- 728       [6.   Public notice is required under Division 7.5.]

729   **[C.   Hearing Date**

730   The Planning Board must schedule a public hearing to begin within 60 days after the

731   date an application is accepted. The applicant may request an extension with

732   Planning Board approval. Any extension of the public hearing must be noticed on

733   the hearing agenda with the new public hearing date indicated.]

734 **[D. Review and Recommendation]**

735 **[1. State and County Agencies]**

736 a. Reviewing State and County agencies and utilities must submit  
737 comments within 15 days after the date an application is  
738 accepted.

739 b. The applicant must submit revised drawings to address the  
740 comments a minimum of 20 days before the date of the hearing.  
741 The Planning Director may extend the deadline if the applicant  
742 submits a written request within 5 days after the revised drawings  
743 were due.]

744 **[2. Planning Director]**

745 The Planning Director must publish a report and recommendation a minimum  
746 of 10 days before the Planning Board hearing.]

747 **[3. Withdrawal of an Application]**

748 The Planning Board must send a notice to all parties entitled to notice of the  
749 hearing when an applicant withdraws an application for a headquarters plan.]

750 **[E. Necessary Findings]**

751 **[1. When reviewing an application, the approval findings apply only to the**  
752 **site covered by the application.]**

753 **[2. To approve a Signature Business Headquarters plan, the Planning**  
754 **Board must find that the proposed development:**

755 a. satisfies any previous approval that applies to the site, unless  
756 exempt under Section 3.5.8.D.2 or amended;

757 b. satisfies the applicable use and development standards and  
758 general requirements of this Chapter;

759 c. satisfies the applicable requirements of Chapter 19 and Chapter  
760 22A;

- 761 d. provides safe, well-integrated parking, circulation patterns,  
762 building massing, and site amenities;
- 763 e. substantially conforms with the intent of the applicable master  
764 plan and any guidelines approved by the Planning Board that  
765 implement the applicable plan;
- 766 f. will be located within the same Metro Station Policy Area as all  
767 other phases of the Signature Business Headquarters;
- 768 g. on a property in a master plan area that requires staging based on  
769 Non-Auto Driver Mode Share (NADMS), is exempt from the  
770 staging requirement if:
  - 771 i. the applicant agrees to enter into a traffic mitigation  
772 agreement that provides an action plan for substantial  
773 achievement of the applicable NADMS goal;
  - 774 ii. parking below the minimum required under Section 6.2.4  
775 is provided; and
  - 776 iii. transit, bicycle, and pedestrian infrastructure required by  
777 the applicable stage of the master plan is funded in the  
778 Capital Improvements Program or Consolidated  
779 Transportation Program, or provided by the applicant; and
- 780 h. will be served by adequate public services and facilities,  
781 including schools, police and fire protection, water, sanitary  
782 sewer, public roads, storm drainage, and other public facilities.]

783 **[F. Decision]**

- 784 [1. The Planning Board must act upon the close of the record of the public  
785 hearing by majority vote of those present at the public hearing to  
786 approve, approve with modifications or conditions, or deny the

787 application. The Planning Board must issue a resolution reflecting its  
788 decision within 7 days of the Planning Board vote.]

789 [2. Any party aggrieved by a decision of the Planning Board may file a  
790 petition for judicial review of the decision within 30 days after the  
791 Planning Board's action to the Circuit Court and thereafter to the Court  
792 of Special Appeals.]

793 [3. Final Signature Business Headquarters plans must be certified by the  
794 Planning Director to confirm that the drawings reflect the Planning  
795 Board's approval.]

796 **[G. Conforming Permits]**

797 For any development requiring a Signature Business Headquarters plan, DPS must  
798 not issue a sediment control permit, building permit, or use-and-occupancy permit  
799 for any building, structure, or improvement unless the Planning Board has approved  
800 a Signature Business Headquarters plan and a bond has been approved under Section  
801 7.3.5.K.4.]

802 **[H. Duration of Approval]**

803 [1. A Signature Business Headquarters plan expires unless a certified  
804 Signature Business Headquarters plan is approved by the Planning  
805 Director within 24 months after the date the resolution is mailed.]

806 [2. A Signature Business Headquarters plan does not become effective  
807 until a record plat is recorded that satisfies any approved subdivision  
808 plan for the subject property.]

809 [3. Development activities under Section 7.3.5 must satisfy the certified  
810 Signature Business Headquarters plan and any conditions of approval.]

811 [4. If the Planning Board approves a Signature Business Headquarters  
812 plan, the applicant must have a building permit application, accepted  
813 by the Department of Permitting Services, that includes the core and

shell of the principal building within two years of the date of the Planning Board's resolution. Within two years after the Department of Permitting Services accepts the building permit application that includes the core and shell of the principal building, the applicant must obtain that building permit. The deadlines under this section may not be extended. If an applicant fails to comply with any of the deadlines under this section, the applicable phase of the Signature Business Headquarters plan approval is revoked.]

**[I. Recording Procedures**

The certified Signature Business Headquarters plan and Planning Board resolution must be maintained in the permanent files of the Planning Department.]

**[J. Amendments**

Any property owner may apply for a Signature Business Headquarters plan amendment to change a certified Signature Business Headquarters plan. There are two types of amendments: a major and a minor amendment.]

**[1. Major Amendment**

- a. A major amendment includes any request to:
  - i. increase density or height by more than that allowed under a minor amendment (Section 7.3.5.J.2);
  - ii. decrease open space;
  - iii. deviate from a condition of approval; or
  - iv. alter a basic element of the plan.
- b. Public notice is required under Division 7.5.
- c. A major amendment must follow the same hearing procedures and satisfy the same necessary findings as the original Signature Business Headquarters plan.]

**[2. Minor Amendment**

- a. A minor amendment includes any request to:
  - i. increase density by up to 10% or 30,000 square feet, whichever is less, provided the increase is less than or equal to the total mapped density;
  - ii. increase height by up to 10%, provided the height is less than or equal to the height allowed under Section 3.5.8.D;
  - or
  - iii. change an ancillary use, a parking or loading area, landscaping, sidewalk, recreational facility or area, configuration of open space, or any other plan element that will have a minimal effect on the overall design, layout, quality or intent of the plan.

A minor amendment also includes a reduction in approved parking to satisfy Article 59-6. A minor amendment does not include any change that prevents circulation on any street or path.

- b. Public notice is required under Division 7.5.
- c. A minor amendment may be approved by the Planning Director without a public hearing if no objection to the application is received within 15 days after the application notice is sent. If an objection is received within 15 days after the application notice is sent, and the objection is considered relevant, a public hearing is required. A public hearing must be held under the same procedures as an original application.]

**[K. Compliance and Enforcement]**

- [1. If the Planning Board finds, after holding a public hearing or designating a hearing officer to hold a public hearing, that a property

under development is not in compliance with a certified Signature Business Headquarters plan, it may:

- a. impose a civil fine or administrative civil penalty authorized by Chapter 50 (Section 50-10.6.D);
- b. suspend or revoke Signature Business Headquarters plan approval;
- c. order a compliance program that would permit the applicant to take corrective action to satisfy the certified Signature Business Headquarters plan;
- d. allow the applicant to propose modifications to the certified Signature Business Headquarters plan; or
- e. take any combination of these actions.]

[2. If the Planning Board or its designee finds that the applicant has failed to comply with a compliance program approved under Section 7.3.5.K.1.c, the Planning Board may, without holding any further hearing, take any of the actions identified in Section 7.3.5.K.1.a. through Section 7.3.5.K.1.e.]

[3. If the Planning Board suspends or revokes a Signature Business Headquarters plan, DPS must immediately suspend any applicable building permit under which construction has not been completed or withhold any applicable use-and-occupancy permit, until the Planning Board reinstates the Signature Business Headquarters plan or approves a new plan for the development.]

[4. The Planning Board may require the applicant to post a commercially acceptable form of surety securing compliance with and full implementation of specified features of the certified Signature Business Headquarters plan in an amount set by the Planning Board. If such

surety is required, DPS must not issue a building permit or use-and-occupancy permit until such surety is accepted.]

**[Section 7.3.6. Biohealth Priority Campus Plan]**

**[A. Applicability and Description]**

- [1. A Biohealth Priority Campus plan provides a detailed overview of a proposed Biohealth Priority Campus. A Biohealth Priority Campus plan review will be used to determine if the proposed development satisfies current laws, regulations, and this Chapter, and substantially conforms with the intent of the applicable master plan and approved guidelines.]
- [2. A Biohealth Priority Campus plan may be phased, with each phase approved separately under this section.]
- [3. A Biohealth Priority Campus plan may encompass all or part of any property on which the Biohealth Priority Campus will be located and must demonstrate its relation to and coordination with other applicable approvals or submittals. Any amendment to a previously approved plan may follow the timeframe for review under Section 7.3.6.B.3 through Section 7.3.6.B.6, Section 7.3.6.C, and Section 7.3.6.D.]

**[B. Application Requirements]**

- [1. Ownership
  - a. An applicant must own the subject property or be authorized by the owner to file the application.
  - b. If any land or right-of-way encompassed by a Biohealth Priority Campus plan application is owned or controlled by the State, County, or any other entity or agency, a written agreement or authorization from that entity or agency must be submitted with the Biohealth Priority Campus plan application.]



- 921           [2.    A Biohealth Priority Campus plan application must include:
- 922               a.     a legally binding commitment or other evidence accepted by the
- 923                     Planning Director that the Biohealth Priority Campus will meet
- 924                     the requirements of Section 3.5.8.E.1;
- 925               b.     an application form and fees required by the Planning Director;
- 926               c.     a vicinity map at 1" = 200", and a site map showing existing
- 927                     buildings, structures, circulation routes, significant natural
- 928                     features, historic resources, and zoning and legal descriptions on
- 929                     the proposed development site and within 500 feet of the
- 930                     perimeter boundary;
- 931               d.     a list of abutting and confronting property owners in the State tax
- 932                     records;
- 933               e.     a list of any civic, homeowners, and renters associations that are
- 934                     registered with the Planning Department and located within ½
- 935                     mile of the site;
- 936               f.     documentation of property interest in the proposed development
- 937                     site under Section 7.3.6.B.1 and, if applicant is not the property
- 938                     owner, documentation from the property owner authorizing the
- 939                     application;
- 940               g.     a statement of justification outlining how the proposed
- 941                     development satisfies the standards and criteria required to grant
- 942                     the application;
- 943               h.     verification that the applicant has posted notice on the property,
- 944                     notified affected properties, and held a pre-submittal community
- 945                     meeting that followed the Planning Department's Administrative
- 946                     Procedures for Development Review process;

- 947 i. a Traffic Statement or Study accepted by the Planning Director,
- 948 if not submitted with a previous or concurrent application;
- 949 j. environmental documentation or exemption for:
  - 950 i. an approved Natural Resources Inventory/Forest Stand
  - 951 Delineation;
  - 952 ii. a Stormwater Management Concept Application or, if
  - 953 required, a Water Quality Plan Application; and
  - 954 iii. a final Forest Conservation Plan application;
  - 955 k. existing and proposed dry and wet utility plan;
  - 956 l. plans of proposed development showing:
    - 957 i. use, ground-floor layout, building footprints, massing, and
    - 958 heights of all on-site buildings and structures, and
    - 959 approximate footprints and height for buildings located on
    - 960 abutting and confronting lots;
    - 961 ii. required open spaces and recreational amenities;
    - 962 iii. detailed layout and dimensions for all sidewalks, trails,
    - 963 paths, roadways, parking, loading, and bicycle storage
    - 964 areas;
    - 965 iv. grading;
    - 966 v. landscaping and lighting; and
    - 967 m. a development program and inspection schedule detailing the
    - 968 construction schedule for the project.]
- 969 [3. The applicant must submit an initial application to the Planning
- 970 Director for approval of completeness. The Planning Director must
- 971 review the application for completeness within 3 business days after
- 972 receipt. An application is incomplete if any required element is missing
- 973 or is facially defective, e.g., a drawing that is not to scale or lacks proper

974 signatures. The assessment of completeness must not address the merits  
975 of the application.]

976 [4. The applicant must submit any required revisions to the Planning  
977 Director. The Planning Director must review the revised application for  
978 completeness within 2 business days after receipt.]

979 [5. Once the Planning Director verifies that the application is complete, the  
980 applicant must file the final application with the Planning Director, who  
981 will accept the application and establish a hearing date under Section  
982 7.3.6.C.]

983 [6. Public notice is required under Division 7.5.]

984 **[C. Hearing Date]**

985 The Planning Board must schedule a public hearing to begin 60 to 65 days after the  
986 date an application is accepted. If the next regularly scheduled hearing date would  
987 fall after the 60- or 65-day period due to a holiday or recess, then the next regularly  
988 scheduled hearing date should be used. The applicant may request an extension with  
989 Planning Director approval. Any extension of the public hearing must be noticed on  
990 the hearing agenda with the new public hearing date indicated.]

991 **[D. Review and Recommendation]**

992 [1. State and County Agencies

993 a. Reviewing State and County agencies and utilities must submit  
994 comments within 15 days after the date an application is  
995 accepted. If no comments are submitted within that time, the  
996 reviewing agency or utility's portion of the application is deemed  
997 approved.

998 b. The applicant must submit revised drawings to address the  
999 comments a minimum of 25 days before the date of the hearing.  
1000 The Planning Director may extend the deadline if the applicant

1001 submits a written request within 5 days after the revised drawings  
1002 were due.]

1003 {2. Planning Director

1004 The Planning Director must publish a report and recommendation a minimum  
1005 of 10 days before the Planning Board hearing.]

1006 {3. Withdrawal of an Application

1007 The Planning Board must send a notice to all parties entitled to notice of the  
1008 hearing when an applicant withdraws an application for a Biohealth Priority  
1009 Campus plan.]

1010 **[E. Necessary Findings]**

1011 [1. When reviewing an application, the approval findings apply only to the  
1012 site covered by the application.]

1013 [2. To approve a Biohealth Priority Campus plan, the Planning Board must  
1014 find that the proposed development:

1015 a. satisfies any previous approval that applies to the site, unless  
1016 exempt under Section 3.5.8.E.2 or amended;

1017 b. satisfies the applicable use and development standards and  
1018 general requirements of this Chapter;

1019 c. satisfies the applicable requirements of Chapter 19 and Chapter  
1020 22A;

1021 d. provides safe, well-integrated parking, circulation patterns,  
1022 building massing, and site amenities;

1023 e. substantially conforms with the intent of the applicable master  
1024 plan, existing and approved or pending adjacent development,  
1025 the requirements of this chapter, and any guidelines approved by  
1026 the Planning Board that implement the applicable plan;

- 1027           f.     if on a property in a master plan area that requires staging based  
1028                     on Non-Auto Driver Mode Share (NADMS), is exempt from the  
1029                     staging requirement if:
- 1030                     i.     the applicant agrees to enter into a Transportation Demand  
1031                             Management plan that provides an action plan for  
1032                             substantial achievement of the applicable NADMS goal;
- 1033                     ii.    parking below the minimum required under Section 6.2.4  
1034                             is provided; and
- 1035                     iii.   transit, bicycle, and pedestrian infrastructure required by  
1036                             the applicable stage of the master plan is funded in the  
1037                             Capital Improvements Program or Consolidated  
1038                             Transportation Program, or provided by the applicant; and
- 1039           g.     will be served by adequate public services and facilities,  
1040                     including schools, police and fire protection, water, sanitary  
1041                     sewer, public roads, storm drainage, and other public facilities.]

1042   **[F.   Decision]**

- 1043           [1.    The Planning Board must act upon the close of the record of the public  
1044                     hearing by majority vote of those present at the public hearing to  
1045                     approve, approve with modifications or conditions, or deny the  
1046                     application. The Planning Board must issue a resolution reflecting its  
1047                     decision within 7 days of the Planning Board vote.]
- 1048           [2.    Any party aggrieved by a decision of the Planning Board may file a  
1049                     petition for judicial review of the decision within 30 days after the  
1050                     Planning Board's action]
- 1051           [3.    Within 30 days of submission, the final Biohealth Priority Campus  
1052                     plans must be certified by the Planning Director to confirm that the  
1053                     drawings reflect the Planning Board's approval. If the certified plans

1054 do not address or comply with the Planning Board's approval, the plans  
1055 will be rejected with comments for the applicant to address. If no action  
1056 is taken by the Planning Director within 30 days, the plan is deemed  
1057 approved and certified.]

1058 **[G. Conforming Permits**

1059 For any development requiring a Biohealth Priority Campus plan, DPS must not  
1060 issue a sediment control permit, building permit, or use-and-occupancy permit for  
1061 any building, structure, or improvement unless the Planning Board has approved a  
1062 Biohealth Priority Campus plan and a bond has been approved under Section  
1063 7.3.6.K.4.]

1064 **[H. Duration of Approval]**

- 1065 [1. A Biohealth Priority Campus plan expires unless a certified Biohealth  
1066 Priority Campus plan is approved by the Planning Director within 24  
1067 months after the date the resolution is mailed.]
- 1068 [2. A Biohealth Priority Campus plan does not become effective until a  
1069 record plat, if required, is recorded that satisfies any approved  
1070 subdivision plan for the subject property. If no record plat is required,  
1071 then the Biohealth Priority Campus plan becomes effective upon  
1072 certification under Section 7.3.6.F.3.]
- 1073 [3. Development activities under Section 7.3.6 must satisfy the certified  
1074 Biohealth Priority Campus plan and any conditions of approval.]
- 1075 [4. If the Planning Board approves a Biohealth Priority Campus plan, the  
1076 applicant must have a building permit application, accepted by DPS,  
1077 that includes the core and shell of the principal building within two  
1078 years of the date of the Planning Board's resolution. Within two years  
1079 after DPS accepts the building permit application that includes the core

1080 and shell of the principal building, the applicant must obtain that  
1081 building permit.]

1082 [5. The deadlines under Section 7.3.6.H may be extended with approval of  
1083 the Planning Board by up to 18 months.]

1084 [6. If an applicant fails to comply with any of the deadlines within this  
1085 section, the Biohealth Priority Campus plan approval shall be revoked.  
1086 The applicant may request reinstatement of a revoked approval within  
1087 30 days of revocation. After holding a hearing on the reinstatement, the  
1088 Planning Board may reinstate the approval and extend the deadline for  
1089 good cause shown.]

1090 **[I. Recording Procedures**

1091 The certified Biohealth Priority Campus plan and Planning Board resolution must  
1092 be maintained in the permanent files of the Planning Department.]

1093 **[J. Amendments**

1094 Any property owner may apply for a Biohealth Priority Campus plan amendment to  
1095 change a certified Biohealth Priority Campus plan. There are two types of  
1096 amendments: a major and a minor amendment.]

1097 [1. Major Amendment

1098 a. A major amendment includes any request to:

1099 i. increase density or height by more than that allowed under  
1100 a minor amendment (Section 7.3.6.J.2);

1101 ii. decrease open space;

1102 iii. deviate from a condition of approval; or

1103 iv. alter a basic element of the plan.

1104 b. Public notice is required under Division 7.5.

- 1105                   c.     A major amendment must follow the same hearing procedures  
1106                             and satisfy the same necessary findings as the original Biohealth  
1107                             Priority Campus plan.]
- 1108       [2.   Minor Amendment
- 1109           a.     A minor amendment includes any request to:
- 1110                   i.     increase density by up to 10% or 15,000 square feet,  
1111                             provided the increase is less than or equal to the total  
1112                             mapped density, including any density increases or  
1113                             bonuses;
- 1114                   ii.    increase height by up to 10%, provided the height is less  
1115                             than or equal to the height and any increases allowed under  
1116                             Section 3.5.8.D; or
- 1117                   iii.   change an ancillary use, a parking or loading area,  
1118                             landscaping, sidewalk, recreational facility or area,  
1119                             configuration of open space, or any other plan element that  
1120                             will have a minimal effect on the overall design, layout,  
1121                             quality or intent of the plan.
- 1122                   A minor amendment also includes a reduction in approved  
1123                             parking to satisfy Article 59-6. A minor amendment does not  
1124                             include any change that prevents circulation on any street or path.
- 1125           b.     Public notice is required under Division 7.5.
- 1126           c.     A minor amendment may be approved by the Planning Director  
1127                             without a public hearing if no objection to the application is  
1128                             received within 15 days after the application notice is sent. If an  
1129                             objection is received within 15 days after the application notice  
1130                             is sent, and the objection is considered relevant, a public hearing



1131 is required. A public hearing must be held under the same  
1132 procedures as an original application.]

1133 **[K. Compliance and Enforcement]**

1134 [1. If the Planning Board finds, after holding a public hearing or  
1135 designating a hearing officer to hold a public hearing, that a property  
1136 under development is not in compliance with a certified Biohealth  
1137 Priority Campus plan, it may:

1138 a. impose a civil fine or administrative civil penalty authorized by  
1139 Chapter 50 (Section 50-10.6.D);

1140 b. suspend or revoke the non-compliant portion of the Biohealth  
1141 Priority Campus plan approval;

1142 c. order a compliance program that would permit the applicant to  
1143 take corrective action to satisfy the certified Biohealth Priority  
1144 Campus plan;

1145 d. allow the applicant to propose modifications to the certified  
1146 Biohealth Priority Campus plan; or

1147 e. take any combination of these actions.]

1148 [2. If the Planning Board or its designee finds that the applicant has failed  
1149 to comply with a compliance program approved under Section  
1150 7.3.6.K.1.c, the Planning Board may, without holding any further  
1151 hearing, take any of the actions identified in Section 7.3.6.K.1.a through  
1152 Section 7.3.6.K.1.e.]

1153 [3. If the Planning Board suspends or revokes all or any portion of a  
1154 Biohealth Priority Campus plan, DPS must immediately suspend any  
1155 applicable building permit under which construction has not been  
1156 completed or withhold any applicable use-and-occupancy permit, until

1157 the Planning Board reinstates the applicable portion of the Biohealth  
1158 Priority Campus plan or approves a new plan for the development.]

1159 [4. The Planning Board may require the applicant to post a commercially  
1160 acceptable form of surety securing compliance with and full  
1161 implementation of specified features of the certified Biohealth Priority  
1162 Campus plan in an amount set by the Planning Board. If such surety is  
1163 required, DPS must not issue a building permit or use-and-occupancy  
1164 permit until such surety is accepted.]

1165 **[Section 7.3.7. Mixed-Income Housing Community Plan]**

1166 **[A. Applicability and Description]**

1167 A Mixed-Income Housing Community plan provides a detailed overview of a  
1168 proposed Mixed-Income Housing Community. A Mixed-Income Housing  
1169 Community plan review will be used to determine if the proposed development  
1170 satisfies current laws, regulations, and this Chapter, and substantially conforms with  
1171 the intent of the applicable master plan and approved guidelines.]

1172 **[B. Application Requirements]**

1173 [1. Ownership

1174 a. An applicant must own the subject property or be authorized by  
1175 the owner to file the application.

1176 b. If any land or right-of-way encompassed by a Mixed-Income  
1177 Housing Community plan application is owned or controlled by  
1178 the State, County, or any other entity or agency, a written  
1179 agreement or authorization from that entity or agency must be  
1180 submitted with the Mixed-Income Housing Community plan  
1181 application.]

1182 [2. A Mixed-Income Housing Community plan application must include:

- 1183 a. a legally binding commitment or other evidence accepted by the
- 1184 Planning Director that the Mixed-Income Housing Community
- 1185 will meet the requirements of Section 3.3.4;
- 1186 b. an application form and fees required by the Planning Director;
- 1187 c. a vicinity map at 1" = 200", and a site map showing existing
- 1188 buildings, structures, circulation routes, significant natural
- 1189 features, historic resources, and zoning and legal descriptions on
- 1190 the proposed development site and within 500 feet of the
- 1191 perimeter boundary;
- 1192 d. a list of abutting and confronting property owners in the State tax
- 1193 records;
- 1194 e. a list of any civic, homeowners, and renters associations that are
- 1195 registered with the Planning Department and located within ½
- 1196 mile of the site;
- 1197 f. documentation of property interest in the proposed development
- 1198 site under Section 7.3.7.B.1 and, if applicant is not the property
- 1199 owner, documentation from the property owner authorizing the
- 1200 application;
- 1201 g. a statement of justification outlining how the proposed
- 1202 development satisfies the standards and criteria required to grant
- 1203 the application;
- 1204 h. verification that the applicant has posted notice on the property,
- 1205 notified affected properties, and held a pre-submittal community
- 1206 meeting that followed the Planning Department's Administrative
- 1207 Procedures for Development Review process;
- 1208 i. a Traffic Statement or Study accepted by the Planning Director,
- 1209 if not submitted with a previous or concurrent application;

- 1210 j. environmental documentation or exemption for:
- 1211 i. an approved Natural Resources Inventory/Forest Stand
- 1212 Delineation;
- 1213 ii. a Stormwater Management Concept Plan application or, if
- 1214 required, a Water Quality Plan application; and
- 1215 iii. a final Forest Conservation Plan application;
- 1216 k. existing and proposed dry and wet utility plan;
- 1217 l. plans of proposed development showing:
- 1218 i. use, ground-floor layout, building footprints, massing, and
- 1219 heights of all on-site buildings and structures, and
- 1220 approximate footprints and height for buildings located on
- 1221 abutting and confronting lots;
- 1222 ii. required open spaces and recreational amenities;
- 1223 iii. detailed layout and dimensions for all sidewalks, trails,
- 1224 paths, roadways, parking, loading, and bicycle storage
- 1225 areas;
- 1226 iv. grading;
- 1227 v. landscaping and lighting; and
- 1228 m. a development program and inspection schedule detailing the
- 1229 construction schedule for the project.]
- 1230 [3. The applicant must submit an initial application to the Planning
- 1231 Director for approval of completeness. The Planning Director must
- 1232 review the application for completeness within 3 business days after
- 1233 receipt. An application is incomplete if any required element is missing
- 1234 or is facially defective, e.g., a drawing that is not to scale or lacks proper
- 1235 signatures. The assessment of completeness must not address the merits
- 1236 of the application.]

- 1237 [4. The applicant must submit any required revisions to the Planning  
1238 Director. The Planning Director must review the revised application for  
1239 completeness within 2 business days after receipt.]
- 1240 [5. Once the Planning Director verifies that the application is complete, the  
1241 applicant must file the final application with the Planning Director, who  
1242 will accept the application and establish a hearing date under Section  
1243 7.3.7.C.]
- 1244 [6. Public notice is required under Division 7.5.]
- 1245 **[C. Hearing Date]**
- 1246 The Planning Board must schedule a public hearing to begin 60 to 65 days after the  
1247 date an application is accepted. If the next regularly scheduled hearing date would  
1248 fall after the 60- or 65-day period due to a holiday or recess, then the next regularly  
1249 scheduled hearing date should be used. The applicant may request an extension with  
1250 Planning Director approval. Any extension of the public hearing must be noticed on  
1251 the hearing agenda with the new public hearing date indicated.]
- 1252 **[D. Review and Recommendation]**
- 1253 [1. State and County Agencies
- 1254 a. Reviewing State and County agencies and utilities must submit  
1255 comments within 15 days after the date an application is  
1256 accepted. If no comments are submitted within that time, the  
1257 reviewing agency or utility's portion of the application is deemed  
1258 approved.
- 1259 b. The applicant must submit revised drawings to address the  
1260 comments a minimum of 25 days before the date of the hearing.  
1261 The Planning Director may extend the deadline if the applicant  
1262 submits a written request within 5 days after the revised drawings  
1263 were due.]

- 1264 [2. Planning Director  
1265 The Planning Director must publish a report and recommendation a minimum  
1266 of 10 days before the Planning Board hearing.]
- 1267 [3. Withdrawal of an Application  
1268 The Planning Board must send a notice to all parties entitled to notice of the  
1269 hearing when an applicant withdraws an application for a Mixed-Income  
1270 Housing Community plan.]
- 1271 **[E. Necessary Findings]**  
1272 [To approve a Mixed-Income Housing Community plan, the Planning Board must  
1273 find that the proposed development:]
- 1274 [1. satisfies any previous approval that applies to the site, unless exempt  
1275 under Section 3.3.4 or amended;]  
1276 [2. satisfies the applicable use and development standards and general  
1277 requirements of this Chapter;]  
1278 [3. satisfies the applicable requirements of Chapter 19 and Chapter 22A;]  
1279 [4. provides safe, well-integrated parking, circulation patterns, building  
1280 massing, and site amenities;]  
1281 [5. substantially conforms with the intent of the applicable master plan,  
1282 existing and approved or pending adjacent development, the  
1283 requirements of this Chapter, and any guidelines approved by the  
1284 Planning Board that implement the applicable plan;]  
1285 [6. if on a property in a master plan area that requires staging based on  
1286 Non-Auto Driver Mode Share (NADMS), is exempt from the staging  
1287 requirement if:  
1288 a. the applicant agrees to enter into a Transportation Demand  
1289 Management plan that provides an action plan for substantial  
1290 achievement of the applicable NADMS goal;

- 1291                   b.     parking below the minimum required under Section 6.2.4 is  
1292                                 provided; and
- 1293                   c.     transit, bicycle, and pedestrian infrastructure required by the  
1294                                 applicable stage of the master plan is funded in the Capital  
1295                                 Improvements Program or Consolidated Transportation  
1296                                 Program, or provided by the applicant; and]
- 1297         [7.     will be served by adequate public services and facilities, including  
1298                   schools, police and fire protection, water, sanitary sewer, public roads,  
1299                   storm drainage, and other public facilities.]

1300     **[F.     Decision]**

- 1301             [1.     The Planning Board must act upon the close of the record of the public  
1302                                 hearing by majority vote of those present to approve, approve with  
1303                                 modifications or conditions, or deny the application. The Planning  
1304                                 Board must issue a resolution reflecting its decision within 7 days of  
1305                                 the Planning Board vote.]
- 1306             [2.     Any party aggrieved by a decision of the Planning Board may file a  
1307                                 petition for judicial review of the decision within 30 days after the  
1308                                 Planning Board's action.]
- 1309             [3.     Within 30 days of submission, the final Mixed-Income Housing  
1310                                 Community plans must be certified by the Planning Director to confirm  
1311                                 that the drawings reflect the Planning Board's approval. If the certified  
1312                                 plans do not address or comply with the Planning Board's approval, the  
1313                                 plans will be rejected with comments for the applicant to address. If no  
1314                                 action is taken by the Planning Director within 30 days, the plan is  
1315                                 deemed approved and certified.]

1316     **[G.     Conforming Permits]**

1317 For any development requiring a Mixed-Income Housing Community plan, DPS  
1318 must not issue a sediment control permit, building permit, or use-and-occupancy  
1319 permit unless the Planning Board has approved a Mixed-Income Housing  
1320 Community plan and a bond has been approved under Section 7.3.7.K.4.]

1321 **[H. Duration of Approval]**

- 1322 [1. A Mixed-Income Housing Community plan expires unless a certified  
1323 Mixed-Income Housing Community plan is approved by the Planning  
1324 Director within 24 months after the date the resolution is mailed.]
- 1325 [2. A Mixed-Income Housing Community plan does not become effective  
1326 until a record plat, if required, is recorded that satisfies any approved  
1327 subdivision plan for the subject property. If no record plat is required,  
1328 then the Mixed-Income Housing Community plan becomes effective  
1329 upon certification under Section 7.3.7.F.3.]
- 1330 [3. Development activities under Section 7.3.7 must satisfy the certified  
1331 Mixed-Income Housing Community plan and any conditions of  
1332 approval.]
- 1333 [4. If the Planning Board approves a Mixed-Income Housing Community  
1334 plan, the applicant must have a building permit application, accepted  
1335 by DPS, that includes the core and shell of the principal building within  
1336 24 months of the date of the Planning Board's resolution. Within 24  
1337 months after DPS accepts the building permit application that includes  
1338 the core and shell of the principal building, the applicant must obtain  
1339 that building permit.]
- 1340 [5. The deadlines under Section 7.3.7.H may be extended with approval of  
1341 the Planning Board by up to 18 months.]
- 1342 [6. If an applicant fails to comply with any of the deadlines within this  
1343 section, the Mixed-Income Housing Community plan approval shall be



1344                    revoked. The applicant may request reinstatement of a revoked  
 1345                    approval within 30 days of revocation. After holding a hearing on the  
 1346                    reinstatement, the Planning Board may reinstate the approval and  
 1347                    extend the deadline for good cause shown.]

1348    **[I.    Recording Procedures**

1349    The certified Mixed-Income Housing Community plan and Planning Board  
 1350    resolution must be maintained in the permanent files of the Planning Department.]

1351    **[J.    Amendments**

1352    Any property owner may apply for a Mixed-Income Housing Community plan  
 1353    amendment to change a certified Mixed-Income Housing Community plan. There  
 1354    are two types of amendments: a major and a minor amendment.]

1355            [1.    Major Amendment

- 1356            a.    A major amendment includes any request to:
  - 1357            i.    increase density or height by more than that allowed under
  - 1358            a minor amendment (Section 7.3.7.J.2);
  - 1359            ii.   decrease open space;
  - 1360            iii.   deviate from a condition of approval; or
  - 1361            iv.   alter a basic element of the plan.
- 1362            b.    Public notice is required under Division 7.5.
- 1363            c.    A major amendment must follow the same hearing procedures
- 1364            and satisfy the same necessary findings as the original Mixed-
- 1365            Income Housing Community plan.]

1366            [2.    Minor Amendment

- 1367            a.    A minor amendment includes any request to:
  - 1368            i.    increase density by up to 10% or 15,000 square feet,
  - 1369            provided the increase is less than or equal to the total

- 1370 mapped density, including any density increases or  
 1371 bonuses;
- 1372 ii. increase height by up to 10%, provided the height is less  
 1373 than or equal to the height and any increases allowed under  
 1374 Section 3.5.8.D;
- 1375 iii. change an ancillary use, a parking or loading area,  
 1376 landscaping, sidewalk, recreational facility or area,  
 1377 configuration of open space, or any other plan element that  
 1378 will have a minimal effect on the overall design, layout,  
 1379 quality or intent of the plan; or
- 1380 iv. a reduction in approved parking to satisfy Article 59-6, but  
 1381 not any change that prevents circulation on any street or  
 1382 path.
- 1383 b. Public notice is required under Division 7.5.
- 1384 c. A minor amendment may be approved by the Planning Director  
 1385 without a public hearing if no objection to the application is  
 1386 received within 15 days after the application notice is sent. If an  
 1387 objection is received within 15 days after the application notice  
 1388 is sent, and the objection is considered relevant, a public hearing  
 1389 is required. A public hearing must be held under the same  
 1390 procedures as an original application.]

1391 **[K. Compliance and Enforcement]**

- 1392 [1. If the Planning Board finds, after holding a public hearing or  
 1393 designating a hearing officer to hold a public hearing, that a property  
 1394 under development is not in compliance with a certified Mixed-Income  
 1395 Housing Community plan, it may:

- 1396           a.     impose a civil fine or administrative civil penalty authorized by  
1397                     Chapter 50 (Division 50-10.6.D);
- 1398           b.     suspend or revoke the non-compliant portion of the Mixed-  
1399                     Income Housing Community plan approval;
- 1400           c.     order a compliance program that would permit the applicant to  
1401                     take corrective action to satisfy the certified Mixed-Income  
1402                     Housing Community plan;
- 1403           d.     allow the applicant to propose modifications to the certified  
1404                     Mixed-Income Housing Community plan; or
- 1405           e.     take any combination of these actions.]
- 1406       [2.    If the Planning Board or its designee finds that the applicant has failed  
1407               to comply with a compliance program approved under Section  
1408               7.3.7.K.1.c, the Planning Board may, without holding any further  
1409               hearing, take any of the actions identified in Section 7.3.7.K.1.a through  
1410               Section 7.3.7.K.1.e.]
- 1411       [3.    If the Planning Board suspends or revokes all or any portion of a Mixed-  
1412               Income Housing Community plan, DPS must immediately suspend any  
1413               applicable building permit under which construction has not been  
1414               completed or withhold any applicable use-and-occupancy permit, until  
1415               the Planning Board reinstates the applicable portion of the Mixed-  
1416               Income Housing Community plan or approves a new plan for the  
1417               development.]
- 1418       [4.    The Planning Board may require the applicant to post a commercially  
1419               acceptable form of surety securing compliance with and full  
1420               implementation of specified features of the certified Mixed-Income  
1421               Housing Community plan in an amount set by the Planning Board. If

1422 such surety is required, DPS must not issue a building permit or use-  
1423 and-occupancy permit until such surety is accepted.]

1424 \* \* \*

**Sec. 8. DIVISION 59-7.5 is amended as follows:**

**Division 7.5. Notice Standards**

**Section 7.5.1. Notice Required**

Notice is required for each application according to the following table:

| Application                                    | Newspaper | Pre-Submittal Meeting | Application Sign | Application Notice | Hearing Notice | Resolution Notice | Building Permit Sign Notice | Website Posting |
|------------------------------------------------|-----------|-----------------------|------------------|--------------------|----------------|-------------------|-----------------------------|-----------------|
| * * *                                          |           |                       |                  |                    |                |                   |                             |                 |
| <b>Regulatory Approvals</b>                    |           |                       |                  |                    |                |                   |                             |                 |
| * * *                                          |           |                       |                  |                    |                |                   |                             |                 |
| Site Plan                                      |           | x                     | x                | x                  | x              | x                 |                             | x               |
| <u>Expedited Approval Plan</u>                 |           | <u>x</u>              | <u>x</u>         | <u>x</u>           | <u>x</u>       | <u>x</u>          |                             | <u>x</u>        |
| [Signature Business Headquarters Plan]         |           | [x]                   | [x]              | [x]                | [x]            | [x]               |                             | [x]             |
| [Biohealth Priority Campus Plan]               |           | [x]                   | [x]              | [x]                | [x]            | [x]               |                             | [x]             |
| [Mixed-Income Housing Community]               |           | [x]                   | [x]              | [x]                | [x]            | [x]               |                             | [x]             |
| * * *                                          |           |                       |                  |                    |                |                   |                             |                 |
| <b>Amendments to Approvals</b>                 |           |                       |                  |                    |                |                   |                             |                 |
| * * *                                          |           |                       |                  |                    |                |                   |                             |                 |
| Minor Site Plan Amendment                      |           |                       |                  | x                  |                |                   |                             | x               |
| <u>Major Expedited Approval Plan Amendment</u> |           |                       | <u>x</u>         | <u>x</u>           | <u>x</u>       | <u>x</u>          |                             | <u>x</u>        |

[illegible]

**KEY: x = Required**

1430

\* \* \*

1431

**Sec. 9. Short title.** This zoning text amendment may be cited as part of the  
1432 “More Housing N.O.W. (New Options for Workers)” package.

1433

\* \* \*

1434

**Sec. 10. Effective date.** This ordinance becomes effective 20 days after the  
1435 date of Council adoption.

This is a correct copy of Council action.

A handwritten signature in black ink, appearing to read 'Sara', is written over a horizontal line.

Sara R. Tenenbaum  
Clerk of the Council



Ordinance No.: 20-20  
Zoning Text Amendment No.: 25-02  
Concerning: Workforce Housing –  
Development Standards  
Revised: 7/16/2025 Draft No.: 2  
Introduced: February 4, 2025  
Public Hearing: March 11, 2025  
Adopted: July 22, 2025  
Effective: November 1, 2025

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

---

Lead Sponsors: Councilmembers Friedson and Fani-González  
Co-Sponsors: Councilmember Luedtke, Council President Stewart, and  
Councilmembers Balcombe and Sayles

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

- (1) allow additional residential building types in certain residential zones along certain road typologies;
- (2) create optional method workforce housing development standards; and
- (3) amend the development standards and general development requirements for certain residential zones.

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

|                       |                                                                                                |
|-----------------------|------------------------------------------------------------------------------------------------|
| Division 1.4.         | "Defined Terms"                                                                                |
| Section 1.4.2.        | "Specific Terms and Phrases Defined"                                                           |
| Division 3.1.         | "Use Table"                                                                                    |
| Section 3.1.6.        | "Use Table"                                                                                    |
| <u>Division 3.3.</u>  | <u>"Residential Uses"</u>                                                                      |
| <u>Section 3.3.1.</u> | <u>"Household Living"</u>                                                                      |
| Division 4.1.         | "Rules for All Zones"                                                                          |
| Section 4.1.3.        | "Building Types in the Agricultural, Rural Residential, and Residential Zones"                 |
| Section 4.1.4.        | "Building Types Allowed by Zone in the Agricultural, Rural Residential, and Residential Zones" |
| <u>Section 4.1.5.</u> | <u>"Building Types in the Commercial/Residential, Employment, and Industrial Zones"</u>        |

|                       |                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------|
| <u>Section 4.1.6.</u> | <u>"Building Types Allowed by Zone in the Commercial/Residential, Employment, and Industrial Zones"</u> |
| Division 4.3.         | "Rural Residential Zones"                                                                               |
| Section 4.3.5.        | "Rural Neighborhood Cluster Zone (RNC)"                                                                 |
| Division 4.4.         | "Residential Zones"                                                                                     |
| Section 4.4.2.        | "Optional Method Development"                                                                           |
| Section 4.4.5.        | "Residential Estate - 2C Zone (RE-2C)"                                                                  |
| Section 4.4.6.        | "Residential Estate - 1 Zone (RE-1)"                                                                    |
| Section 4.4.7.        | "Residential - 200 Zone (R-200)"                                                                        |
| Section 4.4.8.        | "Residential - 90 Zone (R-90)"                                                                          |
| Section 4.4.9.        | "Residential - 60 Zone (R-60)"                                                                          |
| Section 4.4.10.       | "Residential - 40 Zone (R-40)"                                                                          |
| Section 4.4.11.       | "Townhouse Low Density Zone (TLD)"                                                                      |
| Section 4.4.12.       | "Townhouse Medium Density Zone (TMD)"                                                                   |
| Section 4.4.13.       | "Townhouse High Density Zone (THD)"                                                                     |
| Section 4.4.14.       | "Residential Multi-Unit Low Density - 30 Zone (R-30)"                                                   |
| Section 4.4.15.       | "Residential Multi-Unit Medium Density - 20 Zone (R-20)"                                                |
| Section 4.4.16.       | "Residential Multi-Unit High Density - 10 Zone (R-10)"                                                  |
| Division 4.5.         | "Commercial/Residential Zones"                                                                          |
| Section 4.5.3.        | "Standard Method Development"                                                                           |
| Division 4.6.         | "Employment Zones"                                                                                      |
| Section 4.6.3.        | "Standard Method Development"                                                                           |

**EXPLANATION:** ***Boldface** indicates a Heading or a defined term.*

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

*[Single boldface brackets] indicate text that is deleted from existing law by 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 59-1.4 is amended as follows:**

## 2 Division 1.4. Defined Terms

3 \* \* \*

#### 4 Section 1.4.2. Specific Terms and Phrases Defined

5 In this Chapter, terms that are not specifically defined have their ordinary meaning.

6 The following words and phrases have the meanings indicated.

7 \* \* \*

8 **Base Density:** The maximum FAR or number of dwelling units per acre permitted  
9 by the zoning classification of a property without the use of optional method Cluster  
10 Development, optional method MPDU Development, optional method Workforce  
11 Housing Development, or TDR density increase or application of a Floating zone.

2 \* \* \*

3 **Triplex:** See Section 4.1.3.C. and Section 4.1.5.C.

4 \* \* \*

5 **Usable Area:** The area upon which the density of development is calculated in  
6 optional method MPDU, [and] Cluster Development, and Workforce Housing  
7 projects. If more than 50% of the tract is within environmental buffers, usable area  
8 is calculated by deducting from the tract the incremental area of the environmental  
9 buffer that exceeds 50%.

\* \* \*

21      **Sec. 2. DIVISION 59-3.1 is amended as follows:**

22 **Division 3.1. Use Table**

23 \* \* \*

24 **Section 3.1.6. Use Table**

25 The following Use Table identifies uses allowed in each zone. Uses may be modified  
26 in Overlay zones under Division 4.9.

| USE OR USE GROUP   | Definition<br>s and<br>Standards | Ag | Rural<br>Residential |    | Residential          |           |      |           |            |            |                          |            |     |                           |      |      | Commercial<br>/<br>Residential |     |     |    | Employment |    |     |     | Industrial |    |    |   |   |   |   |   |
|--------------------|----------------------------------|----|----------------------|----|----------------------|-----------|------|-----------|------------|------------|--------------------------|------------|-----|---------------------------|------|------|--------------------------------|-----|-----|----|------------|----|-----|-----|------------|----|----|---|---|---|---|---|
|                    |                                  |    |                      |    | Residential Detached |           |      |           |            |            | Residential<br>Townhouse |            |     | Residential<br>Multi-Unit |      |      |                                |     |     |    |            |    |     |     |            |    |    |   |   |   |   |   |
|                    |                                  |    |                      |    | RE-<br>2             | RE-<br>2C | RE-1 | R-<br>200 | R-<br>90   | R-60       | R-<br>40                 | TLD        | TMD | THD                       | R-30 | R-20 | R-10                           | CRN | CRT | CR | GR         | NR | LSC | EOF | IL         | IM | IH |   |   |   |   |   |
| * * *              |                                  | AR | R                    | RC | RNC                  |           |      |           |            |            |                          |            |     |                           |      |      |                                |     |     |    |            |    |     |     |            |    |    |   |   |   |   |   |
| RESIDENTIAL        |                                  |    |                      |    |                      |           |      |           |            |            |                          |            |     |                           |      |      |                                |     |     |    |            |    |     |     |            |    |    |   |   |   |   |   |
| HOUSEHOLD LIVING   | 3.3.1                            |    |                      |    |                      |           |      |           |            |            |                          |            |     |                           |      |      |                                |     |     |    |            |    |     |     |            |    |    |   |   |   |   |   |
| Single-Unit Living | 3.3.1.B                          | P  | P                    | P  | P                    | P         | P    | P         | P          | P          | P                        | P          | P   | P                         | P    | P    | P                              | P   | P   | P  | P          | P  | P   | P   | L          | L  | L  | L |   |   |   |   |
| Two-Unit Living    | 3.3.1.C                          |    |                      |    | P                    | L         | L    | L         | L          | L          | L                        | L          | P   | P                         | P    | P    | P                              | P   | P   | P  | P          | P  | P   | P   | L          | L  | L  | L |   |   |   |   |
| Townhouse Living   | 3.3.1.D                          |    |                      |    | P                    | C         | L/C  | L/C       | L/C        | L/C        | L/C                      | L/C        | P   | P                         | P    | P    | P                              | P   | P   | P  | P          | P  | P   | P   | L          | L  | L  | L |   |   |   |   |
| Multi-Unit Living  | 3.3.1.E                          |    |                      |    |                      | C         | C    | C         | <u>[C]</u> | <u>[C]</u> | <u>[C]</u>               | <u>[C]</u> |     |                           |      |      |                                |     |     |    |            |    |     |     | P          | P  | P  | P | L | L | L | L |
| * * *              |                                  |    |                      |    |                      |           |      |           |            |            |                          |            |     |                           |      |      |                                |     |     |    |            |    |     |     |            |    |    |   |   |   |   |   |

\* \* \*

**Sec. 3. DIVISION 59-3.3 is amended as follows:**

**Division 3.3. “Residential Uses”**

**Section 3.3.1. “Household Living”**

\* \* \*

**D. Townhouse Living**

**1. Defined**

Townhouse Living means 3 or more dwelling units in a townhouse building or triplex building type.

\* \* \*

**Sec. [[3]] 4. DIVISION 59-4.1 is amended as follows:**

**Division 4.1. Rules for All Zones**

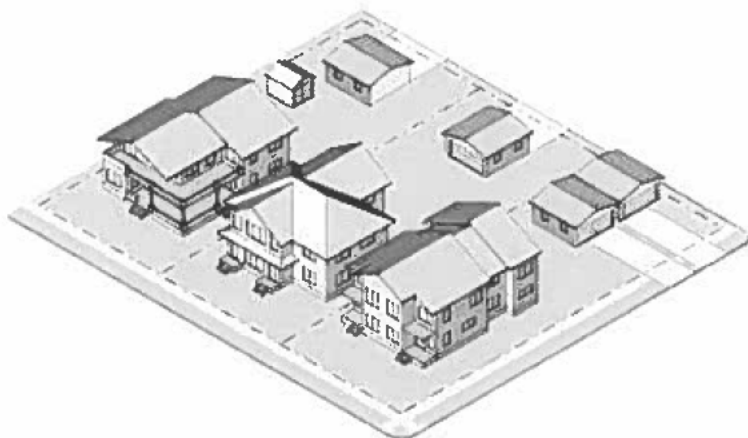
\* \* \*

**Section 4.1.3. Building Types in the Agricultural, Rural Residential, and Residential Zones**

\* \* \*

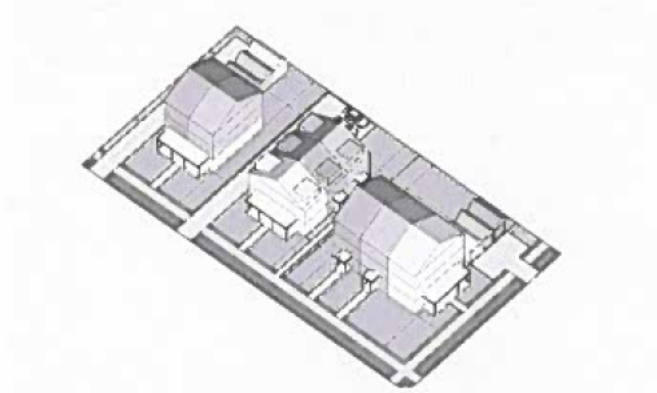
**B. Duplex**

A duplex is a building containing 2 principal dwelling units that may contain ancillary nonresidential uses, such as a Home Occupation or Family Day Care.



49 **C. Triplex**

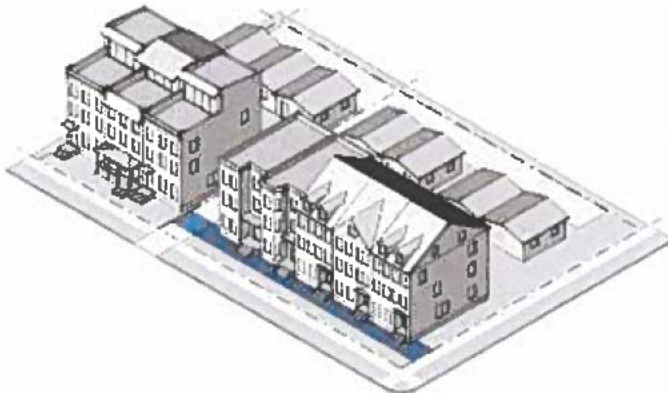
50 A triplex is a building containing 3 dwelling units where each dwelling unit is  
 51 separated vertically or horizontally by a party wall. A triplex may contain ancillary  
 52 nonresidential uses, such as a Home Occupation or Family Day Care.



53

54 **[C]D. Townhouse**

55 A townhouse is a building containing [3] 4 or more dwelling units where each  
 56 dwelling unit is separated vertically by a party wall. A townhouse may contain  
 57 ancillary nonresidential uses, such as a Home Occupation or Family Day Care.

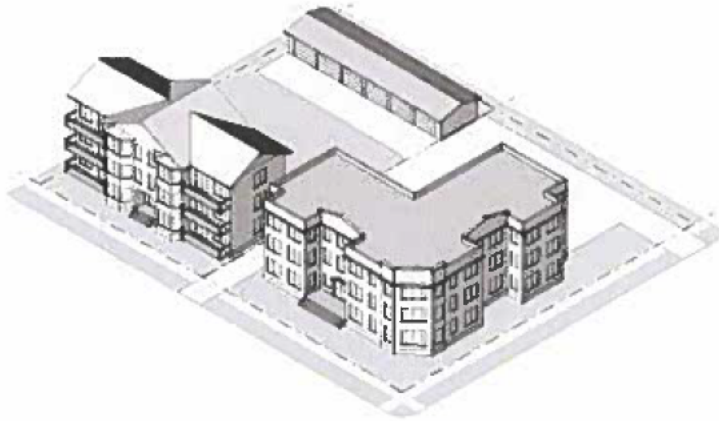


58

59 **[D]E. Apartment Building**

60 An apartment building is a building containing [3] 4 or more dwelling units  
 61 vertically and horizontally arranged. In the R-30, R-20, and R-10,  
 62 [[Commercial/Residential, and Employment]] zones, an [An] apartment may

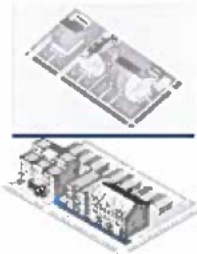
63 contain up to 10% of the gross floor area as Retail/Service Establishment uses,  
 64 otherwise it is a multi use building.



65

66 **Section 4.1.4. Building Types Allowed by Zone in the Agricultural, Rural**  
 67 **Residential, and Residential Zones**

68 In the Agricultural, Rural Residential, and Residential zones, building types are  
 69 allowed by zone as follows:

|                                       | Detached House<br>or a Building for<br>a Cultural<br>Institution,<br>Religious<br>Assembly, Public<br>Use, or a<br>Conditional Use<br>allowed in the<br>zone<br> | Duplex<br> | <u>Triplex or<br/>Townhouse</u><br> | Apartment<br>Building<br> |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| * * *                                 |                                                                                                                                                                                                                                                     |                                                                                               |                                                                                                                         |                                                                                                                |
| <b>Residential<br/>Detached Zones</b> |                                                                                                                                                                                                                                                     |                                                                                               |                                                                                                                         |                                                                                                                |
| * * *                                 |                                                                                                                                                                                                                                                     |                                                                                               |                                                                                                                         |                                                                                                                |
| Residential - 200<br>(R-200)          | A                                                                                                                                                                                                                                                   | MPDU, TDR,<br><u>WFH</u>                                                                      | MPDU, TDR,<br><u>WFH</u>                                                                                                | TDR, <u>WFH</u>                                                                                                |
| Residential - 90<br>(R-90)            | A                                                                                                                                                                                                                                                   | MPDU, CD,<br>TDR, <u>WFH</u>                                                                  | MPDU, CD, TDR,<br><u>WFH</u>                                                                                            | TDR, <u>WFH</u>                                                                                                |
| Residential - 60<br>(R-60)            | A                                                                                                                                                                                                                                                   | MPDU, CD,<br>TDR, <u>WFH</u>                                                                  | MPDU, CD, TDR,<br><u>WFH</u>                                                                                            | TDR, <u>WFH</u>                                                                                                |
| Residential - 40<br>(R-40)            | A                                                                                                                                                                                                                                                   | A                                                                                             | MPDU, <u>WFH</u>                                                                                                        | [--] <u>WFH</u>                                                                                                |



|       |  |  |  |  |
|-------|--|--|--|--|
| * * * |  |  |  |  |
|-------|--|--|--|--|

70

71 **KEY[ ]:** A = Allowed to accommodate permitted, limited, and conditional uses

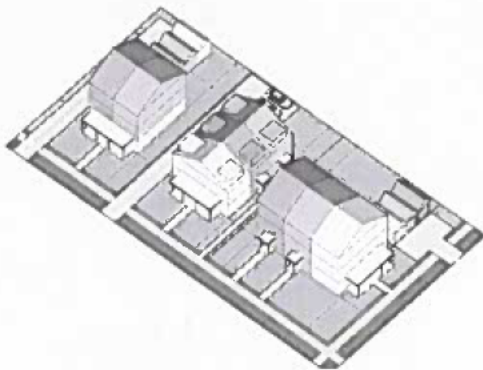
72 -- = Not allowed

73 CD = Allowed as part of an optional method Cluster Development

74 MPDU = Allowed as part of an optional method MPDU Development

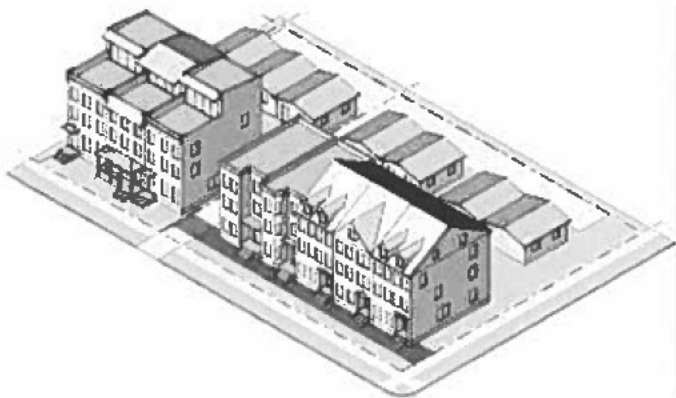
75 TDR = Allowed in a TDR Overlay zone as part of optional method TDR  
76 Development under Section 4.9.15.B77 WFH = Allowed as part of an optional method Workforce Housing Development78 **Section 4.1.5. Building Types in the Commercial/Residential, Employment, and**  
79 **Industrial Zones**

80 \* \* \*

81 **C. Triplex**82 A triplex is a building containing 3 dwelling units where each dwelling unit is  
83 separated vertically or horizontally by a party wall. A triplex may contain ancillary  
84 nonresidential uses, such as a Home Occupation or Family Day Care.

85

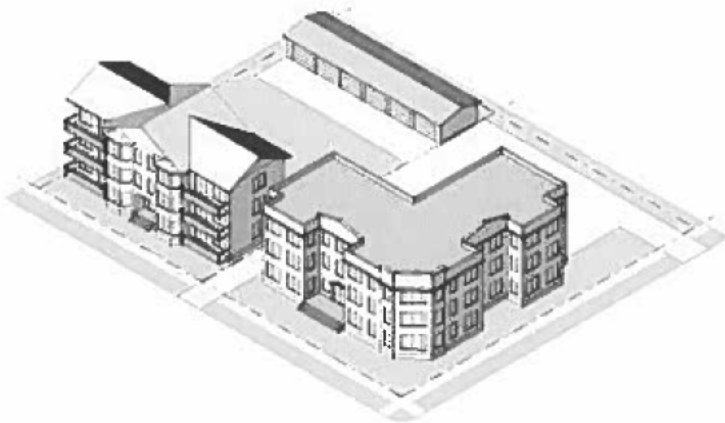
86 **[C]D. Townhouse**87 A townhouse is a building containing [3] 4 or more dwelling units where each  
88 dwelling unit is separated vertically by a party wall. A townhouse may contain  
89 ancillary nonresidential uses, such as a Home Occupation or Family Day Care.



90

91 **~~[[D]]E.~~ Apartment Building**

92 An apartment building is a building containing ~~[[3]]~~ 4 or more dwelling units  
93 vertically and horizontally arranged. In the Commercial/Residential and  
94 Employment zones, an ~~[[An]]~~ apartment may contain up to 10% of the gross floor  
95 area as Retail/Service Establishment uses, otherwise it is a multi use building.



96

97

\* \* \*

98 **Section 4.1.6. Building Types Allowed by Zone in the Commercial/Residential,**  
99 **Employment, and Industrial Zones**

100 In the Commercial/Residential, Employment, and Industrial zones, building types  
101 are allowed by zone as follows:

|  |                       |                                                                                                      |                                    |                                                                                                                   |                                                                                                                    |                                                                                                                  |
|--|-----------------------|------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
|  | <b>Detached House</b> | <b>Duplex</b><br> | <b><u>Triplex or Townhouse</u></b> | <b>Apartment Building</b><br> | <b>Multi Use Building</b><br> | <b>General Building</b><br> |
|--|-----------------------|------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|

|                                                                                   |  |                                                                                   |  |  |  |
|-----------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------|--|--|--|
|  |  |  |  |  |  |
|                                                                                   |  |  |  |  |  |
| * * *                                                                             |  |                                                                                   |  |  |  |

102

103

\* \* \*

104

Sec. [[4]] 5. DIVISION 59-4.3 is amended as follows:

105

#### **Division 4.3. Rural Residential Zones**

106

\* \* \*

107

#### **Section 4.3.5. Rural Neighborhood Cluster Zone (RNC)**

108

\* \* \*

109

#### **C. RNC Zone, Standard Method Development Standards**

|                |                                                                                                                                          |                      |                      |                                    |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|------------------------------------|
| <b>1. Site</b> | <b>Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone</b> | <b>Duplex - Side</b> | <b>Duplex - Over</b> | <b><u>Triplex or Townhouse</u></b> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|------------------------------------|

110

\* \* \*

111

#### **E. RNC Zone, Optional Method Development Standards**

|                | MPDU Development      |               |                                    |
|----------------|-----------------------|---------------|------------------------------------|
| <b>1. Site</b> | <b>Detached House</b> | <b>Duplex</b> | <b><u>Triplex or Townhouse</u></b> |

112

\* \* \*

113

Sec. [[5]] 6. DIVISION 59-4.4 is amended as follows:

114

#### **Division 4.4. Residential Zones**

115

\* \* \*

116

#### **Section 4.4.2. Optional Method Development**

117

The RE-2C, RE-1, R-200, R-90, and R-60 zone allow development under optional

118

method MPDU Development and optional method Cluster Development. The R-40,

TLD, TMD, THD, R-30, R-20, and R-10 zone allow development under optional method MPDU Development. The R-200, R-90, R-60, and R-40 zone allow development under optional method Workforce Housing Development.

\* \* \*

**C. Optional Method Workforce Housing Development**

This optional method of development is permitted where workforce housing units that satisfy Chapter 25B are included. Optional method Workforce Housing Development allows additional building types and provides more flexibility in lot layout.

**1. Development Approval Procedure**

Site plan approval under Section 7.3.4 is required.

**2. Workforce Housing Development Across Different Zones**

Optional method Workforce Housing Development may occur across different zones under the following limitations:

- a. The differently zoned areas must be contiguous;
- b. Uses and building types are governed by the zone;
- c. The site requirements in the optional method tables apply; density and open space must be calculated as if each area were developed individually; and
- d. The allowed number of units and required open space may be located without regard to the limits in the underlying zone.

**3. Density and Usable Area**

- a. The maximum total residential FAR is 1.25.
- b. Density is calculated on usable area within the tract.

**4. Development Standards for Workforce Housing Projects**

- 144           a.    An applicant must provide at least 15% workforce housing units
- 145                   that satisfy Chapter 25B, with a minimum of one workforce
- 146                   housing unit for construction of 3 or more units.
- 147           b.    The maximum height for all buildings is 40 feet.
- 148           c.    The minimum site size is the minimum lot size in the underlying
- 149                   zone.
- 150           d.    Off-street parking must be located behind the front building line.
- 151           e.    Driveway access is limited to one driveway per street frontage
- 152                   unless additional driveway access is approved by an appropriate
- 153                   agency with jurisdiction over the right-of-way. An applicant with
- 154                   a shared driveway must provide a signed agreement from the
- 155                   neighboring property owner who shares the driveway agreeing
- 156                   to continued use of the shared driveway or meet the requirements
- 157                   for a new driveway.
- 158           f.    Development under this method is prohibited on through lots and
- 159                   flag lots.
- 160           g.    The minimum parking requirement under Division 6.2 may be
- 161                   reduced by the Planning Board by up to one parking space per
- 162                   unit if:
  - 163                   i.    the property is in the R-60 or R-40 zone;
  - 164                   ii.   the application is for 3 or more units;
  - 165                   iii.   there was no assemblage of lots under Chapter 50; and
  - 166                   iv.   the property is within ½ mile of a Metro station or Purple
  - 167                           Line station, or within ¼ mile of an existing Bus Rapid
  - 168                           Transit station or a Bus Rapid Transit station that has been
  - 169                           funded for construction in the 6-year CIP at the time of
  - 170                           application.

**5. Applicable Corridors**

- a. The front lot line of all lots or parcels included in an application's tract must abut a [[Boulevard, Downtown Boulevard,] Downtown Street[, Town Center Boulevard, or Controlled Major Highway,]] or any of the Boulevard-street classifications, as defined by Chapter 49, as amended.
- b. The width of the master-planned right-of-way must be greater than 100 feet.
- c. The right-of-way must have at least 3 existing vehicle travel lanes.

**6. Dedicated Land**

Land dedicated to public use for a school or park site may be included in the calculation of the density of development if development of the remaining land satisfies Section 4.4.2.C and the optional method Workforce Housing Development standards.

**7. Community Water and Sewer**

Development under this method is prohibited unless the resulting development will be connected to community water supply and sewerage systems.

\* \* \*

**Section 4.4.5. Residential Estate - 2C Zone (RE-2C)**

\* \* \*

**D. RE-2C Zone, Optional Method Development Standards**

|         | MPDU Development |        |                             | Cluster Development |
|---------|------------------|--------|-----------------------------|---------------------|
| 1. Site | Detached House   | Duplex | <u>Triplex or Townhouse</u> | Detached House      |

\* \* \*

**Section 4.4.6. Residential Estate - 1 Zone (RE-1)**

\* \* \*

**D. RE-1 Zone, Optional Method Development Standards**

|         | MPDU Development |        |                      | Cluster Development |
|---------|------------------|--------|----------------------|---------------------|
| 1. Site | Detached House   | Duplex | Triplex or Townhouse | Detached House      |

\* \* \*

**Section 4.4.7. Residential - 200 Zone (R-200)**

\* \* \*

**C. R-200 Zone, Optional Method Development Standards**

|         | MPDU Development |        |                      | Cluster Development |
|---------|------------------|--------|----------------------|---------------------|
| 1. Site | Detached House   | Duplex | Triplex or Townhouse | Detached House      |

**D. R-200 Zone, Workforce Housing Development Standards**

|                                                                                                   | Duplex                                      | Triplex                                     | Townhouse                                   | Apartment                                   |
|---------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|
| <b>1. Site</b>                                                                                    |                                             |                                             |                                             |                                             |
| <b>Dimensions (min)</b>                                                                           |                                             |                                             |                                             |                                             |
| Usable area                                                                                       | 16,000 SF                                   | 16,000 SF                                   | 16,000 SF                                   | 16,000 SF                                   |
| Site coverage (max)                                                                               | [[n/a]] 25%                                 | [[n/a]] 25%                                 | 25%                                         | 25%                                         |
| <b>2. Lot and Density</b>                                                                         |                                             |                                             |                                             |                                             |
| <b>Lot (min)</b>                                                                                  |                                             |                                             |                                             |                                             |
| [[Lot area (per unit)]]                                                                           |                                             |                                             | [[2,000]] 1,500                             |                                             |
| Average lot area per unit                                                                         | 8,000 SF                                    | 5,000 SF                                    | SF                                          | n/a                                         |
| Lot width at front building line                                                                  | Determined at site plan                     | Determined at site plan                     | Determined at site plan                     | Determined at site plan                     |
| Lot width at front lot line                                                                       | 15'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Frontage on street or open space                                                                  | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 |
| <b>Density (max)</b>                                                                              |                                             |                                             |                                             |                                             |
| The density allowed for any application is 1.25 FAR.                                              |                                             |                                             |                                             |                                             |
| <b>Coverage (max)</b>                                                                             |                                             |                                             |                                             |                                             |
| Lot                                                                                               | 25%                                         | 25%                                         | n/a                                         | n/a                                         |
| <b>Specification for Lot and Density</b>                                                          |                                             |                                             |                                             |                                             |
| Lot width at the front building line and setback requirements may be reduced under Section 4.4.3. |                                             |                                             |                                             |                                             |
| <b>3. Placement</b>                                                                               |                                             |                                             |                                             |                                             |
| <b>Principal Building Setbacks (min)</b>                                                          |                                             |                                             |                                             |                                             |
| Front setback                                                                                     | 40'                                         | 40'                                         | 40'                                         | 40'                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                        |     |     |     |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                                      | 40' | 40' | 40' | 40' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone                                                                                                                                                                                                                                                                                           | 15' | 15' | 15' | 15' |
| Side setback, including end unit                                                                                                                                                                                                                                                                                                                                                                       | 12' | 12' | 12' | 12' |
| Rear setback                                                                                                                                                                                                                                                                                                                                                                                           | 30' | 30' | 30' | 30' |
| <b>Specification for Principal Building Setbacks</b>                                                                                                                                                                                                                                                                                                                                                   |     |     |     |     |
| Development may have to satisfy Section 4.4.1 A, Established Building Line.                                                                                                                                                                                                                                                                                                                            |     |     |     |     |
| <b>Accessory Structure Setbacks (min)</b>                                                                                                                                                                                                                                                                                                                                                              |     |     |     |     |
| Front setback                                                                                                                                                                                                                                                                                                                                                                                          | 65' | 65' | 65' | 65' |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                                      | 40' | 40' | 40' | 40' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone                                                                                                                                                                                                                                                                                           | 15' | 15' | 15' | 15' |
| Side setback                                                                                                                                                                                                                                                                                                                                                                                           | 12' | 12' | 12' | 12' |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                       | 12' | 12' | 12' | 12' |
| Rear setback, if not otherwise addressed                                                                                                                                                                                                                                                                                                                                                               | 7'  | 7'  | 7'  | 7'  |
| <b>Specification for Accessory Structure Setbacks</b>                                                                                                                                                                                                                                                                                                                                                  |     |     |     |     |
| a. Where the principal building on a lot is a duplex or triplex, the cumulative footprint of all accessory buildings on that lot may not exceed 50% of the footprint of the principal building or 600 square feet, whichever is greater. This Subsection does not apply to Section 3.3.3.C, Detached Accessory Dwelling Unit. Buildings for an agricultural use are exempt from this size restriction. |     |     |     |     |
| b. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.                                                                                                                                                                             |     |     |     |     |
| <b>4. Height</b>                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |
| <b>Height (max)</b>                                                                                                                                                                                                                                                                                                                                                                                    |     |     |     |     |
| Principal building, measured to highest point of any roof                                                                                                                                                                                                                                                                                                                                              | 40' | 40' | 40' | 40' |
| Accessory structure                                                                                                                                                                                                                                                                                                                                                                                    | 35' | 35' | 35' | 35' |
| <b>5. Form</b>                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |
| <b>Allowed Building Elements</b>                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |
| Gallery/Awning                                                                                                                                                                                                                                                                                                                                                                                         | n/a | n/a | n/a | n/a |



|                                                                                                                                                               |     |     |     |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Porch/Stoop                                                                                                                                                   | yes | yes | yes | yes |
| Balcony                                                                                                                                                       | yes | yes | yes | yes |
| <b>6. Buildings used for Agriculture Associated with Farming</b>                                                                                              |     |     |     |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>                                                                               |     |     |     |     |
| A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 40'. |     |     |     |     |

#### Section 4.4.8. Residential - 90 Zone (R-90)

\* \* \*

#### C. R-90 Zone, Optional Method Development Standards

|         | MPDU Development |        |                      | Cluster Development |        |                      |
|---------|------------------|--------|----------------------|---------------------|--------|----------------------|
| 1. Site | Detached House   | Duplex | Triplex or Townhouse | Detached House      | Duplex | Triplex or Townhouse |

#### D. R-90 Zone, Workforce Housing Development Standards

|                                                                                                   | Duplex                                      | Triplex                                     | Townhouse                                   | Apartment                                   |
|---------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|
| <b>1. Site</b>                                                                                    |                                             |                                             |                                             |                                             |
| <b>Dimensions (min)</b>                                                                           |                                             |                                             |                                             |                                             |
| Usable area                                                                                       | 9,000 SF                                    | 9,000 SF                                    | 9,000 SF                                    | 9,000 SF                                    |
| Site coverage (max)                                                                               | [[n/a]] 30%                                 | [[n/a]] 30%                                 | 30%                                         | 30%                                         |
| <b>2. Lot &amp; Density</b>                                                                       |                                             |                                             |                                             |                                             |
| <b>Dimensions (min)</b>                                                                           |                                             |                                             |                                             |                                             |
| [[Lot area (per unit)]]                                                                           |                                             |                                             |                                             |                                             |
| Average lot area per unit                                                                         | 4,500 SF                                    | 3,000 SF                                    | 1,200 SF                                    | n/a                                         |
| Lot width at front building line                                                                  | 35'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Lot width at front lot line                                                                       | 15'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Frontage on street or open space                                                                  | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 |
| <b>Density (max)</b>                                                                              |                                             |                                             |                                             |                                             |
| The density allowed for any application is 1.25 FAR.                                              |                                             |                                             |                                             |                                             |
| <b>Coverage (max)</b>                                                                             |                                             |                                             |                                             |                                             |
| Lot                                                                                               | 30%                                         | 30%                                         | n/a                                         | n/a                                         |
| <b>Specification for Lot and Density</b>                                                          |                                             |                                             |                                             |                                             |
| Lot width at the front building line and setback requirements may be reduced under Section 4.4.3. |                                             |                                             |                                             |                                             |
| <b>3. Placement</b>                                                                               |                                             |                                             |                                             |                                             |
| <b>Principal Building Setbacks (min)</b>                                                          |                                             |                                             |                                             |                                             |
| Front setback                                                                                     | 30'                                         | 20'                                         | 20'                                         | 20'                                         |
| Side street setback, abutting lot fronts on the side street and is in a Residential               |                                             |                                             |                                             |                                             |
| Detached zone                                                                                     | 30'                                         | 20'                                         | 20'                                         | 20'                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                        |     |     |     |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone                                                                                                                                                                                                                                                                                           | 15' | 10' | 10' | 10' |
| Side setback, including end unit                                                                                                                                                                                                                                                                                                                                                                       | 8'  | 6'  | 6'  | 6'  |
| Rear setback                                                                                                                                                                                                                                                                                                                                                                                           | 25' | 20' | 20' | 20' |
| <b>Specification for Principal Building Setbacks</b>                                                                                                                                                                                                                                                                                                                                                   |     |     |     |     |
| Development may have to satisfy Section 4.4.1.A, Established Building Line.                                                                                                                                                                                                                                                                                                                            |     |     |     |     |
| <b>Accessory Structure Setbacks (min)</b>                                                                                                                                                                                                                                                                                                                                                              |     |     |     |     |
| Front setback, behind the front building line                                                                                                                                                                                                                                                                                                                                                          | 10' | 10' | 10' | 10' |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                                      | 30' | 20' | 20' | 20' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone                                                                                                                                                                                                                                                                                           | 15' | 10' | 10' | 10' |
| Side setback, including end unit                                                                                                                                                                                                                                                                                                                                                                       | 5'  | 5'  | 5'  | 5'  |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                       | 10' | 10' | 10' | 10' |
| Rear setback, if not otherwise addressed                                                                                                                                                                                                                                                                                                                                                               | 5'  | 5'  | 5'  | 5'  |
| <b>Specification for Accessory Structure Setbacks</b>                                                                                                                                                                                                                                                                                                                                                  |     |     |     |     |
| a. For any accessory structure with a height greater than 15', the minimum side and rear setback must be increased at a ratio of 2' of additional setback for each foot of height in excess of 15.                                                                                                                                                                                                     |     |     |     |     |
| b. For any accessory structure with a length along a rear or side lot line that is longer than 24', the minimum side or rear setback must be increased at a ratio of 2' for every 2' that the dimension exceeds 24 linear feet. A swimming pool is exempt from this limit.                                                                                                                             |     |     |     |     |
| c. Where the principal building on a lot is a duplex or triplex, the cumulative footprint of all accessory buildings on that lot may not exceed 50% of the footprint of the principal building or 600 square feet, whichever is greater. This Subsection does not apply to Section 3.3.3.C, Detached Accessory Dwelling Unit. Buildings for an agricultural use are exempt from this size restriction. |     |     |     |     |
| d. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.                                                                                                                                                                             |     |     |     |     |
| <b>4. Height</b>                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |
| <b>Height (max)</b>                                                                                                                                                                                                                                                                                                                                                                                    |     |     |     |     |
| Principal building, measured to highest point of any roof                                                                                                                                                                                                                                                                                                                                              | 40' | 40' | 40' | 40' |
| Accessory structure                                                                                                                                                                                                                                                                                                                                                                                    | 25' | 25' | 25' | 25' |
| <b>5. Form</b>                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |
| <b>Allowed Building Elements</b>                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |
| Gallery/Awning                                                                                                                                                                                                                                                                                                                                                                                         | n/a | n/a | n/a | n/a |

|                                                                                                                                                               |     |     |     |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Porch/Stoop                                                                                                                                                   | yes | yes | yes | yes |
| Balcony                                                                                                                                                       | yes | yes | yes | yes |
| <b>6. Buildings used for Agriculture Associated with Farming</b>                                                                                              |     |     |     |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>                                                                               |     |     |     |     |
| A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 40'. |     |     |     |     |

#### Section 4.4.9. Residential - 60 Zone (R-60)

\* \* \*

#### C. R-60 Zone, Optional Method Development Standards

| 1. Site | MPDU Development |        |                      | Cluster Development |        |                      |
|---------|------------------|--------|----------------------|---------------------|--------|----------------------|
|         | Detached House   | Duplex | Triplex or Townhouse | Detached House      | Duplex | Triplex or Townhouse |

#### D. R-60 Zone, Workforce Housing Development Standards

|                                                                                                      | Duplex                                      | Triplex                                     | Townhouse                                   | Apartment                                   |
|------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|
| <b>1. Site</b>                                                                                       |                                             |                                             |                                             |                                             |
| <b>Dimensions (min)</b>                                                                              |                                             |                                             |                                             |                                             |
| Usable area                                                                                          | 6,000 SF                                    | 6,000 SF                                    | 6,000 SF                                    | 6,000 SF                                    |
| Site coverage (max)                                                                                  | [[n/a]] 35%                                 | [[n/a]] 35%                                 | 35%                                         | 35%                                         |
| <b>2. Lot</b>                                                                                        |                                             |                                             |                                             |                                             |
| <b>Dimensions (min)</b>                                                                              |                                             |                                             |                                             |                                             |
| [[Lot area (per unit)]]                                                                              |                                             |                                             |                                             |                                             |
| Average lot area per unit                                                                            | 3,000 SF                                    | 2,000 SF                                    | 1,000 SF                                    | n/a                                         |
| Lot width at front building line                                                                     | 30'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Lot width at front lot line                                                                          | 15'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Frontage on street or open space                                                                     | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 |
| <b>Density (max)</b>                                                                                 |                                             |                                             |                                             |                                             |
| The density allowed for any application is 1.25 FAR.                                                 |                                             |                                             |                                             |                                             |
| <b>Coverage (max)</b>                                                                                |                                             |                                             |                                             |                                             |
| Lot                                                                                                  | 35%                                         | 35%                                         | n/a                                         | n/a                                         |
| <b>Specification for Lot and Density</b>                                                             |                                             |                                             |                                             |                                             |
| a. Lot width at the front building line and setback requirements may be reduced under Section 4.4.3. |                                             |                                             |                                             |                                             |
| b. The lot coverage maximum does not apply to Religious Assembly.                                    |                                             |                                             |                                             |                                             |
| <b>3. Placement</b>                                                                                  |                                             |                                             |                                             |                                             |
| <b>Principal Building Setbacks (min)</b>                                                             |                                             |                                             |                                             |                                             |
| Front setback                                                                                        | 25'                                         | 20'                                         | 20'                                         | 20'                                         |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone    | 25'                                         | 20'                                         | 20'                                         | 20'                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                        |     |     |     |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone                                                                                                                                                                                                                                                                                           | 15' | 10' | 10' | 10' |
| Side setback, including end unit                                                                                                                                                                                                                                                                                                                                                                       | 8'  | 6'  | 6'  | 6'  |
| Rear setback                                                                                                                                                                                                                                                                                                                                                                                           | 20' | 20' | 20' | 20' |
| <b>Specification for Principal Building Setbacks</b>                                                                                                                                                                                                                                                                                                                                                   |     |     |     |     |
| Development may have to satisfy Section 4.4.1.A, Established Building Line.                                                                                                                                                                                                                                                                                                                            |     |     |     |     |
| <b>Accessory Structure Setbacks (min)</b>                                                                                                                                                                                                                                                                                                                                                              |     |     |     |     |
| Front setback, behind the front building line                                                                                                                                                                                                                                                                                                                                                          | 10' | 10' | 10' | 10' |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                                      | 25' | 20' | 20' | 20' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone                                                                                                                                                                                                                                                                                           | 15' | 10' | 10' | 10' |
| Side setback, including end unit                                                                                                                                                                                                                                                                                                                                                                       | 5'  | 5'  | 5'  | 5'  |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone                                                                                                                                                                                                                                                                                       | 10' | 10' | 10' | 10' |
| Rear setback, if not otherwise addressed                                                                                                                                                                                                                                                                                                                                                               | 5'  | 5'  | 5'  | 5'  |
| <b>Specification for Accessory Structure Setbacks</b>                                                                                                                                                                                                                                                                                                                                                  |     |     |     |     |
| a. For any accessory structure with a height greater than 15', the minimum side and rear setback must be increased at a ratio of 2' of additional setback for each foot of height in excess of 15.                                                                                                                                                                                                     |     |     |     |     |
| b. For any accessory structure with a length along a rear or side lot line that is longer than 24', the minimum side or rear setback must be increased at a ratio of 2' for every 2' that the dimension exceeds 24 linear feet. A swimming pool is exempt from this limit.                                                                                                                             |     |     |     |     |
| c. Where the principal building on a lot is a duplex or triplex, the cumulative footprint of all accessory buildings on that lot may not exceed 50% of the footprint of the principal building or 600 square feet, whichever is greater. This Subsection does not apply to Section 3.3.3.C, Detached Accessory Dwelling Unit. Buildings for an agricultural use are exempt from this size restriction. |     |     |     |     |
| d. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.                                                                                                                                                                             |     |     |     |     |
| <b>4. Height</b>                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |
| <b>Height (max)</b>                                                                                                                                                                                                                                                                                                                                                                                    |     |     |     |     |
| Principal building, measured to highest point of any roof                                                                                                                                                                                                                                                                                                                                              | 40' | 40' | 40' | 40' |
| Accessory structure                                                                                                                                                                                                                                                                                                                                                                                    | 20' | 20' | 20' | 20' |
| <b>5. Form</b>                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |
| <b>Allowed Building Elements</b>                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |
| Gallery/Awning                                                                                                                                                                                                                                                                                                                                                                                         | n/a | n/a | n/a | n/a |

|                                                                                                                                                                      |     |     |     |     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Porch/Stoop                                                                                                                                                          | yes | yes | yes | yes |
| Balcony                                                                                                                                                              | yes | yes | yes | yes |
| <b>6. Buildings used for Agriculture Associated with Farming</b>                                                                                                     |     |     |     |     |
| <b><u>Specification for Buildings used for Agriculture Associated with Farming</u></b>                                                                               |     |     |     |     |
| <u>A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 40'.</u> |     |     |     |     |

#### Section 4.4.10. Residential - 40 Zone (R-40)

\* \* \*

#### C. R-40 Zone, Optional Method Development Standards

|         | MPDU Development |        |                      |
|---------|------------------|--------|----------------------|
| 1. Site | Detached House   | Duplex | Triplex or Townhouse |

#### D. R-40 Zone, Workforce Housing Development Standards

|                                                                                                   | Duplex                                      | Triplex                                     | Townhouse                                   | Apartment                                   |
|---------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|
| <b>1. Site</b>                                                                                    |                                             |                                             |                                             |                                             |
| <b><u>Dimensions (min)</u></b>                                                                    |                                             |                                             |                                             |                                             |
| Usable area                                                                                       | 6,000 SF                                    | 6,000 SF                                    | 6,000 SF                                    | 6,000 SF                                    |
| Site coverage (max)                                                                               | [[n/a]] 40%                                 | [[n/a]] 40%                                 | 40%                                         | 40%                                         |
| <b>2. Lot &amp; Density</b>                                                                       |                                             |                                             |                                             |                                             |
| <b><u>Dimensions (min)</u></b>                                                                    |                                             |                                             |                                             |                                             |
| [[Lot area (per unit)]] Average lot area per unit                                                 | 3,000 SF                                    | 2,000 SF                                    | 1,000 SF                                    | n/a                                         |
| Lot width at front building line                                                                  | 30'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Lot width at front lot line                                                                       | 15'                                         | Determined at site plan                     | Determined at site plan                     | n/a                                         |
| Frontage on street or open space                                                                  | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 | Required, except as exempt under Chapter 50 |
| <b><u>Density (max)</u></b>                                                                       |                                             |                                             |                                             |                                             |
| The density allowed for any application is 1.25 FAR.                                              |                                             |                                             |                                             |                                             |
| <b><u>Coverage (max)</u></b>                                                                      |                                             |                                             |                                             |                                             |
| Lot                                                                                               | 40%                                         | 40%                                         | n/a                                         | n/a                                         |
| <b><u>Specification for Lot and Density</u></b>                                                   |                                             |                                             |                                             |                                             |
| Lot width at the front building line and setback requirements may be reduced under Section 4.4.3. |                                             |                                             |                                             |                                             |
| <b>3. Placement</b>                                                                               |                                             |                                             |                                             |                                             |
| <b><u>Principal Building Setbacks (min)</u></b>                                                   |                                             |                                             |                                             |                                             |
| Front setback                                                                                     | 25'                                         | 20'                                         | 20'                                         | 20'                                         |
| Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone | 25'                                         | 20'                                         | 20'                                         | 20'                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Side street setback, abutting lot does not front on the side street or is not in a Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |     |     |     |     |
| Detached zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 15' | 10' | 10' | 10' |
| Side setback, including end unit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 8'  | 6'  | 6'  | 6'  |
| Rear setback                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 20' | 15' | 15' | 15' |
| <b>Specification for Principal Building Setbacks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |     |     |     |     |
| Development may have to satisfy Section 4.4.1.A, Established Building Line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |     |     |     |     |
| <b>Accessory Structure Setbacks (min)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |     |     |     |     |
| Front setback, behind the front building line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 10' | 10' | 10' | 10' |
| Side street setback, abutting lot fronts on the side street and is in a Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |     |     |     |     |
| Detached zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 25' | 20' | 20' | 20' |
| Side street setback, abutting lot does not front on the side street or is not in a Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |     |     |     |     |
| Detached zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 15' | 10' | 10' | 10' |
| Side setback                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 5'  | 5'  | 5'  | 5'  |
| Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     |     |     |     |
| Detached zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 10' | 10' | 10' | 10' |
| Rear setback, if not otherwise addressed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5'  | 5'  | 5'  | 5'  |
| <b>Specification for Accessory Structure Setbacks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |     |     |     |     |
| <p><b>a.</b> For any accessory structure with a height greater than 15', the minimum side and rear setback must be increased at a ratio of 2' of additional setback for each foot of height in excess of 15.</p> <p><b>b.</b> For any accessory structure with a length along a rear or side lot line that is longer than 24', the minimum side or rear setback must be increased at a ratio of 2' for every 2' that the dimension exceeds 24 linear feet. A swimming pool is exempt from this limit.</p> <p><b>c.</b> Where the principal building on a lot is a duplex or triplex, the cumulative footprint of all accessory buildings on that lot may not exceed 50% of the footprint of the principal building or 600 square feet, whichever is greater. This Subsection does not apply to Section 3.3.3.C, Detached Accessory Dwelling Unit. Buildings for an agricultural use are exempt from this size restriction.</p> <p><b>d.</b> Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.</p> |     |     |     |     |

|                                                                                                                                                               |     |     |     |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| <b>4. Height</b>                                                                                                                                              |     |     |     |     |
| <b>Height (max)</b>                                                                                                                                           |     |     |     |     |
| Principal building, measured to highest point of any roof                                                                                                     | 40' | 40' | 40' | 40' |
| Accessory structure                                                                                                                                           | 20' | 20' | 20' | 20' |
| <b>5. Form</b>                                                                                                                                                |     |     |     |     |
| <b>Allowed Building Elements</b>                                                                                                                              |     |     |     |     |
| Gallery/Awning                                                                                                                                                | n/a | n/a | n/a | n/a |
| Porch/Stoop                                                                                                                                                   | yes | yes | yes | yes |
| Balcony                                                                                                                                                       | yes | yes | yes | yes |
| <b>6. Buildings used for Agriculture Associated with Farming</b>                                                                                              |     |     |     |     |
| <b>Specification for Buildings used for Agriculture Associated with Farming</b>                                                                               |     |     |     |     |
| A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 40'. |     |     |     |     |

\* \* \*

**Section 4.4.11. Townhouse Low Density Zone (TLD)**

\* \* \*

**B. TLD Zone, Standard Method Development Standards**

|         |                                                                                                                                   |               |               |                             |
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|
| 1. Site | Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> |
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|

\* \* \*

**C. TLD Zone, Optional Method Development Standards**

|         |                         |        |                             |
|---------|-------------------------|--------|-----------------------------|
|         | <b>MPDU Development</b> |        |                             |
| 1. Site | Detached House          | Duplex | <u>Triplex or Townhouse</u> |

\* \* \*

**Section 4.4.12. Townhouse Medium Density Zone (TMD)**

\* \* \*

**B. TMD Zone, Standard Method Development Standards**

|         |                                                                                                                                   |               |               |                             |
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|
| 1. Site | Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> |
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|

\* \* \*

226 **C. TMD Zone, Optional Method Development Standards**

|         | MPDU Development |        |                             |
|---------|------------------|--------|-----------------------------|
| 1. Site | Detached House   | Duplex | <u>Triplex or Townhouse</u> |

227 \* \* \*

228 **Section 4.4.13. Townhouse High Density Zone (THD)**

229 \* \* \*

230 **B. THD Zone, Standard Method Development Standards**

| 1. Site | Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> |
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|

231 \* \* \*

232 **C. THD Zone, Optional Method Development Standards**

|         | MPDU Development |        |                             |
|---------|------------------|--------|-----------------------------|
| 1. Site | Detached House   | Duplex | <u>Triplex or Townhouse</u> |

233 \* \* \*

234 **Section 4.4.14. Residential Multi-Unit Low Density - 30 Zone (R-30)**

235 \* \* \*

236 **B. R-30 Zone, Standard Method Development Standards**

| 1. Site | Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> | Apartment |
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|-----------|
|---------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------------------|-----------|

237 \* \* \*

238 **C. R-30 Zone, Optional Method Development Standards**

|         | MPDU Development |        |                                 |           |
|---------|------------------|--------|---------------------------------|-----------|
| 1. Site | Detached House   | Duplex | <u>Triplex or<br/>Townhouse</u> | Apartment |

239 \* \* \*

240 **Section 4.4.15. Residential Multi-Unit Medium Density - 20 Zone (R-20)**



\* \* \*

**B. R-20 Zone, Standard Method Development Standards**

|                |                                                                                                                                          |                      |                      |                                    |                  |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|------------------------------------|------------------|
| <b>1. Site</b> | <b>Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone</b> | <b>Duplex - Side</b> | <b>Duplex - Over</b> | <b><u>Triplex or Townhouse</u></b> | <b>Apartment</b> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|------------------------------------|------------------|

\* \* \*

**C. R-20 Zone, Optional Method Development Standards**

|                |                         |               |                                    |                  |
|----------------|-------------------------|---------------|------------------------------------|------------------|
|                | <b>MPDU Development</b> |               |                                    |                  |
| <b>1. Site</b> | <b>Detached House</b>   | <b>Duplex</b> | <b><u>Triplex or Townhouse</u></b> | <b>Apartment</b> |

\* \* \*

**Section 4.4.16. Residential Multi-Unit High Density - 10 Zone (R-10)**

\* \* \*

**B. R-10 Zone, Standard Method Development Standards**

|                |                                                                                                                                          |                      |                      |                                    |                  |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|------------------------------------|------------------|
| <b>1. Site</b> | <b>Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone</b> | <b>Duplex - Side</b> | <b>Duplex - Over</b> | <b><u>Triplex or Townhouse</u></b> | <b>Apartment</b> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|------------------------------------|------------------|

\* \* \*

**C. R-10 Zone, Optional Method Development Standards**

|                |                         |               |                                    |                  |
|----------------|-------------------------|---------------|------------------------------------|------------------|
|                | <b>MPDU Development</b> |               |                                    |                  |
| <b>1. Site</b> | <b>Detached House</b>   | <b>Duplex</b> | <b><u>Triplex or Townhouse</u></b> | <b>Apartment</b> |

\* \* \*

**Sec. [[6]] 7. DIVISION 59-4.5 is amended as follows:****Division 4.5. Commercial/Residential Zones**

\* \* \*

**Section 4.5.3. Standard Method Development**

\* \* \*

**C. CRN, CRT, and CR Zones, Standard Method Development Standards**

| 1. Site | Detached House | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> | Apartment | Multi Use | General |
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|

\* \* \*

**Sec. [[7]]8. DIVISION 59-4.6 is amended as follows:**

**Division 4.6. Employment Zones**

\* \* \*

**Section 4.6.3. Standard Method Development**

\* \* \*

**C. GR and NR Zones, Standard Method Development Standards**

| 1. Site | Detached House | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> | Apartment | Multi Use | General |
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|

\* \* \*

**D. LSC Zone, Standard Method Development Standards**

| 1. Site | Detached House | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> | Apartment | Multi Use | General |
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|

\* \* \*

**D. EOF Zone, Standard Method Development Standards**

| 1. Site | Detached House | Duplex - Side | Duplex - Over | <u>Triplex or Townhouse</u> | Apartment | Multi Use | General |
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|
|---------|----------------|---------------|---------------|-----------------------------|-----------|-----------|---------|

\* \* \*

**Sec. 9. DIVISION 59-6.2 is amended as follows:**

**Division 6.2. Parking, Queuing, and Loading**

\* \* \*

**Section 6.2.4. Parking Requirements**

\* \* \*

**B. Vehicle Parking Spaces**

| USE or USE GROUP   | Metric                   | AGRICULTURAL,<br>RURAL<br>RESIDENTIAL,<br>RESIDENTIAL,<br>AND INDUSTRIAL<br>ZONES | Commercial/Residential and Employment<br>Zones           |                     |                     |                                                                    |
|--------------------|--------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------|---------------------|---------------------|--------------------------------------------------------------------|
|                    |                          |                                                                                   | Within a Parking Lot District<br>or Reduced Parking Area | Baseline<br>Minimum | Baseline<br>Maximum | Outside a<br>Parking Lot District or<br>Reduced<br>Parking<br>Area |
| <b>RESIDENTIAL</b> |                          |                                                                                   |                                                          |                     |                     |                                                                    |
| HOUSEHOLD LIVING   |                          |                                                                                   |                                                          |                     |                     |                                                                    |
| Single-Unit Living | Dwelling Unit            | 2.00                                                                              | 1.00                                                     | 1.00                | 2.00                | 2.00                                                               |
| Two-Unit Living    |                          |                                                                                   |                                                          |                     |                     |                                                                    |
| Townhouse Living   |                          |                                                                                   |                                                          |                     |                     |                                                                    |
|                    |                          |                                                                                   |                                                          |                     |                     |                                                                    |
| Multi-Unit Living  | Efficiency Dwelling Unit | 1.00                                                                              | 1.00                                                     | 1.00                | 1.00                | 1.00                                                               |
|                    | 1 Bedroom Dwelling Unit  | 1.25                                                                              | 1.00                                                     | 1.00                | 1.25                | 1.25                                                               |
|                    | 2 Bedroom Dwelling Unit  | 1.50                                                                              | 1.00                                                     | 1.00                | 1.50                | 1.50                                                               |
|                    | 3+ Bedroom Dwelling Unit | 2.00                                                                              | 1.00                                                     | 1.00                | 2.00                | 2.00                                                               |

279       **Sec. [[8]] 10. Short title.** This zoning text amendment may be cited as part  
280 of the “More Housing N.O.W. (New Options for Workers)” package.

281       **Sec. 11. Effective date.** The Planning Department must submit a biennial  
282 impact report on December 1st, beginning December 1, 2027, and until December  
283 1, 2037. The impact report must include input from the Department of  
284 Transportation, the Department of Permitting Services, and the Department of  
285 Housing and Community Affairs, where relevant. The report must include how  
286 many applications under ZTA 25-02 have been applied for in the County, any  
287 measurable impacts on traffic and stormwater management, the total number of units  
288 built and the total number of workforce housing units, the number of parking waivers  
289 requested and the number of parking waivers approved, the number of applications  
290 that submitted a preliminary plan for subdivision, the number of demolition permits  
291 approved for the construction of new single-family detached houses versus the  
292 number of demolition permits approved for the construction of units under optional  
293 method Workforce Housing Development, and any other data or analysis that the  
294 Planning Department finds useful or relevant in studying the effectiveness and  
295 impacts of ZTA 25-02.

296       **Sec. [[9]] 12. Effective date.** This ordinance becomes effective [[20 days  
297 after the date of Council adoption]] on November 1, 2025.

This is a correct copy of Council action.

A handwritten signature in black ink, appearing to read 'Sara', is written over a horizontal line.

Sara R. Tenenbaum  
Clerk of the Council

**From:** [Abner Oakes](#)  
**To:** [MCP-Chair](#); [Linden, Josh](#)  
**Subject:** From the Brookdale Citizens' Association - Friendship Heights sector plan boundary  
**Date:** Wednesday, October 15, 2025 12:08:34 PM

---

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Good afternoon, Chair Harris and Vice Chair Linden.

The board of the Brookdale Citizens' Association (BCA) would like to request that the planning board remove the Brookdale neighborhood from the current Friendship Heights sector plan boundary. We understand that there has been some back and forth on this issue by us over the last year, and we apologize for the confusion. As of May of this year, I am the new president of the BCA, even though I have lived in Brookdale since 1995 and served on the board when the 1998 sector plan took shape. As the new president, I want to bring clarity to this issue. The rest of the board and I believe that it is in the neighborhood's best interest to be removed from the plan, for these reasons:

- There is precedent to this request, since Brookdale was not within the boundary of the 1998 sector plan.
- We know of no precedent for having a single family home neighborhood as part of a Montgomery County sector plan. For example, the Silver Spring plan, in its final version approved by the County Council, did not.
- We have maintained a strong relationship with GEICO, as we did in 1998. We will continue our conversation with GEICO, regardless of whether we are in or outside of the boundary. We believe that GEICO's site plan extension - one that mirrors much of its plan from 1998 - makes moot various issues that having Brookdale in the boundary was meant to resolve.
- We have been encouraged to take this stance by various other organizations and officials, who believe that Brookdale can continue to be a strong partner in the work of the sector plan, as it was in 1998, without being within the boundary.

Thank you for your consideration. If a meeting to further discuss this issue is appropriate, we would appreciate the opportunity. Let us know if that works. Very cordially,

Abner Oakes, president, Brookdale Citizens' Association



**From:** [Julian Mansfield](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Jason Goldstein](#); [Dave Brown](#)  
**Subject:** Re: Letter in Opposition to GEICO Plan Amendment  
**Date:** Thursday, October 16, 2025 11:30:29 AM  
**Attachments:** [GEICO letter to FHV.pdf](#)  
[GEICO letter preliminary plan FHV.pdf](#)

---

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Resending to include the referenced attachment (September 5 letter from GEICO to the Village) along with the original letter.

Thank you,

Julian Mansfield  
Village Manager

**Village of Friendship Heights**

4433 South Park Avenue  
Chevy Chase, MD 20815  
Email: [jmansfield@friendshipheightsmd.gov](mailto:jmansfield@friendshipheightsmd.gov)  
Phone: (301) 656-2797  
Fax: (301) 907-3922



[www.friendshipheightsmd.gov](http://www.friendshipheightsmd.gov)

On Thu, Oct 16, 2025 at 9:36 AM Julian Mansfield <[jmansfield@friendshipheightsmd.gov](mailto:jmansfield@friendshipheightsmd.gov)> wrote:

Dear Chair Harris and Planning Board Members:

I am attaching a letter from the Village of Friendship Heights in opposition to the GEICO Preliminary Plan Amendment application. Please confirm receipt.

Thank you,

Julian Mansfield  
Village Manager

**Village of Friendship Heights**

4433 South Park Avenue  
Chevy Chase, MD 20815  
Email: [jmansfield@friendshipheightsmd.gov](mailto:jmansfield@friendshipheightsmd.gov)  
Phone: (301) 656-2797

Fax: (301) 907-3922



[www.friendshipheightsmd.gov](http://www.friendshipheightsmd.gov)





**Robert R. Harris**

Attorney

301-841-3826

[rrharris@lercheearly.com](mailto:rrharris@lercheearly.com)

September 5, 2025

Via E-Mail

Dear Village Council, Village of Friendship Heights:

On behalf of GEICO, I am writing to inform you of our plans regarding our application to amend Preliminary Plan No. 1-99039 regarding the GEICO property and to ensure a continued open line of communication.

### **Approved Sector Plan & Preliminary Plan was Based on Consensus**

When Montgomery County last prepared a land use plan for the future of the Friendship Heights area, known as the Friendship Heights Sector Plan, GEICO worked closely with the Village of Friendship Heights and other neighbors to identify land use, transportation, open space, and other goals for the continued evolution of the Friendship Heights area. Working with the Village, in 1998, we jointly reached agreement on the "Consensus Plan" and then jointly supported adoption of that plan before the Montgomery County Planning Board and the County Council. As a result of our collaboration, we produced a mutually beneficial vision for the future of Friendship Heights.

### **Implementing the Preliminary Plan**

Fast forward to today, GEICO is now moving forward to implement that existing and approved plan. Given changes in the business world, GEICO's current headquarters is no longer suitable for its needs, and the company requires a more modern, right-sized workspace for its employees. As a result, the company will be relocating to a new location in downtown Bethesda in 2026.

This move will free up the GEICO property for the redevelopment reflected in the approved Sector Plan and incorporated into the property's current zoning. More specifically, we now see an opportunity and a need for the housing previously approved for the GEICO property – townhomes along the Brookdale boundary and low-rise multifamily buildings along Willard Avenue.

In order to implement that plan, we have submitted a pending application with the Montgomery County Planning Board that reflects prior approvals, with the exception of the 810,000 square feet of additional office space along Friendship Boulevard. Based on changes in the employment world, and evolving land use objectives, new office space is no longer optimal for redevelopment.

### **Putting Together a New Consensus Plan**

GEICO wants to work with Friendship Heights and its other neighbors through the update to the Friendship Heights Sector Plan to identify more appropriate uses for the portion of the site that initially included new office space along Friendship Boulevard.

We would welcome an opportunity to meet with the Village Council at an upcoming meeting to further discuss these ideas.

Robert R. Harris

A handwritten signature in black ink, appearing to read "Robert Harris", written in a cursive style.

Land Use Counsel for GEICO

VILLAGE COUNCIL  
ROY SCHAEFFER, *Mayor*  
MARTHA SOLT, *Chairman*  
FRANCINE KLEIN, *Vice-Chairman*  
VICTOR BASILE, *Secretary*  
JOHN CONLOW, *Treasurer*  
ALLYSON ALT, *Parliamentarian*  
ALFRED MULLER, *Historian*  
JULIAN P. MANSFIELD, *Village Manager*

## VILLAGE OF FRIENDSHIP HEIGHTS

4433 SOUTH PARK AVENUE  
CHEVY CHASE, MARYLAND 20815

Phone: 301-656-2797  
Fax: 301-907-3922  
Email: [info@friendshipheightsmd.gov](mailto:info@friendshipheightsmd.gov)  
Website: [www.friendshipheightsmd.gov](http://www.friendshipheightsmd.gov)



October 15, 2025

[chair@montgomeryplanning.org](mailto:chair@montgomeryplanning.org)  
Artie Harris, Chair  
Montgomery County Planning Board  
2425 Reedie Drive, 14<sup>th</sup> Floor  
Wheaton, Maryland 20902

Re: **GEICO Preliminary Plan Amendment 11999039A**

Dear Chair Harris and fellow Commissioners:

I write to inform the Board of the opposition of the Village of Friendship Heights to approval of the above-referenced application ("Application"), and of our reasons why the Board should disapprove it. Those reasons are set forth below, following our report of many undisputed historical background facts whose significance has gone largely unmentioned in the Staff Report.

### **Plan Approval Under the 1998 Friendship Heights Sector Plan**

Preliminary Plan 11999039 (then denoted Plan 1-99039) was approved for the 26.5-acre GEICO Property ("Property") by the Board on May 13, 1999 (part of Attachment D to the Staff Report). It was preceded by the G-760 rezoning of 9.912 acres of the Property from the R-60/TDR 11 zone to the TS-M zone (also in Attachment D). G-760 established certain binding elements for the development of the entire Property that are still in force and effect today. The Plan was also preceded by the completion of the update of the 1976 Friendship Heights Sector Plan as the 1998 Sector Plan, approved by the County Council on March 18, 1998. While the 1998 Sector Plan is currently undergoing an updating process, unless and until it is formally amended, it remains the guiding touchstone for development in Friendship Heights, including evaluation of the Application.

In the 1998 Sector Plan, the Property was reportedly already developed with 514,257 sq. ft. of office space—the GEICO headquarters. The 1998 Plan recommended additional development on the Property of 1,050,943 sq. ft., for a total of 1,565,200 sq. ft. The Property and other nearby parcels were described as offering “the greatest opportunity to meet important Plan objectives,” and recommended replacing surface parking lots on those properties with land uses that better meet Plan objectives. The 1998 Plan also notes that to ensure the potential benefits to the County and the community from these parking lot conversions, “it was necessary to determine the appropriate amount, land use mix, and location of additional development that would enhance Friendship Heights as a place in which to live and work,” and a number of supporting studies were prepared in 1995 for this purpose.

The GEICO property is discussed in detail over pages 61-73 of the 1998 Plan. It begins by noting that GEICO had concluded its office building was obsolete and needed to be replaced. The eight Objectives the 1998 Plan set out for the redevelopment of the Property included: additional office use near Metro; increased housing diversity; development that would transition from the CBD to adjacent residential areas; placing the highest densities and heights near Friendship Boulevard; provide predominately low-rise buildings; preserve trees and expand green space; provide internal streets to the new uses and link the Property to the Town Center with pedestrian and bicycle connections.

Specific design guidelines for the anticipated GEICO redevelopment included, among others, (1) 810,000 sq. ft. of office development along Friendship Boulevard (9 stories near Willard, transitioning to 5 stories near Western) with ground floor, street-front retail; (2) four-story multi-family buildings fronting Willard with townhouses and duplexes behind them; and (3) a number of binding elements from the rezoning, including, among others, a greenway along the SW Property line, tree save areas, expansion of Brookdale park, and new open space areas and recreation facilities, including a Little League baseball park.

Consistent with the Development Plan approved by the Council, GEICO indicated that it would demolish the existing office building and replace it with new office buildings on the Property lining Friendship Boulevard, totaling 810,000 sq. ft. The remainder of the Property would consist of 300 multi-family units

fronting Willard in four 4-story buildings, and 200 single-family attached units in the R-60/TDR 11 portion of the Property. Underground parking would be provided for the office and multi-family buildings. Brookdale local park was to be expanded and dedicated to M-NCPPC, a ball field was to be added near Western, and there was to be open space or green space areas throughout the Property. The Opinion included 19 conditions of approval, set forth in 5 single-spaced pages. The last condition specified that Plan 1-99039 would remain valid until June 13, 2002, absent a request for extension.

### **First Extension Request**

GEICO filed its first extension request in late 2000, seeking a 3-year extension. Its counsel (then and now) justified the request by stating that GEICO had not settled on its own office requirements and could not contract with a development firm or demolish the existing office building until it did. GEICO asserted that it needed a full 3-year extension to complete all the significant physical and monetary requirements for recordation of subdivision plats. Neither GEICO nor Board staff requested any changes in the approval conditions, and no objection to the extension was raised by staff. The Board, by a vote of 3-0-0 on January 4, 2001, approved the requested extensions to June 13, 2005.

### **Second Extension Request**

GEICO filed its second extension request on October 13, 2004, this time for four years, i.e., until June 13, 2009. The Village supported the request, but it was met with staff resistance, prompting GEICO to send two follow-up letters supporting the request on January 12, 2005, and April 6, 2005. Collectively, the GEICO letters made the following major points to justify the need for the extension:

- (1) GEICO is not in the real estate business and does not have the expertise needed to execute the Preliminary Plan requirements, and its efforts to secure a developer with that expertise have been complicated by GEICO's need for a seamless transfer of its headquarters from one place to another.

(2) The planning, building, and moving of corporate headquarters would be an unacceptable business risk in the immediate future.

(3) GEICO has not yet found a developer with the requisite experience and expertise to handle a project of this magnitude, and must do so before the project can move forward.

(4) The extension would be beneficial to the community in that it would mean staggered construction, given that multi-year construction on the Hecht's site and the Chevy Chase Center site—the other two major development projects in Friendship Heights—is about to commence.

(5) Allowing the Plan to expire would mean that the amenities worked out with the surrounding communities—the parkland and the ballfields—would no longer be a realistic vision for the future of Friendship Heights. [This claim was misleading at best, given the binding elements of the rezoning.]

(6) Under the Plan, GEICO requires the future developer to construct a new office building for GEICO during the first phase of development before demolition of the existing headquarters can take place. However, given market conditions, developers want the first phase to be the demolition of the existing office building to accommodate residential development.

The Staff Report of April 28, 2005, recommended denial of the requested extension. The Report concluded that GEICO's arguments did not rise to the level necessary to approve the extension, as set forth in § 50-35(h)(3)(d)(2): (i) substantial impairment of the applicant's ability to timely validate the plan due to "the occurrence of significant, unusual or unanticipated events, beyond the applicant's control and not facilitated or created by the applicant" and (ii) exceptional or undue hardship to the applicant if the plan were not extended.<sup>1</sup> With again no community opposition, the Board, on May 5, 2005, granted GEICO a 5-year Plan validity extension to June 13, 2010.

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<sup>1</sup> Subsequent to this time, the Subdivision Ordinance was revised and recodified. The provision quoted above is still in the Code, now found at §50.4.2.H.3.a.ii. Notably, §50.4.2.H.3.b. states that "[t]he applicant bears the burden of establishing the grounds in support of the requested extension."

### **Two Automatic 2-Year Extensions**

GEICO was a beneficiary of two automatic validity period extensions following the Second Extension. On April 1, 2009, all plans undergoing validation were given an automatic two-year extension on plan and APF validity periods by the Council. A second automatic two-year extension was enacted on April 1, 2011. With these extensions, which required no application or justification, GEICO's Plan validity was extended to June 13, 2014, and the APF validity to June 13, 2015.

### **Third Extension Request**

On June 16, 2011, GEICO requested a further extension of the plan and APF validity periods to run together until June 13, 2020 (6 years for the Plan, 5 years for the APF finding). GEICO's counsel's justification letter largely tracked the points made in his 2004-05 letters supporting the Second Extension. As before, the staff recommended denial of the extension requests in its memo to the Planning Board in advance of the hearing held on July 12th. Staff's opposition arguments echoed those it made in opposition to the Second Extension. Staff's overall evaluation was that the reason GEICO has not moved forward with the Plan is because GEICO "does not want to build a new headquarters at this time." Staff's concluding paragraph on the Plan validity extension request states as follows:

Staff concludes that the applicant's arguments base the request on events that were almost entirely under the control of GEICO itself. There is no indication that any of the events that have transpired, whether described as significant, unusual, or unanticipated, were not under the applicant's control, except for the economic recession. The recession was the reason for the four years of extended validity already granted by the County Council for this plan and all then-valid plans. The four-year extension, along with the eight years of extension previously granted by the Planning Board, results in a plan validity period of 15 years. This is already a long validity period, even without the request for an additional six-year extension.

Also of note is the staff's response to what it termed the regrettable loss of years of coordination between the applicant, staff and the community:

However, the review of this plan occurred over ten years ago, and, if the extension is granted, it may not be implemented until 20 years after that review took place. A delay of that length renders the review of the project less relevant to today's circumstances. . . . It is unfortunate that more progress has not been made by GEICO to advance the preliminary plan towards record plat. Nevertheless, the passage of time and financial loss have not historically been adequate reasons for the Planning Board to grant extension requests.

At the Board hearing, no one, GEICO and Board members included, took issue with the staff's strong recommendation of denial on the grounds that the legal standard for the requested extensions had not been met. But once again, there was no one other than staff voicing objection to the extensions, either before or at the July 12, 2012, hearing. The Board, reluctant to foreclose GEICO's opportunity to relocate its headquarters on its Friendship Heights property, granted the extensions to June 13, 2020, by a 5-0 vote approving a waiver of compliance with the legal standard for extension approval. This action, as subsequent events confirmed, ensured that the staff's prediction of at least a 20-year hiatus between Preliminary Plan and Site Plan approval would come true.

### **Three More Automatic 2-Year Extensions**

GEICO was the beneficiary of three more automatic two-year extensions: the first on April 1, 2013, the second on April 1, 2015, and the third in July 2020, resulting in approved extension of both validity periods to June 13, 2026. The net effect of the extension process has been that, as of July 2012, GEICO was unable to legally justify any extension beyond June of 2015, and thereafter had no obligation to present any such justification due to the automatic extensions. As these extensions piled up upon each other, by July of 2020, GEICO had almost six full years of time remaining to complete the process of validating the Plan. Nevertheless, instead of proceeding to complete the necessary steps, GEICO is now before the Board seeking to avoid the consequences of its procrastination. Instead of seeking further indefensible Plan extension requests, GEICO seeks a



“new validity period” on account of its submission of what it characterizes as a Plan “Amendment.”

### **Reasons the Board Should Deny the Application**

**1. The Application is not a Plan Amendment; it is a legally inadequate workaround of its inability to justify a legitimate extension of the Plan validity periods.**

In what is essentially a repeat performance of its presentation to the Board in July 2012, GEICO is unable to provide the Board a legally coherent and convincing justification for yet another extension of the Plan and APF validity periods for the 1999-approved Plan. And in the Staff Report, the staff “agrees” that GEICO cannot make such a case. Instead, staff endorses the workaround proposed by GEICO: the legal standards for an extension do not apply, GEICO claims, because GEICO is starting all over with an amended plan, for which a “new validity period” is needed--this time for 10 years, thus ensuring that a Plan approved in 1999 will still be completing its validation in 2036—37 years after Plan approval.

The problem with this circumvention of the established process for ensuring timely completion of the requirements to validate a plan is not simply that it would give the Board imprimatur to an extraordinarily long period of dilatoriness, starkly at odds with the established Ordinance-based procedural framework for minimizing the period between Preliminary Plan and Site Plan approvals, though it is surely that. More fundamentally, the device employed is not a genuine, legally sufficient amendment of the plan. The Subdivision Ordinance does provide the Board the option of establishing a new validity period for a genuine plan amendment, which is what GEICO purports to have presented in the Application. §50.4.2.G.4. But the Application is not a legally compliant one for a major plan amendment, which is what GEICO claims to have submitted. A major amendment “must follow the same procedures, meet the same criteria, and satisfy the same requirements as the original preliminary plan.” §50.4.2.F.1. The Application falls critically short of meeting that standard.

One of the requirements of the preliminary plan drawing to be submitted to the Board is a graphic representation of the subdivision showing, *inter alia*, “the proposed use of all lots on the preliminary plan and the scaled dimensions and approximate area of ease use,” §50.4.1.B.7.i., and the “location, type and width of all existing and proposed rights-of-way.” § 50.4.1.B.7.h. Accordingly, the Board’s Intake Checklist requires details of the uses in square feet per unit, building heights, and layout and dimensions of roads/points of access, sidewalks, and more. Inclusion of such details is just as critical to the evaluation of the requested plan amendment as it is to the original application. It is particularly critical to the subdivision layout findings that the Board is required to make § 50.4.2.D.1.

The Application fails to meet these requirements. As shown on Attachment A to the Staff Report, GEICO has left a large “white hole” in the Plan “Amendment,” comprising about 20% of the land area of the plan and more than 50% of the FAR approved for the entire Plan. GEICO explains that this blank spot on the “Amendment” will be filled in later, as the subject of “a future development application.” This glaring omission from the “Amendment” is not an excusable, technical error. The preliminary plan submission requirements plainly contemplate review and approval of the plan as an integrated whole, and the reiteration of those requirements for a plan amendment equally clearly contemplate consideration of the plan amendment as an integrated whole. Instead, GEICO wants the Board to accept a piecemeal process of plan approval—part now, and part later at some indeterminate future time.

Staff avoids remarking on the legal adequacy of such piecemeal plan amendment review, but indirectly and effectively acknowledges its inadequacy to serve as the basis for Site Plan approval. It does so by insisting that yet another revision to the Plan is required: “no future development of the site will be possible without approval of a [further] amended Preliminary Plan. . . .” Staff Report at 11. This is needed to, *inter alia*, fill in the details of the highly consequential “white hole” in the “Amendment,” or as staff put it, GEICO “acknowledge[s] that the entire site will need to be reevaluated with respect to layout and configuration . . .” *Id.* at 20. Accordingly, the further Amendment is to be submitted “[p]rior to, or concurrent with, of any future Site Plan . . .” Condition 22.

For its part, GEICO's justification for failing to submit a complete plan amendment application is the rather juvenile excuse that the Application "complies with "the submission checklist provided by planning staff. (Attachment E to the Staff Report (GEICO Response at 1). Whether GEICO has conformed to some "checklist" provided by staff is irrelevant. GEICO is responsible for complying with the terms of the Subdivision Ordinance, not the terms of a checklist.

GEICO also asserts, in relation to the blank area on the "Amendment," that with the pendency of the 1998 Sector Plan update process, "it would be inappropriate to designate specific development plans for this portion of the property now." Attachment E (GEICO Response at 2). That is not a valid excuse for submittal of a piecemeal plan, especially since what is submitted in a Preliminary Plan can be amended in the ensuing Site Plan. Moreover, while it is obviously preferable that a Preliminary Plan reflect what will be forthcoming in the Site Plan, the remedy for ensuring a close match between the two in this instance is to await the results of the Sector Plan update process. In this case, however, GEICO can no longer afford to wait for that. Its inexcusably long procrastination in validating the 1999 Plan, along with its prolonged indecision about whether to relocate its headquarters in that office space, are the real reasons there is no current replacement plan for the office space it now seeks to abandon. Creating a large white "donut hole" in the Plan is not a lawful amendment; it is legally defective and insufficient to qualify as a plan amendment.

**2. The "Amendment" does not substantially conform to the Master Plan.**

The original 1999 Plan unquestionably conformed to the 1998 Sector Plan, in that, as it relates to the Property, it was the product of thorough negotiation with the Friendship Heights community. But as noted above, 50% of the FAR development approved in the 1999 Plan is no longer in the new Plan—810,000 sq. ft. of office use is to be removed. GEICO explains that the reason for this is that GEICO "determined earlier this year that the existing headquarters building no longer meets its needs because of the condition of the building and the overall size of its daily workforce." Statement of Justification at 1. This statement is misleading at best. GEICO made this determination not this year, but over 25

years ago, as set forth in its justification for the approval of the 1999 Plan. All that has changed recently is its earlier representations to the Board (seeking its non-automatic extensions) that it needed more time to facilitate headquarters relocation on the very Property at issue. Now GEICO is in the process of completely leaving Friendship Heights to relocate its headquarters to Bethesda in 2026.

With this business-oriented change in GEICO's real estate needs, it now finds itself in possession of a large amount of FAR approved for office use that, under current market conditions, it does not foresee as developable without some use changes. And it is certainly plausible that when the office space is considered for a change in use in the update of the 1998 Sector Plan, alternatives will be welcomed and approved. But that is in the future; what is before the Board now with this Application is the statutory requirement that the Board find that the Application "substantially conforms to the master plan." §50.4.2.D.2. "The master plan" means the 1998 Sector Plan, not the future update of that plan. On that score, the finding of substantial conformity cannot be made by the Board on the critical issue of land use. The staff report ignores entirely what the 1998 Sector Plan states about use of the "white hole" area on the "Amendment," in favor of a projected future "updated phased development plan to this area that responds to the demands of today, such as the need for housing, at a location just blocks from the Friendship Heights Metro Station." Staff Report at 13. Maybe that is just what the 1998 Sector Plan update process will conclude, but the relevant question here is what does the un-updated 1998 Sector Plan—still in effect—say? It could not be clearer: The 1998 Sector Plan designates the area GEICO wants to erase from the "Amendment" for "Office building with ancillary street-oriented retail." *Id.* at 64. To eradicate the 1998 Sector Plan land use recommendation for over 50% of the FAR allowed by the 1999 Plan is not "substantial conformity" with the 1998 Sector Plan, it is "substantial nonconformity" at present and into the future, unless and until the Sector Plan update changes that reality.

- 3. Approval of the "Amendment" will stymie fresh evaluation of how 80% of the land area subject to the Plan should be developed.**

As noted above, staff is anticipating another plan revision, one that “responds to the demands of today.” Staff Report at 13. But the only area of the Property that GEICO is prepared to discuss with the community in such a forward-looking fashion is the 20% of the Property for which it is surrendering its development entitlements. More specifically, that is the portion of the CR zoned property facing Friendship Boulevard, which is about 5 acres, or roughly 20% of the land area of the Property. GEICO’s intentions were made plain in a September 5, 2025, letter to the Village from counsel for GEICO, attached as **Exhibit 1**. It states as follows, explaining the impact of its forthcoming move to Bethesda:

This move will free up the GEICO property for the redevelopment reflected in the approved Sector Plan and incorporated into the property’s current zoning. More specifically, we now see an opportunity and a need for the housing previously approved for the GEICO property –townhomes along the Brookdale community and low-rise multifamily buildings along Willard Avenue.

GEICO wants to work with Friendship Heights and its other neighbors through the update in the Friendship Heights Sector Plan to identify more appropriate uses for the portion of the site that initially included new office space along Friendship Boulevard.

Exhibit 1 at 1.

In simpler terms, GEICO is advising that it will develop the residential area of the 1999 Plan exactly how it was approved 26 years ago, as it will be legally entitled to do upon approval of the Application, leaving open for discussion with the community only the 20% of the land area where it no longer wishes to pursue development of office space. And far from its move to Bethesda being an event “freeing up” the GEICO property for development of the remaining 80% of the property, GEICO has had a green light to pursue exactly the indicated development for that area for over 25 years, had it bothered to complete the minimal steps necessary to validate the 1999 Plan.

In sum, the Village shares the staff's hope for "a future holistic review of the Subject Property in the context of Friendship Heights today." Staff Report at 9. That hope, however, will be chimerical with approval of the Application. Approval will leave no reasonable prospect of any such "holistic review." The review will be focused solely on 20% of the Property.

**4. GEICO's argument that approval of the Application is necessary to expedite development of the Property should be rejected.**

In the Village's written set of concerns about the Application presented to staff (included in Attachment E to the Staff Report), the Village made the point that, given the long passage of time since the 1999 Plan was approved, a fresh look at the redevelopment of the entire Plan area should take place first, via the Sector Plan Update process. Underscoring this is the reality that there is a new generation of residents in Friendship Heights and that there have been great advances taking place since then regarding how best to achieve mixed-use, vibrant and walkable neighborhoods, open space and affordable housing in central business districts. Village Talking Points at 4 (Sept. 22, 2025).

GEICO rejects this point, stating that "the more appropriate approach is to proceed with the previously approved development on the [residential] portion of the property rather than waiting for years as would be required in connection with any update to the Sector Plan and any subsequent subdivision, zoning and Site Plan approvals that would be needed to follow that Sector Plan." Attachment E, GEICO Response at 2.

GEICO's argument rings hollow and unpersuasive from every imaginable perspective. First, approval of the Application will frustrate the completeness of the Sector Plan update process by excluding 80% of the Plan area from the update process, as detailed in Point 3.

Second, GEICO's own plan for completion of the Site Plan to come after approval of its "Amendment" stretches out the development process for another 10 years at the least, for a total of 37 years since the 1999 Plan approval. That is more "waiting for years" to complete most of a development plan that is already 26 years old today.

Third, while denial of the Application will almost surely lead to the voiding of the 1999 Plan in 2026, that is hardly a loss to expedition if someone entity ready, willing, and able to develop and implement a revised Preliminary Plan and corresponding Site Plan takes the helm in place of GEICO. GEICO has repeatedly proclaimed its inability to itself develop the property, as its business is insurance, not development, and GEICO has never secured the services of a developer qualified to proceed with the necessary steps leading to development. Many of the basic parameters for development of the Property have already been established through the process that has stalled to date, reducing the time it is likely to take a competent developer to realize what emerges from a freshly renewed planning process for Friendship Heights. And this is so whether GEICO retains ownership of the Property or sells it to someone whose focus will be on its development, not some other business.

Finally, considering GEICO's track record to date and giving credence to GEICO's claim that the office space to be developed on the Property is not a viable choice anymore given current market conditions, the Board would be justified in denying the Application solely on the grounds that the 1999 Plan is no longer viable. The Board could find on this record that implementation of the 1999 Plan is no longer "capable of being financed, constructed, and marketed within a reasonable time frame." § 50.4.2.H.4.b. The Village is not seeking denial on this basis, but rather on the basis of the other points raised above. But the policy underlying this provision in the Subdivision Ordinance nonetheless amplifies why GEICO's expedition argument rings especially hollow in light of its demonstrated dilatoriness.

Either I or a member of the Village Council will testify in opposition to the Application at the Board hearing on October 23, 2025, and will look forward to answering any questions the Board has about the Village's position on this matter.

Village of Friendship Heights  
October 15, 2025  
Page 14

Sincerely,

A handwritten signature in blue ink, appearing to read "Roy Schaeffer".

Roy Schaeffer, Mayor  
Village of Friendship Heights

Enclosure



## VILLAGE OF FRIENDSHIP HEIGHTS

### VILLAGE COUNCIL

ROY SCHAEFFER, *Mayor*  
MARTHA SOLT, *Chairman*  
FRANCINE KLEIN, *Vice-Chairman*  
VICTOR BASILE, *Secretary*  
JOHN CONLOW, *Treasurer*  
ALLYSON ALT, *Parliamentarian*  
ALFRED MULLER, *Historian*  
JULIAN P. MANSFIELD, *Village Manager*

4433 SOUTH PARK AVENUE  
CHEVY CHASE, MARYLAND 20815

Phone: 301-656-2797

Fax: 301-907-3922

Email: [info@friendshipheightsmd.gov](mailto:info@friendshipheightsmd.gov)

Website: [www.friendshipheightsmd.gov](http://www.friendshipheightsmd.gov)



October 14, 2025

Montgomery County Planning Board  
Attn: Artie Harris, Chair  
2425 Reddie Drive, 14th Floor  
Wheaton, MD 20902

Re: 5550 Friendship Boulevard/Friendship Heights Sector Plan

Dear Chair Harris and Planning Board Members:

On behalf of the Friendship Heights Village Council, the elected governing body of the Village of Friendship Heights, I am writing to convey comments and recommendations from the Village Council—as approved at the Council’s October 14 public meeting—concerning the 5550 Friendship Boulevard property in the Village of Friendship Heights. These comments and recommendations are made in response to the Friendship Heights Sector Plan Update Visioning Process currently underway with particular reference to major sites in Friendship Heights that are considered candidates for large-scale development in future years.

### **Green Space Fronting the Office Building at 5550 Friendship Boulevard Must be Preserved to Address Quality of Life and Pedestrian Safety Issues**

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**Comments:** The property fronting the office building at 5550 Friendship Boulevard provides green, open space at a central location in the Village of Friendship Heights that effectively serves as a dog walking park and a play area for children.

The current use is consistent with the previous Sector Plan completed in 1998, which designated the building frontage as “Parks & Open Space” under its [Proposed Land Use Plan](#). However, the Montgomery County Planning staff, at the Existing Conditions presentation on May 30 and in subsequent presentation materials, has indicated this property is potentially available for additional high-density development.

Because the Village of Friendship Heights is one of the most densely populated municipal jurisdictions in the country, preservation of green, open space is absolutely essential to maintaining the quality of life in the Village.

Currently, the office building on the site already generates high levels of traffic within the Village that often makes it difficult for pedestrians, including many senior citizens, to safely cross intersections.

There is widespread concern that further high-density development of the property would not only eliminate existing “Parks & Open space” but also significantly increase traffic levels and exacerbate what are already serious concerns related to traffic and pedestrian safety.

**Recommendation:** The Sector Plan Update plan currently under development makes it clear that the green space fronting the office building is currently utilized as Parks & Open spaces by Village residents, and consistent with the 1998 Sector Plan, should continue to be utilized for that purpose.

## **Planning for Major New Development at Sites such as Saks Fifth Avenue Should Include Independent Traffic and Pedestrian Safety Studies**

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**Comments:** The Montgomery County Planning Commission’s Existing Conditions presentation on May 30, 2025, indicated Friendship Heights has a “Strong pedestrian network that is comfortable with the urban core.”

However, that description does not accurately describe current conditions. The [Urban Design Study](#), completed in 2024, noted residents reported “feeling unsafe” at various intersections throughout Friendship Heights.

The Village of Friendship Heights considers pedestrian traffic safety an issue of significant concern, both at intersections fully within the Village and on boundary streets along Wisconsin and Willard Avenues.

Those concerns were recently outlined in a [Request for Proposals](#) issued by the Village for a Pedestrian Safety Study of Village intersections.

Going forward, as noted as part of the Sector Plan Visioning process, large tracts of land bordering the Village, sites such as Saks Fifth Avenue ([see online map](#)), will likely undergo major development, which is almost certain to exacerbate existing traffic and pedestrian safety issues within the Village and the broader Friendship Heights area.

**Recommendation:** It is recommended that the Sector Plan Update currently underway should clearly reflect Village concerns related to traffic and pedestrian safety under both existing conditions and as large-scale new developments are planned at sites bordering the Village.

It is also recommended that, as part of the planning process for major development proposals, comprehensive and independent studies (not led by the entity proposing the development) be undertaken to:

- Document likely impacts of the proposed developments on traffic and pedestrian safety throughout Friendship Heights (not just on roadways and intersections immediately adjacent to the development), and
- Recommend street, intersection and related improvements, including estimated costs, to mitigate the impacts of proposed developments on traffic levels and pedestrian safety.

Thank you very much for your consideration.

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read "Roy Schaeffer", is written over a horizontal line.

Roy Schaeffer, Mayor, Village of Friendship Heights

Cc: Elza Hisel-McCoy, Montgomery County Planning Department  
Atara Margolies, Montgomery County Planning Department

**From:** [REDACTED]  
**To:** [MCP-Chair; Gatling, Tsaiquan](#)  
**Subject:** Friendship Commons (GEICO) - Preliminary Plan Amendment Number 11999039A - Comments on plan for 10/23/25 Meeting  
**Date:** Thursday, October 16, 2025 4:00:02 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

To:

Montgomery County Planning Board Chair Artie Harris  
and  
Tsaiquan Gatling, Plan Reviewer

We recently moved to Friendship Village/Chevy Chase and have been following the newsletters and posted notices regarding the proposed GEICO land reuse plans.

We like the idea of the office buildings being deleted from the property usage proposals.

HOWEVER, we also have comments regarding the following:

1. IF the office buildings on the Friendship Heights Boulevard side of the property are being removed,  
it seems to make more sense to MOVE THE LOCATION of the proposed apartment buildings for the site  
to that location facing the garage buildings across the street on Friendship Heights Boulevard.

The parking for these apartments should face the Friendship Heights Boulevard commercial properties,  
and the front of the apartments should face the interior of the property -- the proposed/expanded park areas.

2. Relocate the proposed townhouses to the part of the property facing Willard Boulevard (from what we  
have read, this seems to be where the apartments might be located - we do not think that is the best place).

People purchasing townhomes will not want to make a major property purchase and then have their view be of  
the garage properties on Friendship Heights Boulevard.

(We don't feel like the apartment owners should have that be their view either,

which is why we feel like

having the apartment parking lot face those garages would be preferable. Please see statements in #1 above.)

3. Keep as many trees as possible that are already currently on the property as many of them are mature trees

and will help the area to minimize the "new development" look that often is apparent when an entire property is flattened for development.

4. For the proposed / expanded park on the property, have it run all the way from Willard Boulevard (and the

townhouses) to the front of the apartments (whose parking should be facing Friendship Heights Boulevard)

and then have it end over towards the Brookdale Neighborhood Park).

The above proposals would enhance the views for all of the new residents and provide even more park

and recreation areas for them and their neighbors on all sides.

We look forward to a thoughtful and well planned development for this part of the Chevy Chase neighborhood.

Respectfully,

[REDACTED]

Chevy Chase, MD 20815

**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Re: Friendship Commons (GEICO) Preliminary Plan Amendment  
**Date:** Friday, October 17, 2025 9:30:04 AM  
**Attachments:** [K Niles Comments to Planning Board.docx](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Attn: Artie Harris, Planning Board Chair

Dear Mr. Harris,  
Attached please find my letter regarding my concerns regarding the GEICO Preliminary Plan Amendment.

Very sincerely,

[REDACTED]

From:

[REDACTED]

Chevy Chase, MD 20815

[REDACTED]

10-15 -2025

To:

Montgomery County Planning Department  
M-NCPPC  
2425 Reddie Drive  
Wheaton, MD 20902

Re: Friendship Commons (GEICO)  
Preliminary Plan Amendment  
October 23, 2025

Attn: Artie Harris, Planning Board Chair  
[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)  
2425 Reddie Drive  
Wheaton, MD 20902

Dear Mr. Harris,

As a resident of the Village of Friendship Heights, Chevy Chase, MD, for over 30 years I feel I have a stake in any future development in our immediate area, such as the Friendship Commons (GEICO) Preliminary Plan Amendment, scheduled for public hearing on October 23, 2025.

Prior to the election of the current Friendship Heights Village Council in May of this year and the subsequent formation of the Friendship Heights Development Committee this past Summer, I was Chair of the Village of Friendship Heights Community Advisory Committee (CAC) as established by the previous Village Council. Prior to and unaware of the GEICO Preliminary Plan Amendment, the CAC, through the Summer and early fall of 2024, worked to develop the Montgomery County Friendship Heights Sector Plan Development Proposal (a

document of public record). Please note a copy of this document, created in unanimous support by the eleven, member Committee has been shared with Atara Margolies, Project Lead for the current Friendship Heights Sector Plan. The primary amenities developed by this eleven, member committee are listed below with the stated preferred location as being on the present GEICO site. The three primary amenities listed in the Friendship Heights CAC Sector Plan Development Proposal are:

- Community Performing Arts, Culture, and Library Center
- Play and Park Space Areas
- Dog Park

#### Preferred Infrastructure development

- Pedestrian-Friendly Street Amendments
- Environmental Lighting
- Underground Utility Lines

Now in light of the GEICO Preliminary Plan, I would like to suggest the placement of these three amenities and also with regard to the four, four-story residential units and two-hundred town homes.

I suggest the four, four-story residential units, be reconfigured into two high-rise buildings and placed along Friendship Blvd, directly across from the County Recreational Center at Wisconsin Place; they would be separated by a Library/Art Center with entrances to this complex and community directly off of Friendship Blvd. The interior of the GEICO site could contain the development comprised of the 200 town homes, utilizing these same entrances and exits.

I further suggest that the Dog Park be placed on the GEICO site at the Corner of Friendship Blvd. and Western Avenue. This site would be ideal because its distance from residential areas where its noise and offensive odors would be least impactful.

Very sincerely,

A solid black rectangular box used to redact the signature of the sender.



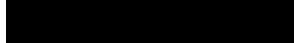
**From:** [Robert Seasonwein](#)  
**To:** [MCP-Chair](#)  
**Subject:** Friendship Commons (GEICO), Preliminary Plan Amendment Number: 11999039A  
**Date:** Friday, October 17, 2025 5:33:17 PM  
**Attachments:** [Hearing Notice.docx](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Written Comments of:

Robert Seasonwein, President  
4620 N. Park Ave Condominium Assn., Inc.



Hearing Notice- October 23, 2025

Subject: Friendship Commons (GEICO) Preliminary Plan Amendment

I am President of the Board of the 4620 North Park Condominium Association, Inc. (4620 North Park) and submit the following comments.

4620 North Park consists of Two Hundred Ninety-Two (292) apartment units located between North Park and Willard Avenues in Friendship Heights. Those units are occupied by approximately 450 people, roughly half of whom look across Willard Avenue, directly at the GEICO property including its headquarters building and parking lot.

1- GEICO's Preliminary Plan Amendment calls for construction of three "midrise" apartment buildings in the current Willard Avenue parking lot. In order to facilitate that construction, dozens of mature trees will have to be cut down, and the green space fronting Willard Avenue destroyed. This will significantly affect the environment in and around the property, including 4620 North Park, 4701 Willard, and the Carleton condominium.

2- Additionally, the height of those "mid-rise buildings will reach at least the level of our terrace, blocking sightlines across Willard Avenue from the terrace. A much simpler solution is to move those apartments to the Friendship Boulevard side of the property, which was initially sited for several high-rise office buildings, and now have been eliminated from the preliminary amended plan. This would be in keeping with Montgomery County's goal of encouraging more affordable housing.

3- The plan shows space for recreation opportunities for the Friendship Heights community; however, while a baseball field is proposed to be built, it is adjacent to Western Avenue, about as far away from the Friendship Heights residential area as is possible. It would certainly make more sense to build that field and other recreational space, such as a playground for the children of Friendship Heights, on the current Willard Avenue parking lot.

4- The Amended Plan shows the extension of Shoemaker Farm Lane and North Park Avenue across Willard Avenue and into the proposed development. Willard Avenue is already quite congested during morning and evening rush hours, as with traffic coming to Wisconsin Avenue from River Road at all times of the day. Traffic calming islands and pedestrian walkways were recently constructed to slow or stop

oncoming cars so that walkers, including children, can safely cross Willard Avenue. School buses also stop to discharge children. Extending Shoemaker Farm Lane and North Park Avenue will result in further congestion on Willard Avenue, or will increase traffic on North Park Avenue, as people going to the proposed property will use it as a “shortcut” to access the property across Willard Avenue.

5- Finally, while the Planning Board has not considered this in the past, and likely will not do so now, the GEICO headquarters building and its property have been a part of the Friendship Heights community for over 60 years. It was designed by Architect Vincent Kling, and is an outstanding example of International Style Mid-Century Modern Architecture; and not just because I say so:

In April 2011, the Montgomery County Planning Department highlighted the GEICO headquarters as “The Building of the Month,” stating:

“The GEICO headquarters building in Chevy Chase, completed in 1959, is an example of International Style architecture, designed by Vincent Kling. It reflects the optimistic spirit of the post-war era and has been recognized for its unique design and landscaped campus, contributing to the architectural heritage of Montgomery County, Maryland.”

It will truly be a shame if this architecturally significant headquarters building is destroyed, instead of being repurposed for community use (such as a local branch of the Montgomery County library so that our aging population, many of whom no longer drive, don’t have to rely on the Bethesda or Chevy Chase branches), and Friendship Heights loses part of its history.

Robert G. Seasonwein, President  
4620 North Park Condominium Association, Inc.



**From:** [Katie Wagner](#)  
**To:** [Gatling, Tsaiquan](#); [MCP-Chair](#)  
**Cc:** [Harris, Robert R.](#)  
**Subject:** 5260 Western Ave Written Testimony  
**Date:** Monday, October 20, 2025 12:23:01 PM  
**Attachments:** [5260 Western Ave Transportation Memo \(10.17.25\).pdf](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Good afternoon Chair Harris and Mr. Gatling,

Please see the attached memo addressing transportation regarding the 5620 Western Avenue project.

Thank you,

Katie Wagner, PE, PTOE  
*Principal*

**GOROVE SLADE**  
Transportation Planners and Engineers  
**T** 703.787.9595 / **D** 202.540.1927 / **C** 503.789.6917  
4550 Montgomery Avenue / Suite 400 / Bethesda, MD 20814  
[kwagner@goroveslade.com](mailto:kwagner@goroveslade.com)  
[www.goroveslade.com](http://www.goroveslade.com)

## TECHNICAL MEMORANDUM

To: Chair Harris and Fellow Board Members                      Montgomery County Planning Board

From: Lauren Buford  
Katie Wagner, PE, PTOE

Date: October 17, 2025

Subject: 5260 Western Avenue — Transportation Adequacy Form Memo

### Introduction

Gorove Slade prepared a Transportation Adequacy Form (TAF) in support of the Preliminary Plan Amendment for the 5260 Western Avenue redevelopment, the GEICO headquarters property in Friendship Heights, Maryland. The purpose of this memorandum is to summarize the findings of the TAF and provide professional justification that the proposed residential redevelopment will not adversely impact the surrounding transportation network. The evaluation considers existing and proposed site conditions, compares trip generation, and outlines coordination steps with Montgomery County Department of Transportation (MCDOT) to ensure compliance with all transportation adequacy requirements at future stages of review.

### Purpose of the Transportation Adequacy Form

As part of the Preliminary Plan Amendment for the 5260 Western Avenue redevelopment, the Transportation Adequacy Form was completed in accordance with the **Local Area Transportation Review (LATR) Guidelines**. The form demonstrates that the proposed development will generate fewer vehicle trips than the existing and previously approved use on the site, confirming that the project does not require a full LATR traffic study.

The TAF ensures that the project remains consistent with Montgomery County's standards for maintaining safe and efficient transportation operations while advancing a multimodal, residentially oriented land use pattern in Friendship Heights.

### Trip Generation Comparison

The existing site is currently developed with approximately 514,000 square feet of office space associated with the GEICO corporate headquarters. The proposed redevelopment includes 200 townhouses and 300 multifamily units. Based on ITE Trip Generation Manual, 11th Edition rates and applicable Montgomery County Policy Area adjustment factors, the residential redevelopment is projected to generate substantially fewer vehicle trips than the existing office use:

- Roughly 70% fewer daily trips;
- Significantly fewer AM and PM peak hour trips (reductions of over 300 trips per peak hour).

These findings confirm that the new residential use will reduce traffic demand on the surrounding network.

**Table 1: Trip Generation Summary**

| Land Use                        | Size       | AM Peak Hour |            |             | PM Peak Hour |             |             | Daily      |
|---------------------------------|------------|--------------|------------|-------------|--------------|-------------|-------------|------------|
|                                 |            | In           | Out        | Total       | In           | Out         | Total       |            |
| Existing Trip Generation        |            |              |            |             |              |             |             |            |
| General Office Building         | 514,257 sf | 422 veh/hr   | 58 veh/hr  | 480 veh/hr  | 77 veh/hr    | 375 veh/hr  | 452 veh/hr  | 3,376 veh  |
| Proposed Trip Generation        |            |              |            |             |              |             |             |            |
| Single-Family Attached Housing  | 200 du     | 20 veh/hr    | 56 veh/hr  | 76 veh/hr   | 53 veh/hr    | 37 veh/hr   | 90 veh/hr   | 1,150 veh  |
| Multifamily Housing (High-Rise) | 300 du     | 17 veh/hr    | 49 veh/hr  | 66 veh/hr   | 49 veh/hr    | 30 veh/hr   | 79 veh/hr   | 1,174 veh  |
|                                 | Subtotal   | 37 veh/hr    | 105 veh/hr | 142 veh/hr  | 102 veh/hr   | 67 veh/hr   | 169 veh/hr  | 2,324 veh  |
| Net Trip Generation             |            | -385 veh/hr  | 47 veh/hr  | -338 veh/hr | 25 veh/hr    | -308 veh/hr | -283 veh/hr | -1,052 veh |

## Consistency with Prior Approvals and Conditions

The original 1998 Preliminary Plan established access and transportation conditions for the site along Willard Avenue and Friendship Boulevard, which remain valid. The current plan maintains these approved access points, ensuring consistency with prior agency coordination and best practices for access management.

The Applicant will continue to coordinate closely with MCDOT during future Site Plan Application reviews to confirm that all transportation adequacy and multimodal access requirements are satisfied. At that time, detailed compliance with any applicable transportation conditions will be demonstrated.







**From:** [Patrick La Vay](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Gatling, Tsaiquan](#); [Harris, Robert R.](#)  
**Subject:** Friendship Commons (GEICO Property) Preliminary Plan Amendment 11999039A  
**Date:** Monday, October 20, 2025 12:23:53 PM  
**Attachments:** [image001.png](#)  
[L-MCPB-PGL\\_2025-10-17.pdf](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Hello. On behalf of the applicant, please see attached letter in response to the letter from the Little Falls Watershed Alliance dated October 13, 2025.

Thank you,

**Patrick G. La Vay, P.E.**  
President



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9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886  
P: 301.670.0840  
M: 757.810.1196  
[www.mhghpa.com](http://www.mhghpa.com)



# MHG

CIVIL ENGINEERING  
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LAND PLANNING

9220 WIGHTMAN ROAD, SUITE 120  
MONTGOMERY VILLAGE, MD 20886  
301.670.0840  
MHGPA.COM

October 17, 2025

Montgomery County Planning Board  
2425 Reedie Drive, 7<sup>th</sup> Floor  
Wheaton, MD 20902

Friendship Commons (Geico Property)  
Preliminary Plan Amendment 11999039A  
MHG Project No. 2024.168.22

Dear Chair Harris and fellow Board Members,

On behalf of our client, Government Employees Insurance Co. ("GEICO"), we hereby submit this point-by-point response to the letter from Little Falls Watershed Alliance ("LFWA") October 13, 2025.

***LFWA opposes waivers to such stormwater management requirements.***

Response: The development application under consideration does not request a waiver from providing stormwater management for the redevelopment activity. The requested waiver is in relation to provisions in the subdivision ordinance requiring the Department of Permitting Services ("DPS") to approve a stormwater concept plan at the time of preliminary plan review. In this case, the preliminary plan review is a limited amendment to address the validity of the Preliminary Plan and the Adequate Public Facilities ("APF") approval. At the time of the 1999 approval, DPS approved a stormwater management concept plan, however the State of Maryland and Montgomery County stormwater regulations have changed significantly since that time. Current regulations require stormwater management to be substantially incorporated into the site design. Therefore, and as recognized by Staff, the appropriate time for this project to introduce modern stormwater management design is at the time of site plan.

***Retain all the mature trees on the GEICO site and add more trees.***

Response: A Preliminary Forest Conservation Plan ("PFCP") was approved alongside the original Preliminary Plan. Some trees were approved for removal and must remain this way to facilitate the redevelopment of the property. As anticipated in the 1999 PFCP, tree preservation is still envisioned along the greenway and within Brookdale Park. Prior to any redevelopment activity, including building demolition, GEICO will be required to submit a Final Forest Conservation Plan ("FFCP") to address reforestation/afforestation requirements, justification for any specimen tree removals, along with mitigation. In accordance with current regulatory requirements, significant tree plantings are envisioned throughout the redevelopment and will be shown on the future site plan submission.

***Expanding and improving the greenways that provide a buffer to nearby single-family communities.***

Response: Consistent with the 1999 approval, the final details of the greenways will be reviewed by Planning Staff at the time of final Site Plan. This amendment does not propose any change to the previously shown greenways.

**Create green trails (with permeable surfaces) that better connect residential areas more closely to transit, office, and retail.**

Response: Additional trail connections will be reviewed and assessed at the time of site plan, as required by planning staff and the other local review agencies.

**Restore the stream along Cortland Road and prevent any new development within its 100-foot buffer.**

Response: Consistent with current environmental guidelines, the applicable stream buffer will be shown on the FFCP and will be planted with new trees.

**Identify and map other streams within and near the site, such as Jennifer Run and Little Falls Branch.**

Response: These streams are not located on the site and currently, there is no regulatory requirement to review their condition.

**Convey Brookdale Park to the county as a forested park.**

Response: The condition requiring dedication of Brookdale Park is unchanged by this application.

**Preserve significant open space and mature trees throughout the Geico site.**

Response: Open space requirements will be provided as required by the property's zoning and other regulatory requirements. Tree preservation and mitigation will be consistent with the future FFCP approval.

**Plant street trees along Willard Avenue and Friendship Boulevard and require suspended pavement for all tree boxes.**

Response: The frontage improvements along all existing and new public or private streets will be reviewed at the time of site plan. This includes street trees and their planting details.

Please let us know if you have any questions or need additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Patrick G. La Vay', written in a cursive style.

Patrick G. La Vay, P.E.  
President

**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Friendship Commons (GEICO) hearing  
**Date:** Monday, October 20, 2025 12:37:28 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Mr. Harris,

As residents of Friendship Village in Chevy Chase, we are very concerned with the proposed development of the GEICO property. The area already has a very high population density and this plan would increase that number significantly. The plan would also eliminate the GEICO green space, one of the few places with trees and grass in this building-dense neighborhood. The green space also plays a roll in offsetting the greenhouse gasses and urban heat island produced by these large apartment and office buildings.

We appreciate that housing is an issue in Montgomery County and building additional units in Chevy Chase is inevitable. Thousands of us already living here will be affected by a significant increase in housing density, mostly in a negative way. We urge you to consider allowing for neighborhood green areas, keeping the existing large trees and planting more trees for future generations of residents. Ideally, the GEICO parking lot facing Willard could be used as a park area, to connect the small Willard Ave park area and the Brookdale playground.

In addition, a low rise housing development (rather than another mass of high rise buildings) would be more in keeping with the scale of the Brookdale neighborhood. It would also mean that those of us living in the condos and apartments that line Willard would still have some access to light and air.

We hope the suggestions of the current neighborhood residents will be considered in this process.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Chevy Chase, MD

**From:** [Diehl, Jennifer M.](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Harris, Robert R.](#); [Gatling, Tsaiquan](#); [Hisel-McCoy, Elza](#); [Vaia, Emily](#)  
**Subject:** ON BEHALF OF ROBERT HARRIS - GEICO Preliminary Plan Amendment 11999039A  
**Date:** Monday, October 20, 2025 4:56:37 PM  
**Attachments:** [Artie Harris - 10.20.2025 Letter GEICO.pdf](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Chairman Artie Harris and fellow Commissioners,

On behalf of Robert Harris, please find attached a letter regarding Preliminary Plan 11999039A.

Sincerely,

---

**Jennifer M. Diehl**, Legal Assistant  
Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years  
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814  
T 301-657-0733 | F 301-986-0332 | Main 301-986-1300  
[jmdiehl@lerchearly.com](mailto:jmdiehl@lerchearly.com)

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[www.lerchearly.com](http://www.lerchearly.com)

**Robert R. Harris**

Attorney

301-841-3826

[rrharris@lerchearly.com](mailto:rrharris@lerchearly.com)

October 20, 2025

Montgomery Counting Planning  
Chairman Artie Harris  
2425 Reddie Drive, 14<sup>th</sup> Floor  
Wheaton, Maryland 20902

Re: GEICO Preliminary Plan Amendment 11999039A

Dear Chair Harris and fellow Commissioners,

The purpose of this letter is to consolidate and amplify the strong justification in the record for approval of this Amendment. The Staff report, based on their months of work reviewing the Application, provides sound support for approval. In light of the Village of Friendship Heights October 15, 2025, opposition letter, and anticipated testimony from some of their residents, we want to make sure that you have the relevant supporting information readily available. Despite past support from the Village of Friendship Heights for the development in this Application, recent leadership changes at the Village have resulted in their current opposition. For the reasons stated here, we disagree with their reasoning and hope you will as well.

Overview

The Village provides an overview of the history of this approval at pages 1-6 of their letter, citing the existing Friendship Heights Sector Plan, a plan they supported and recognize is still the appropriate guide. Much of that Sector Plan reflects how important redevelopment of the GEICO property is to the area and to the County as a whole. The redevelopment approval is so important to the County that the Planning Board has previously extended the approval in an effort to help ensure it will proceed. The only thing that has changed since the original approval is the amplified County and State commitment to housing, particularly in urban, walkable, METRO-oriented areas like this, and the County's determination to maintain and attract quality jobs like those provided by GEICO.

Opposition. Point 1 – Validity Period

Given the weakness in any opposition argument that the proposed development is not in the public interest, the Village seeks to interject a procedural objection, citing provisions related

to Preliminary Plan extension requests. As Staff have indicated, given that this Application substantially reduces the amount of approved development, under Section 50.4.2.F. and the relevant application checklist, it is appropriately considered an amendment rather than an extension. As such, under Section 50.4.2.G.4, the Board may approve a new validity period as part of the amendment. As the Board also is aware, validity periods are set to ensure that Applicants do not attempt to maintain the validity of approved plans for unreasonable amounts of time, where such approvals “consume” available traffic or school capacity or otherwise preclude other projects from proceeding, or where the merits of the approval may no longer exist. The Board wants to be sure that the Applicant is serious about proceeding and that the project will continue to serve the public interest. As reflected in the application materials, both of those conditions exist here.

Even where Applicants are seeking extensions under the more limited extension procedures, the Planning Board has been very accommodating to ensure that major development projects can be built even if they are delayed. Examples of this include the Johns Hopkins Belward Campus in the Shady Grove Area (Preliminary Plan No. 11996110) first approved in 1996 with an extended validity period until 2031, the Rock Spring Centre project in North Bethesda approved in 1998 (Preliminary Plan No. 11998092), of which only a small portion has been built, Black Hills/Crystal Rock in Germantown approved in 1989 (Preliminary Plan No. 1-87012) and the VIVA White Oak project (Preliminary Plan No. 12018024) for which construction still has not yet begun. In short, where major projects like these are producing important public benefits, the Planning Board has been flexible in approving longer validity periods.

The foundation for this project in the 1998 Friendship Heights Sector Plan demonstrates its importance. Fast forward to today, when both the Planning Board and County Council have increasingly recognized the importance of providing new housing, and this project is even more appropriate now than it was when it was first approved. Multiple County studies and various legislative and policy actions reflect this commitment to housing. In fact, just last week, the Maryland Comptroller issued a report on housing and the economy reiterating the need to find ways to meet these demands. [Housing Economy.pdf](#)

In terms of processing this Preliminary Plan amendment as an amendment, not an extension, the approval of the original Preliminary Plan (with support from the Village of Friendship Heights) demonstrates its compliance with all of the requirements for Preliminary Plan approval. In terms of transportation adequacy, reports provided by the Applicant, including the required Transportation Adequacy Form, demonstrate the amendment will result in significantly less traffic than with the approved office component. Similarly, it will generate significantly less traffic than the GEICO building has for many years. School capacity continues to exist to serve the project, and the same is true for public utilities. The plan itself is exactly what is shown in the Sector Plan for this portion of the project, and in the underlying Preliminary

Plan itself. The required future Site Plan and related reviews will further ensure that all applicable requirements are met.

The Village questions whether the Application provides sufficient information regarding “location, type and width of all existing and proposed rights-of-way,” details regarding square feet per dwelling unit, sidewalk locations, etc. This allegation misunderstands the Preliminary Plan process and ignores the findings in the original approval. Each of these issues was addressed appropriately in the original Preliminary Plan and this Application does not propose to change them. At the same time, as with all Preliminary Plans where subsequent Site Plan approval is required, design details for all of these features are determined at the time of Site Plan. This is reflected in Conditions 3, 4 and 12 being retained from the original Preliminary Plan.

Next, the Village criticizes the removal of the office component from the Preliminary Plan approval claiming it leaves an open area for future development which they find unacceptable. GEICO has had multiple discussions with planners and County Officials about the impropriety of office development at that location given major changes in the employment world and the value of re-examining the best use for that portion of the Site through the Friendship Heights Sector Plan update. Leaving this “opportunity area” is not a detriment; is it public benefit to be able to use the land most appropriately.

On a related point, while the Village may not be familiar with it, no property owner has to come in with a Preliminary Plan Application for its entire property. This is particularly true for larger tracts of land and those where there is a near term purpose for development of part of the property, leaving the remainder to be evaluated for other uses at a later time. Large mixed-use projects often evolve in this manner. As Staff indicates in its report, GEICO and the developer of its property will work together with the County and other interested parties to ensure that this remaining portion of the property will be used in the most appropriate manner possible.

Finally, to the extent that any technical details of the Subdivision Regulations are not strictly met here, Section 9.1 of the Subdivision Regulations allows the Planning Board to grant a waiver from any requirement of the chapter. To the extent appropriate, GEICO requests such a waiver.

#### Opposition Point 2 – Sector Plan Conformity

While asserting that the approved plan “unquestionably conformed to the 1998 Sector Plan,” the Village argues that proceeding with part of that plan does not conform. This ignores changes that happen over time to every large, multi-use project. During the gestation period of large mixed-use projects like Clarksburg Town Center, Cabin Branch and many others, changes may occur to individual components such that some do not proceed or are later changed. Again, as noted, it is clear that the housing component of this project is as important as ever while the remaining portion of this property is best suited for uses other than office development. Those



uses will best be determined during the update to the Sector Plan. It would be foolish to stop the residential portion of the development that has been approved and which the Village admits conforms with the Sector Plan, to wait for such future decisions.

#### Opposition Point 3 – Will Stymie Fresh Evaluation

Next, the Village argues that approval of this amendment will “stymie fresh evaluation of how 80% of the land should be developed,” implying that the vision carefully conceived in the Sector Plan, and approved in the underlying Preliminary Plan, was wrong. No County regulations or policies require a fresh evaluation of the approved residential development here. Given the continued recognition of the importance of building new housing, proceeding now best fulfills important County policy objectives.

#### Opposition Point 4 – Timing of Development

Finally, the Village argues that given the passage of time since the original approval, even development that already has been approved and which remains in conformity with the existing Sector Plan, should be delayed for years in order to determine whether revisions are appropriate. The time is now to move forward in making redevelopment of the existing property possible. As an aside, this will generate more than a six fold increase in County property tax revenues at a time when the County budget needs all the help it can get.

#### Conclusion

There is no doubt that the long-planned housing to be provided by the application is fully in the public interest, even more so than when approved. Facilitating GEICO’s relocation to Bethesda and retaining key jobs at a time when the County is losing others, is also in the public interest. Finally, the park dedication, open space and other amenities this project will bring to the area are yet further reasons to affirm the earlier approvals and provide a new validity period to achieve those objectives.

Sincerely,



Robert R. Harris

**From:** [Francine Klein](#)  
**To:** [MCP-Chair](#)  
**Subject:** October 23, 2025 Testimony Item 5 Friendship Commons (Geico) – Preliminary Plan Amendment No. 11999039A  
**Date:** Monday, October 20, 2025 11:14:04 PM  
**Attachments:** [SUBMITTED TESTIMONY OF FRANCINE KERNER KLEIN.pdf](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Attached is the testimony of Francine Kerner Klein (Vice-Chair Friendship Heights Village Council), on Item 5, Friendship Commons (GEICO)--Preliminary Plan Amendment No. 11999039A. Ms. Klein has applied to testify in-person at the October 23 meeting.

Mailing address is Francine Kerner Klein, 4601 N. Park Avenue, Apt. 506, Chevy Chase, MD 20815, [REDACTED] Thank you!

TESTIMONY FRANCINE KERNER KLEIN  
VICE-CHAIR, VILLAGE OF FRIENDSHIP HEIGHTS COUNCIL  
ON  
FRIENDSHIP COMMONS (GEICO) PLAN AMENDMENT 11999039A  
October 23, 2025

Chairman Harris, Vice-Chair Linden and fellow Commissioners, good afternoon. I am Francine KLEIN, Vice-Chair of the Village of Friendship Heights Council. I welcome the opportunity to speak to you today regarding the reasons the Village is opposed to the GEICO application, seeking primarily to extend the Plan and APF validity periods of its quarter-century old Preliminary Plan for redevelopment of its 26.5-acre headquarters property.

The Village, designated a special taxing district by the Maryland General Assembly in 1914, has a population of over 5,000, 88% of whom are college graduates. Our residents live in about eight multi-family condominiums and apartment buildings, many of which face Willard Avenue, directly across the street from the GEICO property. The Village has a population density of over 90,000 per square mile, the highest of any incorporated or census-designated community in the United States. The Village regards itself the community that will be most directly impacted by the Board decision in this case.

The importance to the Village of the GEICO application is reflected in the work that has gone into detailing our concerns about what has been proposed to you. I hope you have had an opportunity to review the opposition letter sent to you a week ago by Mayor Roy Schaeffer. It details the history of the long-stalled 1999 Preliminary Plan at issue here, which is followed by our analysis, prepared with the assistance of our land use counsel, David Brown, explaining why the Application is legally defective and should not be approved. I do not have time to recount all those details here, but I will summarize our position as follows:

First, in the 25 years GEICO has had the opportunity to seek and obtain validation of the 1999 Plan, it has never attempted to do so, necessitating a total of eight extensions of the period to obtain plan and APF validity. The first extension was routinely granted without controversy by the Board. Five of the rest were automatically granted by the County Council, in response to economic conditions. In between these were the other two extensions, where GEICO was obliged to demonstrate to the Board its extension entitlement under the standards of the Subdivision Ordinance. In both instances, the staff made a strong case that the extensions should be denied. Both were granted by the Board anyway, to preserve GEICO's stated intention to reconstruct its headquarters building on the Property. In the 2012 hearing on the second extension request, it was so clear to all that the staff was legally correct in its denial recommendation that the Board's extension

approval was based on a waiver of compliance with the statutory criteria. The combined effect of all these extensions was that as of July 2020, GEICO knew that it had six years--until June 2026--to “fish or cut bait” on the 1999 Plan. Today, GEICO has not even attempted to justify a ninth extension of the 1999 Plan, and staff agree it could not be justified.

Second, with no specific plan for fulfillment of the 1999 Plan, and all but out of time to do so, GEICO has presented you not with a genuine plan amendment, but rather with a contrivance—a figment of a plan amendment—in the hope that you will grace it with a new validity period, this time for 10 years. The letter we sent to you last week explains in detail why what GEICO has submitted cannot be viewed as a genuine plan amendment. I will spare you those details in my limited time but note that the key defect is the glaring hole in the proposed new plan where once stood three office buildings fronting on Friendship Boulevard, ranging in height from 9 down to 5 stories, which were to constitute over 50% of the FAR bestowed upon the entire 26.5 acre property. That office use has been replaced with nothing but blank space and the excuse that “we’ll figure out later what goes there, but definitely not office use.” A preliminary plan necessarily must consider development of the land under review as an integrated whole, and that is what the 1999 Plan did, with the Village’s endorsement. An amendment to the plan must likewise consider the amended plan as an integrated whole. Instead, what you are

being asked to ratify and endorse an elaborate and legally flawed circumvention of the long-foreseeable legal consequences of GEICO's failure to act. Were the Board to endorse what GEICO seeks here it would make a shambles of the Subdivision Ordinance's mandated scheme of keeping to a minimum the time elapsed between Preliminary and Site Plan approvals—in this case quite possibly a grand total of 37 years.

Our friends and neighbors in Brookdale have taken a different approach. They support the Application on the grounds that it will preserve the hard-won status quo, where negotiations with GEICO in the 1990's led to promised amenities favoring Brookdale residents that they do not want to lose. The Village strongly concurs with retention of those amenities and specifically the townhouses to be located on the GEICO parking lot and closest to Brookdale, but we believe that it is an extremely remote possibility those townhouses and amenities will be lost if the 1999 Plan becomes void next year. Brookdale's concern is about binding elements applicable to the 16.6-acre segment of the Property zoned R-60. Unless that property is rezoned in the future, they will not be lost, just as they are not lost under the current GEICO plan. Even if there were a rezoning, which is most unlikely, it is equally unlikely that this Board, or the County Council would agree that whoever is redeveloping the R-60 property would be allowed to abandon those binding elements and townhouses from the 1998 G-760 rezoning.

What really is at issue here and would be ripe for discussion by staff with the community in the ongoing Sector Plan update process is the ultimate fate of the rest of the GEICO property. It is a boomerang-shaped 9.912-acre parcel fronting on Willard and Friendship Boulevard, which has gone from the TS-M zone to the CR zone, with a maximum density of 3.0, or  $3 \times 9.912$  acres, = 29.739 acres of gross floor area, which is 1,295,431 sq. ft. Of that, GEICO no longer sees 810,000 sq. ft. of approved office space along Friendship Boulevard as developable, but wishes to hold on to the four multi-story residential buildings along Willard Avenue that comprise most of the rest of the FAR, at 335,390 sq. ft. This undeveloped Friendship Heights parcel, at 9.9 acres at its location, by all rights should be a major focus of the Sector Plan update. The Village hopes to be a constructive voice in that process, whose outcome as to this parcel cannot be confidently predicted at this time. Moreover, GEICO has had more than enough time to answer itself the obvious question—what is next for the space undevelopable as office use—via a genuine preliminary plan amendment. GEICO's default does not obligate the Village to supply the answer now, before the Sector Plan update process is complete—in order for the Board to conclude that GEICO is simply not legally entitled to a new plan validity period.

Nevertheless, the Village considers it fair for the Board to ask us: are we just saying “no,” or do we have a sense of the best future for this critical 9.9 CR-zoned

segment if the 1999 Plan is finally voided? Our answer is yes. We have two different but complementary visions for this property, scenarios that ought to be considered in a fresh re-examination of the possibilities under current—not 1998—planning standards for creating vibrant and engaged living spaces in central business districts. Our first vision shifts all of the residential units from facing Willard Avenue to facing Friendship Boulevard, perhaps with a significant increase in the residential density along Friendship, to match the height of the Bloomingdale’s building across the street. Our second vision reimagines and repurposes at least a portion of the GEICO building as residential, with underground parking.<sup>1</sup> This

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1. This is not a fanciful, unrealistic vision. Repurposing of office buildings to residential use is high on the list of strategies now being employed by the County to address its critical shortage of housing. ZTA 25-03, in effect since April, provides for expedited approval of such conversions in the CR zone. Repurposing the GEICO office building would actually do much more than add needed housing. It would save a building that was not thought to be historic when slated for destruction in 1999 but has now come to be seen as such. Through Montgomery County Historic Preservation, the Board’s “Montgomery Modern” team has been created to recognize and appreciate the historicity of buildings built between 1940-60 as exemplars of the “Atomic Age.” The GEICO building represented a new type of building for its era, the suburban corporate campus. It was characterized by minimalist forms, a lack of ornamentation, and the use of modern materials, textured porcelain enamel and colored, crystal-textured glass panels. The building was the first stop on a Montgomery Modern Bus Tour in the County, which took place in October 2013. The Tour Guidebook notes that the GEICO building (a) “is an outstanding example of an International Style complex composed of carefully articulated buildings with clean lines and geometric forms set in a natural, landscaped campus,” and (b) was designed by Vincent Kling, the same famous architect that designed the Penn Center, a multi-use downtown complex that has proved successful in revitalizing central Philadelphia.



would not only save the “front lawn” of the GEICO building along Willard; it would also preserve the beautiful, mature and graceful trees along Willard, which are either in front of the building or in and among the surface parking area that is entered from Willard.<sup>2</sup> Standing in the way of this second vision, of course, are the four multi-story buildings in the 1999 Plan whose construction would demolish an iconic mid-century modern office building; and the lush and rare urban green space which surrounds it.

The Village is not saying these are the only, or necessarily the best visions for the CR-zoned parcel. But we doubt that the vision approved in 1998 would come out on top in the Sector Plan update process. As our letter to the Board details, GEICO does not want any such discussion about this to ever take place. Through its improper figment of an amended Plan, GEICO simply wants to “lock in,” through approval of its “Amendment,” a very dated vision for the future of this area. Friendship Heights deserves better.

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<sup>2</sup> According to the NRI recently submitted with the GEICO application, the area shown as multi-family buildings on the 1999 Plan now contains 22 specimen trees, of which 19 are in Fair or Better condition.

**From:** [Willoughby - Cooperman](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Michael Cooperman](#)  
**Subject:** Willoughby comments about Geico site plan  
**Date:** Tuesday, October 21, 2025 10:08:51 AM  
**Attachments:** [Geico site comments.docx](#)

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[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Attached is a letter that lists and describes concerns expressed by owners and residents of the Willoughby Condominium of Chevy Chase.

Thank you for your consideration of our comments.

Michael Cooperman  
Willoughby Board President

Montgomery County Planning Department  
M-NCPPC  
2425 Reddie Drive  
Wheaton MD 20902

Re: Friendship Commons (GEICO) Preliminary Plan Amendment  
Willoughby Condominium of Chevy Chase Comments

The Willoughby Condominium of Chevy Chase is the largest condominium in Montgomery County, with 815 units, 25 floors, and entrances on both Willard Avenue and Friendship Boulevard in Friendship Heights.

Many of the units in our South building, with its entrance on Willard Avenue, and our North building, entrance on Friendship Blvd, will face the 300 multi-family units proposed to be constructed along Willard Avenue.

We have several concerns about the proposed site plan and general development of the property.

#### **The Incompleteness of the Plan and the Importance of Green Space**

The proposed plan has inadequate details and insufficient green space. The area previously designated for office space has not been defined for another use. We are concerned that this could invite a developer to build a high-rise in that space.

Designating just two areas as “Greenway” with just 0.95 and 1.25 acres in a 26+ acre site is not sufficient to make the site attractive, inviting, and sensitive to environmental considerations.

#### **Location of Residential Buildings along Willard Avenue**

Building along Willard Ave would remove much valued green space, including numerous mature trees, providing beautiful foliage along Willard Ave. Removing this green space would result in an almost solid wall of residences from south of Willard Ave to north of North Park Ave. Building these 300 residential units along Willard Avenue would compromise the view enjoyed by a large number of our 1500-2000 residents.

Our very strong preference is to move these proposed residential buildings to the now-uncommitted space along Friendship Blvd, previously slated to contain large office buildings but no longer in the proposed plan. Building along Friendship Blvd would have little if any negative impact on properties on the east side of this street, especially if residences were to be situated as close as possible to Western Avenue. Some of these residential buildings could also be built along Western Avenue, reducing the impact on residents at the Willoughby as well as those at Wisconsin Place.

### **Traffic Considerations**

The major road running south of this is Western Avenue. On the north side of the site is Willard Avenue, one lane in each direction. This development would add several hundred cars to the neighborhood and would contribute to traffic problems at several important intersections and on narrow streets. With Willard Ave being only one lane in each direction, it is important that there be no entry or exit into or out of the site on Willard Ave.

### **Encouraging Young Families to Move into Friendship Heights**

The current demographic makeup of Friendship Heights is an aged and aging community, with inadequate age diversity. Our own condominium is facing the challenge of encouraging young families to move into the building, as are other condos in the area. The future of Friendship Heights must depend on attracting young families, which means providing amenities that would be desirable to children. Developing ample playground space suitable for children of all ages is essential to this goal. In contrast, the plan to build a baseball field has appeal to a more limited age span and would have almost no value for families with younger children unless the space could also be used for a soccer field.

### **A Full-Service Branch Library**

The site should include a full-service library, providing programs for families with children, as well as reading space for other residents. Currently, the two closest county library branches are 1.7 miles (the Little Falls branch) and 2.0 miles (the Connie Morella branch) from this site. Visiting these branch libraries means driving. Having a library on-site would be a huge benefit that would also help attract families to the community.

### **Walking and Biking Paths**

The site should include walking and biking paths, including access to Brookdale Park by area residents.

### **A Dog Park**

A dog park would be desirable to accommodate the many residents who own dogs. Situating this park toward the western end of the site would be convenient for area residents while being located some distance from the most dense residential areas.

### **The Requested Waiver of County Stormwater Regulations**

We oppose granting the requested waiver of County stormwater and other environmental regulations. With climate changes resulting in increased flooding and prolonged heat during the summer months, it is essential to deny the request to waive the site plan from these regulations.

### **Conclusion**

In conclusion, we are opposed to extending the proposed site plan and granting the requested waiver. Because of the large number of significant changes we have listed above, we would support either folding this into the Friendship Heights sector plan or starting fresh with a new and more sensible site development proposal.

Michael Cooperman  
The Willoughby Condominium of Chevy Chase  
Board of Directors President

**From:** [Willoughby - Cooperman](#)  
**To:** [MCP-Chair](#)  
**Subject:** Re: Automatic reply: Willoughby comments about Geico site plan  
**Date:** Tuesday, October 21, 2025 11:14:46 AM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Personal contact information, as requested.

Michael Cooperman

[REDACTED]

Chevy Chase, MD 20815

Willoughby Board President

On Oct 21, 2025, at 10:08 AM, MCP-Chair <mcp-chair@mncppc-mc.org> wrote:

Thank you for contacting the Planning Board Chair's Office. This confirms receipt of your message for distribution to appropriate staff to review. If you have submitted an inquiry, we will respond in a timely manner. You may also leave a voice message at (301) 495-4605 and a staff member will return your call.

**IMPORTANT:** If you have submitted written testimony for a Planning Board item, please be sure to include your mailing address to satisfy proper noticing requirements. If this was not already included, please reply to this email with that information. Written testimony submitted before the deadline of 12pm, two business days before the scheduled Planning Board meeting, will be distributed to the Board and staff and included in the public record. Written testimony received after the deadline will only be distributed to staff to review.

For more information about the Chair's Office, please visit: <https://montgomeryplanningboard.org/>

**From:** [MCP-Chair](#)  
**To:** [MCP-Chair](#)  
**Subject:** FW: FOR SOME REASON MY ATTACHED OCT 16TH SUBMISSION DOES NOT APPEAR ON THE WEBSITE...  
**Date:** Tuesday, October 21, 2025 1:07:27 PM

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On Thu, Oct 16, 2025 at 12:58 PM [REDACTED] wrote:

Applicant proposes to amend the existing plan by removing storm water management requirements and remove office density and establish a new validity period.

As a resident of Friendship Heights and someone who has raised a family within about a mile of Friendship Heights over the past 30 years, I believe that this request should be denied and held in abeyance since it is a very small part of a much larger and more important review and update of the Friendship Heights Sector Plan. Nothing should be done that implies current approval of the 30-year-old GEICO site plan until after the Sector Plan has been updated and applicant should be advised that this request is held in abeyance specifically for that reason.

With the re-opening of the 1998 Geico Site Plan and the revision of the Friendship Heights Sector Plan, Montgomery County has a once in a century opportunity to re-imagine Friendship Heights. This comes exactly when we must do everything possible to fight climate change, we must deal with the threat of punishing heat domes, and we're facing the prospect of major long-term demographic shifts. To oversimplify a bit, I'm calling for the board to use the Sector Plan to make Friendship Heights green and to convert the Geico site into Montgomery County's version of New York City's Central Park.

Any aerial photo of Friendship Heights will show it as an island of concrete and steel in a sea of green and any check with the US Census Bureau will show Friendship Heights as one of the most densely populated communities in the United States and any check with weather records will show Friendship Heights as the site of one of Maryland's most dangerous heat domes. Adding more concrete and steel buildings of any sort to Friendship Heights, instead of converting the land to desperately-needed substantial green space both worsens climate change and exacerbates its heat dome. Converting the Geico Site to our Central Park is only one, but perhaps the most important, step that Montgomery County can take to make Friendship Heights green. And just as some real estate interests would describe New York's Central Park as a waste of valuable space, so too might they say as much about our own local Central Park.

Among the many reasons to put making Friendship Heights green as the top priority and

converting the Geico Site into our Central Park are:

- \* It fights climate change (especially when compared to adding more buildings)
- \* It promotes the needs of families and youth for whom green spaces are very important by offering families affordable homes with large nearby parks, fields, trails and gardens.
- \* It would likely end Friendship Heights' dangerous heat dome
- \* It would improve the quality of life and particularly the health of the 5,000+ people who live in Friendship Heights

Since the 1930's, the absolute foundation of Montgomery County planning has been endless significant population growth. Changes in birth rates, life spans, Federal and contractor employment, work from home rules and immigration policies make that foundation less clear. Which suggests to me that the County should prioritize increasing population near the 10 Metro sites that are far less densely populated than Friendship Heights rather than deprive Friendship Heights of a once-in-a-century opportunity to turn green.

[REDACTED]

[REDACTED]

[REDACTED]

[Chevy Chase, Maryland 20815](#)

[REDACTED]



**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Comments regarding proposed Geico property plan  
**Date:** Tuesday, October 21, 2025 10:37:40 AM  
**Attachments:** [Hearing Notice.docx](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

As a resident of 4620 N Park, I totally agree with our Board President's comments. I would also like to emphasize my concern about the extension of North Park Ave into the planned community.

I park in the garage that is right at the corner of North Park and Willard. It already requires great caution to exit the garage. As N Park curves, the exiting driver cannot easily see cars coming around the curve. At the same time, the exiting driver has to pay attention to cars making a right from Willard onto N Park and cars on Willard making a left hand turn onto N Park.

Having increased traffic as a result of the proposed extension will create an even more concerning situation. [REDACTED]

Hearing Notice- October 23, 2025

Subject: Friendship Commons (GEICO) Preliminary Plan Amendment

I am President of the Board of the 4620 North Park Condominium Association, Inc. (4620 North Park) and submit the following comments.

4620 North Park consists of Two Hundred Ninety-Two (292) apartment units located between North Park and Willard Avenues in Friendship Heights. Those units are occupied by approximately 450 people, roughly half of whom look across Willard Avenue, directly at the GEICO property including its headquarters building and parking lot.

1- GEICO's Preliminary Plan Amendment calls for construction of three "midrise" apartment buildings in the current Willard Avenue parking lot. In order to facilitate that construction, dozens of mature trees will have to be cut down, and the green space fronting Willard Avenue destroyed. This will significantly affect the environment in and around the property, including 4620 North Park, 4701 Willard, and the Carleton condominium.

2- Additionally, the height of those "mid-rise buildings will reach at least the level of our terrace, blocking sightlines across Willard Avenue from the terrace. A much simpler solution is to move those apartments to the Friendship Boulevard side of the property, which was initially sited for several high-rise office buildings, and now have been eliminated from the preliminary amended plan. This would be in keeping with Montgomery County's goal of encouraging more affordable housing.

3- The plan shows space for recreation opportunities for the Friendship Heights community; however, while a baseball field is proposed to be built, it is adjacent to Western Avenue, about as far away from the Friendship Heights residential area as is possible. It would certainly make more sense to build that field and other recreational space, such as a playground for the children of Friendship Heights, on the current Willard Avenue parking lot.

4- The Amended Plan shows the extension of Shoemaker Farm Lane and North Park Avenue across Willard Avenue and into the proposed development. Willard Avenue is already quite congested during morning and evening rush hours, as with traffic coming to Wisconsin Avenue from River Road at all times of the day. Traffic calming islands and pedestrian walkways were recently constructed to slow or stop

oncoming cars so that walkers, including children, can safely cross Willard Avenue. School buses also stop to discharge children. Extending Shoemaker Farm Lane and North Park Avenue will result in further congestion on Willard Avenue, or will increase traffic on North Park Avenue, as people going to the proposed property will use it as a “shortcut” to access the property across Willard Avenue.

5- Finally, while the Planning Board has not considered this in the past, and likely will not do so now, the GEICO headquarters building and its property have been a part of the Friendship Heights community for over 60 years. It was designed by Architect Vincent Kling, and is an outstanding example of International Style Mid-Century Modern Architecture; and not just because I say so:

In April 2011, the Montgomery County Planning Department highlighted the GEICO headquarters as “The Building of the Month,” stating:

“The GEICO headquarters building in Chevy Chase, completed in 1959, is an example of International Style architecture, designed by Vincent Kling. It reflects the optimistic spirit of the post-war era and has been recognized for its unique design and landscaped campus, contributing to the architectural heritage of Montgomery County, Maryland.”

It will truly be a shame if this architecturally significant headquarters building is destroyed, instead of being repurposed for community use (such as a local branch of the Montgomery County library so that our aging population, many of whom no longer drive, don’t have to rely on the Bethesda or Chevy Chase branches), and Friendship Heights loses part of its history.

Robert G. Seasonwein, President  
4620 North Park Condominium Association, Inc.



**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Re: Automatic reply: Comments regarding proposed Geico property plan  
**Date:** Tuesday, October 21, 2025 10:41:32 AM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

[REDACTED]  
Chevy Chase, MD 20815

On Oct 21, 2025, at 10:37 AM, MCP-Chair <mcp-chair@mncppc-mc.org> wrote:

Thank you for contacting the Planning Board Chair's Office. This confirms receipt of your message for distribution to appropriate staff to review. If you have submitted an inquiry, we will respond in a timely manner. You may also leave a voice message at (301) 495-4605 and a staff member will return your call.

**IMPORTANT:** If you have submitted written testimony for a Planning Board item, please be sure to include your mailing address to satisfy proper noticing requirements. If this was not already included, please reply to this email with that information.  
Written testimony submitted before the deadline of 12pm, two business days before the scheduled Planning Board meeting, will be distributed to the Board and staff and included in the public record. Written testimony received after the deadline will only be distributed to staff to review.

For more information about the Chair's Office, please visit:  
<https://montgomeryplanningboard.org/>

**From:** [Francine Kerner](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Francine Klein](#); [Dave Brown](#)  
**Subject:** October 23, 2025 Addendum to Testimony of Francine Kerner Klein on behalf of the Village of Friendship re: Item 5 Friendship Commons (GEICO) Preliminary Plan Amendment No. 11999039A  
**Date:** Tuesday, October 21, 2025 11:04:21 AM  
**Attachments:** [CCF\\_000826.pdf](#)

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[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

This is an addendum to the testimony of Council member Francine Kerner Klein who has asked to testify in person at the meeting.

The addendum was prepared by our property attorney Dave Brown to respond by a recent submission by GEICO. Mr. Brown will be available at the October 23 meeting to answer questions.

The Village of Friendship Heights supports development of high density residential housing on Friendship Commons. It also supports repurposing the historic GEICO Headquarters building and saving specimen trees on the property. All of these important goals can be accomplished.

Thank you.

Sent from my iPhone



LAW OFFICES OF

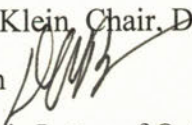
**KNOPF & BROWN**

503 WOODLAND TERRACE  
ALEXANDRIA, VIRGINIA 22302  
(301) 335-5646

DAVID W. BROWN  
SOLE PRACTITIONER

EMAIL BROWN@KNOPF-BROWN.COM

**MEMORANDUM**

**TO:** Francine Kerner Klein, Chair, Development Committee  
**FROM:** David W. Brown   
**SUBJECT:** Response to Harris Letter of October 20, 2025  
**DATE:** October 21, 2025

This Memorandum responds to the letter sent by GEICO counsel Robert Harris on October 20, 2025, in response to the Village's opposition letter of October 15, 2025 on GEICO Application 11999939A.

**First,** Mr. Harris does not in any way dispute the accuracy of the history of its multiple, mostly unearned Plan validity period extensions, or the fact that the Board granted at least one that was grated by waiver because it was not defensible under the legal criteria in the Subdivision Ordinance. Mr. Harris distorts that history by stating that the reason the Board extended the validity periods was "to help ensure [the development] will proceed." To the contrary, the Board was seeking to ensure that the Plan—whose principal focus was on rebuilding the GEICO headquarters office on the site--would proceed. That hope has failed; GEICO does not dispute that it is abandoning the Property and Friendship Heights altogether next year.

**Second,** Mr. Harris also states that "[t]he only thing that has changed since the original approval is the amplified County and State commitment to housing, particularly in urban, walkable METRO areas like this . . ." Not so. What else has changed significantly in that 25-year period is Friendship Heights itself, as the predicate documents leading to the current update of the 1998 Sector Plan attest. It is that changed environment in which the Village seeks to have a fresh look at what is appropriate for the Property, in the wake of that changed environment and in light of the much more sophisticated planning process that today goes into designing new CBD projects, as made clear in the Village's letter to the Board.

**Third,** Mr. Harris dismisses as a mere "procedural objection" GEICO's stratagem of getting around a decades long failure to comply with the basic necessities of obtaining Plan and APF validity. It circumvents this problem by submitting what can only be described as a figment of an amendment, in that it removes from the Plan over 50% of the planned development with nothing to replace it, in the hope that the Board will grant GEICO a "new" validity period. Mr. Harris disputes none of the underlying facts, but nevertheless cites a number of examples where other Preliminary Plans have had comparably extended validity periods. He makes no attempt to explain why they have any precedential value here. If there is a Preliminary Plan that has ever been approved with a complete fully integrated plan for development of the property, only to have the developer substitute for it—some 25 years later—a radically incomplete plan with much of the planned development abandoned with no replacement, he surely would have mentioned it. Instead, he claims that details of usage of the Plan area were addressed in the 1999 Plan and the current



plan “does not propose to change them.” This is false. Mr. Harris has made clear that the abandonment of the office space is certain and permanent. It is a huge change in the Plan—one that could have justified a real plan amendment had GEICO ever gotten around to filing a fully integrated amendment, where one part of the plan will complement other parts.

**Fourth,** despite claims to the contrary by Mr. Harris, this is not a matter where any degree of “flexibility” has been either earned or is merited. In the 1999 Plan, for the area designated for office and ground floor retail use, one knew exactly what the use would be, what the location would be, and what the height and bulk of the buildings would be and where the roads would be, as required when a plan is submitted for review. It has all been “replaced” with a glaring “donut hole” in the plan. The legality of that contrivance as a legitimate plan amendment is being challenged. Mr. Harris’ responses are unavailing. The Board does not have the claimed “flexibility” to disregard what is required by the Subdivision Ordinance. Nor does the Ordinance contain a provision allowing an extension “to ensure that major development projects can be built even if they are delayed.” That may be true when the delay is beyond the control of the developer, but that rationale has not been true for this case since 2012, as demonstrated in un rebutted detail by the Village. And when Mr. Harris asserts that the rationale for extensions is that the “Board wants to ensure the Applicant is serious about proceeding,” he is sinking his own ship. As the Village detailed, GEICO has not been “serious about proceeding” ever since it decided to abandon Friendship Heights. Its last extension gave GEICO six years (to 2026) to get serious; it has chosen instead to leave.

**Fifth,** Mr. Harris goes outside the record to assert that the Plan will meet APF requirements. If this is so, GEICO does not need an APF validity extension; it has until next June to so demonstrate. In fact, the reality is that it cannot do so because no one at this juncture knows what is going to fill the donut hole, which will be an important factor in determining APF compliance.

**Sixth,** Mr. Harris misleadingly claims that part of the Preliminary Plan as approved in 1999 “remains in conformity with the existing Sector Plan.” This ignores the Village’s point that the amendment does not substantially conform to the 1998 Sector Plan, which calls for office use along Friendship Boulevard, which is being ruled out by GEICO. Instead, he offers the diversion that projects can change over time, and in this instance, “the housing component of the project is as important as ever while the remaining portion of this property is best suited for uses other than office development.” This just echoes the Village’s point that the future of the property along Friendship Boulevard is best settled in the “required future Site Plan and related reviews.” He excludes reconsideration of the multi-family units along Willard Avenue, thereby confirming exactly the point Mr. Harris made to the Village in his September 5, 2025 letter to the Village: instead of considering the entire Property, have the updated Sector Plan focus only on the donut hole. At present, however, approving a plan that eradicates the use planned for buildings along Friendship Boulevard is contrary to the 1998 Sector Plan, which, though it foreseeably is likely to change, is still the plan by which the Board must judge the “substantial conformity” requirement until the Sector Plan is changed in fact. And it is GEICO’s abject failure to meet that requirement (by abandoning the current Sector Plan’s recommendation of office use there) that betrays the error in his claim that “[n]o County regulations or policies require a fresh evaluation of the approved residential development here.” What GEICO is seeking approval of is development starkly at odds with the master plan land use conformity requirement. If the Board

acknowledges that failure and denies the application, that will precipitate the needed fresh evaluation of master plan conformity in light of the updated Sector Plan.

**Seventh,** with no sense of irony, Mr. Harris claims that the project proposed, with validity periods extending over the next ten years, for a grand total of 37 years, "should not be delayed for years in order to determine whether revisions are appropriate." What is likely to cause delay is a blessing by the Board of an illegal application of the Subdivision Ordinance. If as it should, the Board denies the application, the appropriate future use of the Property can be expeditiously determined in the Sector Plan update process to a point of community consensus, as happened in the last century with the advent of the 1998 Plan. The readily foreseeable result is that Preliminary and Site Plans revamped in accordance with the updated Sector Plan will thereafter be welcomed by the Friendship Heights community, and expeditiously approved.



**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Friendship Commons Plan Amendment # 11999039A  
**Date:** Tuesday, October 21, 2025 2:31:32 PM  
**Attachments:** [Geico Plan Amendment.docx](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Find attached written comments about the proposed plan amendment.

Hearing Notice- October 23, 2025

Subject: Friendship Commons (GEICO) Preliminary Plan Amendment

I am a member of the Board and current Treasurer of the 4620 North Park Condominium Association, Inc. (4620 North Park) and would like to submit the following comments about the planned amendment for the Geico property.

4620 North Park consists of Two Hundred Ninety-Two (292) apartment units located between North Park and Willard Avenues in Friendship Heights. Those units are occupied by approximately 450 people and are the largest group of people who look directly across Willard Avenue, at the GEICO property.

One of the changes that was made in the planned amendment was to stop the pedestrian movement plan that was part of the first proposal. We have thousands of people that live in the community within 2-3 blocks of the Friendship Commons area with most walking to the Metro and surrounding retail establishments. We have had multiple mishaps involving the Friendship Heights community and to leave out an improved pedestrian plan would only make movement in the area more dangerous. I ask that you leave in a comprehensive look at pedestrian movement in the high population area.

The plan shows space for recreation opportunities for the Friendship Heights community: however, while a baseball field is proposed to be built, it is adjacent to Western Avenue, about as far away from the Friendship Heights residential area as is possible. It would certainly make more sense to build recreational space, such as a playground for the children and a walking trail closer to Willard Avenue. The addition of public EV charging stations would also be nice.

The Amended Plan shows the extension of Shoemaker Farm Lane and North Park Avenue across Willard Avenue and into the proposed development. Willard Avenue is already quite congested during morning and evening rush hours, with traffic coming to Wisconsin Avenue from River Road at all times of the day. A comprehensive plan for automobiles and pedestrians will be required for this area.

Thank you for your consideration and I hope you will create a plan that will not only maintain but improve this area for residential living for this Montgomery County community.

Michael S. Edwards, PharmD, MBA  
Treasurer, 4620 North Park Condominium Association, Inc



**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Cc:** [Robert Seasonwein](#)  
**Subject:** Comments for Hearing on October 23, 2025 re Friendship Commons (GEICO) Preliminary Plan Amendment  
**Date:** Tuesday, October 21, 2025 2:46:17 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

We are the owners of a condominium at 4620 North Park in Friendship Heights. Our condo looks directly at the GEICO headquarters building. We support Points 1-4 in the email to you from Robert Seasonwein, our Board president, and ask you to consider these in your deliberations. They are repeated below:

- 1- GEICO's Preliminary Plan Amendment calls for construction of three "midrise" apartment buildings in the current Willard Avenue parking lot. In order to facilitate that construction, dozens of mature trees will have to be cut down, and the green space fronting Willard Avenue destroyed. This will significantly affect the environment in and around the property, including 4620 North Park, 4701 Willard, and the Carleton condominium.
- 2- Additionally, the height of those "mid-rise buildings will reach at least the level of our terrace, blocking sightlines across Willard Avenue from the terrace. A much simpler solution is to move those apartments to the Friendship Boulevard side of the property, which was initially sited for several high-rise office buildings, and now have been eliminated from the preliminary amended plan. This would be in keeping with Montgomery County's goal of encouraging more affordable housing.
- 3- The plan shows space for recreation opportunities for the Friendship Heights community; however, while a baseball field is proposed to be built, it is adjacent to Western Avenue, about as far away from the Friendship Heights residential area as is possible. It would certainly make more sense to build that field and other recreational space, such as a playground for the children of Friendship Heights, on the current Willard Avenue parking lot.
- 4- The Amended Plan shows the extension of Shoemaker Farm Lane

and North Park Avenue across Willard Avenue and into the proposed development. Willard Avenue is already quite congested during morning and evening rush hours, as with traffic coming to Wisconsin Avenue from River Road at all times of the day. Traffic calming islands and pedestrian walkways were recently constructed to slow or stop oncoming cars so that walkers, including children, can safely cross Willard Avenue. School buses also stop to discharge children. Extending Shoemaker Farm Lane and North Park Avenue will result in further congestion on Willard Avenue, or will increase traffic on North Park Avenue, as people going to the proposed property will use it as a “shortcut” to access the property across Willard Avenue.

We differ from him only on Point 5 about the current GEICO headquarters building. We suggest, following up his Point 3, that it would make more sense to locate a ballfield and playground closer to existing residences. The current headquarters building would be a likely location.

[REDACTED]

Friendship Heights, MD

**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Friendship Commons (GEICO) , Preliminary Plan Amendment Number: 11999039A  
**Date:** Tuesday, October 21, 2025 3:40:02 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

I am a resident of the 4620 North Park Condominium where I have lived for more than 53 years (plus 2 years in the Willoughby) and submit the following comments:

1. As I understand it, the Preliminary Plan Amendment submitted by Geico in connection with a proposed sale to a developer calls for the construction of 3 mid-rise apartment buildings in the present Geico parking lot and surrounding area. My apartment directly faces this proposed construction area and would thus directly affect my view of the present green space and trees - i.e., it would directly affect the present environment.
2. The proposed amendment would also extend Shoemaker Farms Lane and North Park Avenue across Willard Avenue into the proposed development. Willard and North Park Avenues currently present an extremely congested and dangerous intersection and this change if adopted would make matters much worse, especially during the morning and evening rush hours when many drivers use Willard Avenue to get from Wisconsin Avenue to River Road (in fact, many drivers currently go through the Village of Friendship Heights from Wisconsin Place to Willard (the Village's speed humps have helped this situation some). In addition, I don't know if cable would need to be laid on Willard Avenue but I note that when this had to be done in connection with the 5500 Wisconsin project, it made both vehicular and pedestrian traffic even worse.

[REDACTED]

**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Geico Preliminary Plan Amendment  
**Date:** Tuesday, October 21, 2025 3:45:03 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Dear chair person,

As residents of 4620 North Park Avenue, we join in the comments expressed to you by our Condo President, Robert Seasonwein. We are particularly incensed by the proposal to have vehicular access to the project by way of North Park Avenue and Shoemaker Lane, which will change the quiet, uncongested nature of our streets, populated by many senior citizens, into a bustling midtown thoroughfare, having to cautiously look right and left before crossing from one side of the street to the other.

[REDACTED]  
[REDACTED]  
[REDACTED]

Bethesda, MD 20814

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Cc:** [groman32515@gmail.com](mailto:groman32515@gmail.com)  
**Subject:** Friendship Commons (GEICO) Preliminary Plan Amendment  
**Date:** Tuesday, October 21, 2025 3:52:23 PM  
**Attachments:** [AEJGHRCommenttoMCPlanning10\\_21\\_2025.docx](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Written Comments of: [REDACTED] and [REDACTED], Residents of Friendship Heights

Please see the attached.

Respectfully,

[REDACTED]  
[REDACTED]

Chevy Chase, MD 20815

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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RE: Hearing Notice- October 23, 2025

Subject: Friendship-Commons (GEICO Preliminary Plan Amendment)

My husband and I have lived in Friendship Heights in the 4620 North Park Condominium for close to ten-years and eagerly await the re-development and re-invigoration of this prime neighborhood. We love the access to the metro and conveniences and green swathe of trees and parks. With the GEICO company selling it's 27-acre site, we have an opportunity to make Friendship Heights shine as it should, as a jewel in Montgomery County.

Therefore, we would like to comment on the proposed Friendship Commons (GEICO) Preliminary Plan Amendment.

- 1- The proposed amendment eliminates the high-rise office buildings along Friendship Boulevard because, undeniably, office space is not needed anywhere at present. However, the amendment offers no creative approach to this valuable and metro-convenient space. The proposal simply leaves this desirable flat site empty and underutilized. In our view, similar to those of others in Friendship Heights, it would be more appropriate to relocate the "midrise" apartment buildings (currently in the site plan for along Willard Avenue) to the Friendship Boulevard area across from the Wisconsin Place/Bloomington buildings. That space is much more accessible to metro and logically connects multi-family residences to the height of the buildings along the Friendship Heights thoroughfare.
- 2- The relocation of the mid-rise apartments to Friendship Boulevard has another critical benefit. It would prevent Willard Avenue from becoming a condo-canyon as is North Park Avenue. Additionally, it would not require removing dozens of mature trees that provide shade and a beautiful walkway for pedestrians along the North side of Willard Avenue. We need to keep the tree canopy, not just have plain, grassy areas that have no pleasant aspects.
- 3- Relocating the mid-rise apartments to Friendship Boulevard would also allow the townhouse development to segway more smoothly to the Brookdale Neighborhood and to the single-family houses existing both sides of the lower end of Willard Avenue.
- 4- The plan shows space for recreation opportunities for the Friendship Heights and surrounding Montgomery County and DC communities. We believe the



placement of the baseball field is appropriately sited adjacent to Western Avenue. Any children's playground or dog park should also be sited there near Western Avenue, nearby to that planned ball field. These amenities are logically and integrally an extension and enhancement of the existing to-be renovated Brookdale Park. The attendant traffic and parking for ballfield, playground, and dog park users are more manageable from the Western Avenue end of what is to be "Friendship Commons". Noise and traffic along Willard Avenue would be minimized for all residents.

- 5- The Amended Plan shows an undesirable extension of Shoemaker Farm Lane and North Park Avenue across Willard Avenue and into the proposed Friendship Commons development. It should not be approved. Willard Avenue is heavily congested during morning and evening rush hours, and with traffic coming to Wisconsin Avenue from River Road at all times of the day. Traffic management islands and pedestrian walkways were recently constructed to slow oncoming cars to ensure safe passage for walkers, including children crossing Willard Avenue and, additionally, to protect children waiting for or exiting school buses. Extending Shoemaker Farm Lane and North Park Avenue will exacerbate congestion on Willard Avenue, or will undesirably increase traffic on North Park Avenue, as people going to the proposed property will use it as a "shortcut" to access the property across Willard Avenue. The safety of Friendship Heights residents walking and driving along N Park Avenue will be more negatively compromised than it already is.
- 6- The Friendship Heights area would also be enhanced by the addition of a satellite Montgomery County Library which might be appropriately sited within the Friendship Commons development.
- 7- Adequate **PUBLIC** Montgomery County parking to support use of the amenities would be critical to the success of this re-development.

We hope that the Montgomery County Planning Board will take our comments into consideration as they vote on the Friendship Commons (GEICO) Preliminary Plan Amendment and deliberate the future of Friendship Heights more broadly in the revised Friendship Heights Sector plan to come.

  
Chevy Chase, MD 20815

**From:** [Diehl, Jennifer M.](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Gatling, Tsaiquan](#); [Vaia, Emily](#); [Hisel-McCoy, Elza](#)  
**Subject:** ON BEHALF OF ROBERT HARRIS - Friendship Commons – GEICO Preliminary Plan Amendment 11999039A  
**Date:** Tuesday, October 21, 2025 4:22:32 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Mr. Harris requested I forward the following email.

Chair Harris,

At the risk of overburdening the Board's reading requirements for this hearing, I am compelled to respond to the latest memorandum from counsel for the Village of Friendship Heights (David Brown), dated October 21, 2025. While I believe our memorandum from October 20, 2025, addresses the seven points made in the most recent Friendship Village memorandum, I want to further emphasize the complete conformity of this Preliminary Plan Amendment with the Friendship Heights Sector Plan, Local Map Amendment G-760 approving the rezoning for the property, the related Development Plan, and the Preliminary Plan. None of these approvals required 100% of the allowable development had to proceed, and certainly not simultaneously. No sector plan, zoning approval or Preliminary Plan requires that the entire approval be implemented. The allowable uses and densities are established as maximums and the approvals here specifically allow “up to” 200 townhomes, 300 multifamily units and 810,000 ft.<sup>2</sup> of office. In each case, the actual development that proceeds is left up to the property owner/developer so long as it does not exceed the allowable amount. Similarly, unless otherwise specified, the timing of any components also is left to the applicant. Here, the approvals specifically say that each of the components may proceed separately or simultaneously. Moreover, any Preliminary Plan can be amended at any time so long as the approved amendment satisfies zoning and subdivision requirements. Here, the proposed residential phase does just that.

Additionally, amendments to approved Preliminary Plans happen on a very regular basis, particularly for large properties, with long buildout periods where any number of circumstances can change. Amendments to approved preliminary plans, together with new validity periods related to the amendments, also occur on a regular basis. The Cabin Branch mixed-use project in Clarksburg, for example, has seen multiple amendments over the years and only recently achieved buildout under its initial 2002 approvals but the end result, approved through Preliminary Plan Amendments like this one, differs from the original plan. Were such large, multi-use projects locked in time to the vision someone anticipated at the outset, the County would be littered with unusable buildings, and facilities inconsistent with contemporary needs. The amendment Applicant seeks here, enables the residential portion to proceed while addressing the recognizable impropriety of an additional 810,000 ft.<sup>2</sup> of office in a fading office market, leaving that area for a subsequent phase and related development approvals. Implying that Applicant has to proceed with construction of 810,000 ft.<sup>2</sup> of office space now, in order to proceed with the approved residential units, makes no sense.

Robert Harris

---

**Jennifer M. Diehl**, Legal Assistant

Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years

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T 301-657-0733 | F 301-986-0332 | Main 301-986-1300

[jmdiehl@lerchearly.com](mailto:jmdiehl@lerchearly.com)

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**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Friendship Commons (GEICO), Preliminary Plan Amendment Number: 11999039A  
**Date:** Wednesday, October 22, 2025 7:31:49 AM  
**Attachments:** [Hearing Notice.docx](#)  
[Untitled attachment 00023.htm](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Dear Montgomery County Planning Chair,

As an owner at 4620 North Park Avenue, I support the following letter written by Robert G. Seasonwein, President, 4620 North Park Condominium Association, Inc.

Thank you for your consideration.

Best,

[REDACTED]  
[REDACTED]  
[REDACTED]

Chevy Chase, MD 20815

Hearing Notice- October 23, 2025

Subject: Friendship Commons (GEICO) Preliminary Plan Amendment

I am President of the Board of the 4620 North Park Condominium Association, Inc. (4620 North Park) and submit the following comments.

4620 North Park consists of Two Hundred Ninety-Two (292) apartment units located between North Park and Willard Avenues in Friendship Heights. Those units are occupied by approximately 450 people, roughly half of whom look across Willard Avenue, directly at the GEICO property including its headquarters building and parking lot.

1- GEICO's Preliminary Plan Amendment calls for construction of three "midrise" apartment buildings in the current Willard Avenue parking lot. In order to facilitate that construction, dozens of mature trees will have to be cut down, and the green space fronting Willard Avenue destroyed. This will significantly affect the environment in and around the property, including 4620 North Park, 4701 Willard, and the Carleton condominium.

2- Additionally, the height of those "mid-rise buildings will reach at least the level of our terrace, blocking sightlines across Willard Avenue from the terrace. A much simpler solution is to move those apartments to the Friendship Boulevard side of the property, which was initially sited for several high-rise office buildings, and now have been eliminated from the preliminary amended plan. This would be in keeping with Montgomery County's goal of encouraging more affordable housing.

3- The plan shows space for recreation opportunities for the Friendship Heights community; however, while a baseball field is proposed to be built, it is adjacent to Western Avenue, about as far away from the Friendship Heights residential area as is possible. It would certainly make more sense to build that field and other recreational space, such as a playground for the children of Friendship Heights, on the current Willard Avenue parking lot.

4- The Amended Plan shows the extension of Shoemaker Farm Lane and North Park Avenue across Willard Avenue and into the proposed development. Willard Avenue is already quite congested during morning and evening rush hours, as with traffic coming to Wisconsin Avenue from River Road at all times of the day. Traffic calming islands and pedestrian walkways were recently constructed to slow or stop

oncoming cars so that walkers, including children, can safely cross Willard Avenue. School buses also stop to discharge children. Extending Shoemaker Farm Lane and North Park Avenue will result in further congestion on Willard Avenue, or will increase traffic on North Park Avenue, as people going to the proposed property will use it as a “shortcut” to access the property across Willard Avenue.

5- Finally, while the Planning Board has not considered this in the past, and likely will not do so now, the GEICO headquarters building and its property have been a part of the Friendship Heights community for over 60 years. It was designed by Architect Vincent Kling, and is an outstanding example of International Style Mid-Century Modern Architecture; and not just because I say so:

In April 2011, the Montgomery County Planning Department highlighted the GEICO headquarters as “The Building of the Month,” stating:

“The GEICO headquarters building in Chevy Chase, completed in 1959, is an example of International Style architecture, designed by Vincent Kling. It reflects the optimistic spirit of the post-war era and has been recognized for its unique design and landscaped campus, contributing to the architectural heritage of Montgomery County, Maryland.”

It will truly be a shame if this architecturally significant headquarters building is destroyed, instead of being repurposed for community use (such as a local branch of the Montgomery County library so that our aging population, many of whom no longer drive, don’t have to rely on the Bethesda or Chevy Chase branches), and Friendship Heights loses part of its history.

Robert G. Seasonwein, President  
4620 North Park Condominium Association, Inc.



**From:** [Susan Green](#)  
**To:** [MCP-Chair](#)  
**Subject:** Friendship Heights Proposed Sector Plan Revision  
**Date:** Wednesday, October 8, 2025 1:04:53 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Dear Chairperson Harris and Board:

I have participated in numerous in-person and online “Visioning” exercises for the proposed changes to the 1998 Friendship Heights sector plan. Because it appears the planners are not taking our feedback seriously and, instead are simply pushing through a pre-conceived agenda, I feel compelled to write to you directly. (I say the agenda is pre-conceived because of the way the visioning exercise is presented - assuming there should be housing on every site and limiting responses to the type of housing - instead of asking IF any housing should be considered for particular sites.)

**First**, it is unclear how much the County is recovering from the loss of population that began during Covid. The County is using **estimated** numbers published by the U.S. Census Bureau in 2020\* to assert that the Covid population decline Montgomery County experienced, is reversing. Given the recent lay-offs and firings by the federal government, the county’s aging population, recent policies towards migrants, and the fact that our birthrate, in general, has gone down, we should be careful about making unsupported estimates about population growth in the County as a basis for planning big changes to neighborhoods.  
*("Data for 2020 to 2023 are from the Vintage 2023 series and used the 2020 Census results as the base for estimates for these years.")*

**Second**, I understand and do not oppose the County’s longtime policy of using Metro center neighborhoods as “opportunity sites” for increased housing density. However, what is happening with the Friendship Heights Proposed Sector Plan revision is the attempt to cram more housing of all types - including high rise - into one of the already most densely populated neighborhoods in the entire country!

(<https://censusreporter.org/profiles/16000US2430800-friendship-heights-village-md/>)

There are many other Metro stops in Montgomery County that don’t have the existing density of Friendship Heights: Twinbrook, Grovenor, Shady Grove, Rockville, Takoma Park, Forest Glen, Wheaton, Glenmont, etc. I strongly suggest that the Planning Board direct the Department to focus its efforts primarily on these Metro stop neighborhoods.

Within the confines of Friendship Village, where I live in a high-rise condominium, the planning department actually proposes to re-zone one of the few open spaces left! Site 3 is a small parcel amid the high-rises of Friendship Village. It hosts a low-rise (5 stories) office building with important medical offices, a corner store and cafe, and a number of other small thriving businesses. Built in 1980, it was fully renovated in 2019 and is nowhere near the end of its useful life. It has a lovely large, well-maintained lawn in front and on the side. Why on earth would the County plan to change that? The low-rise building protects the elderly residents of Brighton Gardens - the Sunrise Senior Living complex directly across the street - from being in shade all afternoon. Would you want your parent or grand-parent



condemned to living in a dark apartment in their final years? And why would one propose to fill up one of the few green spaces in the most densely populated community in the country other than Manhattan? The 1998 Sector Plan did not consider this part of the Metro Core Area and did not propose any change to it.

Those of us who choose to live in an apartment or condominium still need adjacent open space. We are the ones opting for a greener lifestyle by living vertically, and walking and taking public transportation. And this new plan would take this modest-sized building and its lovely lawn from us? Would you want that to happen in your own neighborhoods?

**Third**, the proposed plan's Site 1 is composed of two very different parcels, the combining of which makes no sense whatsoever unless the ultimate goal is to simply pack the entire corner with high-rises, just because. I can understand taking a look at the Saks site. The store is clearly not doing well and the parking lot seems mostly empty these days. However, let's not forget that that, among other things, the current 1998 Sector Plan recommends:

Preserving views from existing high-rise apartment buildings by incorporating guide lines for the height and location of new development, and by tree preservation and planting.

Protecting single-family residential neighborhoods surrounding the Sector Plan area by: Placing the greatest densities in the Metro Core and scaling down building heights toward the residential edges to avoid adding intrusive views.

Expanding the green buffers next to the neighborhoods and placing more active gathering spaces in the Town Center.

Further, it has been made abundantly clear by the residents of Friendship Heights who have attended the various meetings on this proposal that no one who lives here wants it to end up looking like downtown Bethesda, with our part of Wisconsin Avenue lined with high-rises. That would also not be fair to those who live in the lovely neighborhood of Chevy Chase Village just east of the Saks parcel. If additional housing is considered for the Saks parcel, it should be limited to single-family or townhouses. And there should be generous playgrounds and parks placed among them.

As for Chevy Chase Center and the Collection site, there is nothing wrong with its uses now and there should be no changes made. No housing at all should be added to this site. The under and above ground parking is necessary to allow the local businesses to thrive and to also allow the elderly and disabled to park near the Metro. If you eliminate all the parking, the businesses will be crushed and you will be making it much more difficult for many to use the Metro, probably leading to lawsuits against the County. Further, The buildings were only completed in 2005-06. Why on earth would we want them to be torn down?

<https://stonebridge.us.com/chevy-chase-center-and-collection-chevy-chase>

**Finally**, Site 2 - the Geico Site - should be in-keeping with the Brookmont neighborhood. The buffer protecting that neighborhood should be expanded and any new housing restricted to single family or townhouses. But please let's not forget open space! We need parks, playing fields, playgrounds, perhaps an indoor swimming pool since the small rec center across the street does not have one. Open space is crucial to our well being. There should be no mid or



high-rise buildings of any kind on the GEICO lot. Please remember the 1998 commitment to preserving the views of the existing high rise condominiums and apartments. If the County wants additional income, it could consider an arts center, like the Torpedo Factory in Alexandria. Artists could rent studios and show their work from their own studios or in a group Gallery. Would be a lovely new amenity in the neighborhood and an opportunity for a new County income stream.

Thank you for taking the time to read this email.

Best Regards,

A black rectangular redaction box covering the signature of the sender.

Chevy Chase, MD 20815

**From:** [Kate Cakes](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Gatling, Tsaiquan](#)  
**Subject:** Request for Mitigation Conditions - Preliminary Plan Amendment No. 11999039A (Friendship Commons/GEICO Site)  
**Date:** Wednesday, October 22, 2025 12:06:49 PM  
**Attachments:** [Geico Planning Board Letter \(1\).pdf](#)

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Subject: Request for Mitigation Conditions - Preliminary Plan Amendment No. 11999039A (Friendship Commons/GEICO Site)

October 22, 2025

Chair and Members of the Montgomery County Planning Board  
2425 Reedy Drive  
Wheaton, MD 20902  
Via Email and Public Record Submission

Dear Chair and Members of the Planning Board,

I am writing as a concerned resident of the Brookdale neighborhood, which directly abuts the property subject to Preliminary Plan Amendment No. 11999039A (the former GEICO site/Friendship Commons). While I recognize the need for responsible redevelopment, the proposed significant increase in density and the related impacts on established residential areas are unacceptable without robust, legally binding, and fully funded mitigation measures.

The scale of the proposed units introduces burdens on community infrastructure and environment that the current plan does not adequately address. The core concerns center on four critical areas.

#### 1. Environmental Integrity and Stormwater Management

The proximity of this massive development to the adjacent natural buffer area for the local creek raises immediate alarm regarding the long-term health of our watershed.

Impact on the Riparian Buffer: I request that the Planning Board mandate the preservation and expansion of the natural riparian buffer, ensuring no encroachment, grading, or construction activity is permitted within this sensitive environmental zone. The buffer must be clearly demarcated and protected in perpetuity.

Denial of Stormwater Waiver: I strongly urge the Board to deny the applicant's

request for a waiver from any stormwater management requirements. Given the increase in impervious surfaces associated with the new buildings and homes, the failure to meet the most stringent requirements for managing runoff is fiscally and environmentally irresponsible. The developer must be required to implement advanced, on-site stormwater management systems (i.e., green infrastructure, bioswales, underground cisterns, etc.) capable of handling the full volume of runoff generated by the increased density. There should be a study and/or management of the existing creek on the site to ensure that it will be sufficient for any proposed plan.

## 2. Overload of Public Schools and Community Infrastructure

The addition of new students will severely strain already crowded local public schools serving the Friendship Heights area.

**School Mitigation:** The Planning Board must condition approval on the developer providing a substantial and commensurate financial contribution and/or a land dedication for the expansion of existing schools or the construction of a new educational facility to serve the influx of new students. These costs must not be borne by current residents through increased taxes.

**Playground and Open Space:** The plan must include the dedication of significant, publicly accessible open space and recreational amenities. The developer should dedicate a sufficient amount of land for a modern public playground and park area on the Geico site, with an established mechanism for its permanent maintenance funded by the developer or the development's governing body (i.e., HOA/Condo Association).

## 3. Transportation, Traffic, and Neighborhood Parking

The projected increase in vehicle trips and the inevitable spillover parking are perhaps the most immediate threats to the neighborhood's quality of life.

**Traffic Mitigation:** I request the Board mandate a developer-funded, comprehensive traffic impact analysis (TIA) that results in fully funded, off-site road improvements—including new turn lanes, synchronized traffic signals and crosswalk, particularly at the Western and Cortland intersections, and pedestrian safety improvements—on all major roadways serving the site.

**Neighborhood Parking:** Board must condition approval on the development providing a minimum of 2 parking spaces per unit on-site. Additionally, the developer must provide financial and administrative support to establish a (more robust, no-cost to the residents) Residential Permit Parking district in the Brookdale neighborhood to legally and effectively prohibit their residents and employees from consuming limited on-street parking resources.

Summary

I urge the Planning Board to acknowledge that the immense scale and density of Preliminary Plan Amendment No. 11999039A constitute a major impact on the surrounding community. Approval should only be granted with the imposition of comprehensive, non-negotiable conditions that ensure the developer fully mitigates environmental, school, traffic, and parking impacts.

I request the Board:

1.  
Deny the Stormwater Management Waiver.
2.  
Mandate substantial developer contributions for public school capacity.
3.  
Require the funding and implementation of a Residential Permit Parking (RPP) zone in Brookdale.
4.  
Require the dedication of land for a public park/playground.

I request that this letter be entered into the public record for this amendment. I look forward to seeing these valid concerns reflected in the Board's decision and conditions of approval.

Sincerely,

A black rectangular box redacting the signature of the Brookdale Neighborhood Resident.

Brookdale Neighborhood Resident

Subject: Request for Mitigation Conditions - Preliminary Plan Amendment No. 11999039A (Friendship Commons/GEICO Site)

October 22, 2025

Chair and Members of the Montgomery County Planning Board  
2425 Reedie Drive  
Wheaton, MD 20902  
Via Email and Public Record Submission

Dear Chair and Members of the Planning Board,

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The scale of the proposed units introduces burdens on community infrastructure and environment that the current plan does not adequately address. The core concerns center on four critical areas.

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Impact on the Riparian Buffer: I request that the Planning Board mandate the preservation and expansion of the natural riparian buffer, ensuring no encroachment, grading, or construction activity is permitted within this sensitive environmental zone. The buffer must be clearly demarcated and protected in perpetuity.

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## Summary

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1. Deny the Stormwater Management Waiver.
2. Mandate substantial developer contributions for public school capacity.
3. Require the funding and implementation of a Residential Permit Parking (RPP) zone in Brookdale.
4. Require the dedication of land for a public park/playground.

I request that this letter be entered into the public record for this amendment. I look forward to seeing these valid concerns reflected in the Board's decision and conditions of approval.

Sincerely,

A black rectangular redaction box covering the signature of the Brookdale Neighborhood Resident.

Brookdale Neighborhood Resident

**From:** [REDACTED]  
**To:** [MCP-Chair](#)  
**Subject:** Re: Automatic reply: Request for Mitigation Conditions - Preliminary Plan Amendment No. 11999039A (Friendship Commons/GEICO Site)  
**Date:** Wednesday, October 22, 2025 12:18:20 PM

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**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

To satisfy noticing requirements, please note my address is [REDACTED] Chevy Chase MD 20815. Thanks, [REDACTED]

On Wed, Oct 22, 2025 at 12:06 PM MCP-Chair <[mcp-chair@mncppc-mc.org](mailto:mcp-chair@mncppc-mc.org)> wrote:

Thank you for contacting the Planning Board Chair's Office. This confirms receipt of your message for distribution to appropriate staff to review. If you have submitted an inquiry, we will respond in a timely manner. You may also leave a voice message at (301) 495-4605 and a staff member will return your call.

**IMPORTANT:** If you have submitted written testimony for a Planning Board item, please be sure to include your mailing address to satisfy proper noticing requirements. If this was not already included, please reply to this email with that information. Written testimony submitted before the deadline of 12pm, two business days before the scheduled Planning Board meeting, will be distributed to the Board and staff and included in the public record. Written testimony received after the deadline will only be distributed to staff to review.

For more information about the Chair's Office, please visit:  
<https://montgomeryplanningboard.org/>