

# Commercial/Residential and Employment Zones

Incentive Density Implementation Guidelines

September 2017



Montgomery County Planning Department

M-NCPPC

MontgomeryPlanning.org



# Commercial/Residential and Employment Zones

Incentive Density Implementation Guidelines

Proposed Revision  
September 2017

## Abstract

This document explains the Commercial/Residential and Employment zones, and the guidelines for meeting the requirements of these zones.

## Intent

The guidelines for Commercial/Residential and Employment Zones are intended to ensure a higher quality of design excellence in these areas. They offer public benefits and provide a starting point for dialogue between Planning Department staff and developers on the validity of incentive points within different areas of Montgomery County. They are not intended to be a mere checklist of easy and simple public benefit points that can be met to receive additional density and height, but rather a guide to achieving the most valuable, healthy and lasting developments for our communities.

These guidelines help ensure the balance between the additional density and height values "given" to the developer and the public amenity "received" for that additional value. They highlight those benefits, such as neighborhood services, public parking, affordable housing, exceptional design and other amenities, that are most important to communities as identified within county plans.

Images of successful places in other jurisdictions have been added to the guidelines to facilitate a better understanding of community and specific amenities. These photographs provide clear examples of how to achieve the stated goals of each incentive requirement. Likewise, additional information has been added to this version of the document in order to provide a clear hierarchy of point categories within the guidelines.

## Source of copies

The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Online at: [www.montgomeryplanning.org/zoning](http://www.montgomeryplanning.org/zoning)



*An historic warehouse was converted into a new top-rated high school in New York City.*



*Incorporation of artistic paving and a retail kiosk add color, life and activity to a central Seattle urban plaza.*



*A new playground in the heart of a D.C. residential community adds value to the greater neighborhood.*

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*This development in Bethesda generated a number of significant public benefits such as unique tops to the buildings, landscaped public plaza, and the adjacent Round House Theater.*

**Optional Method Development** — A zoning procedure used in some Commercial/Residential (C/R) and Employment zones that encourages comprehensive planning and mixed-use development. Under the optional method, higher densities are allowed in exchange for significant public amenities and facilities to support that additional density.

**Sketch Plan** — A conceptual design that establishes a basic building, open space and circulation framework for future, more detailed planning approvals. It serves as an initial agreement between the applicant and the Planning Board about the public benefits that will be provided for the proposed density.

# Introduction

## Purpose

### Zoning Ordinance Citation: Section 4.7.1.C. Public Benefit Implementation Guidelines

The Planning Board must adopt, publish and maintain guidelines that detail the standards and requirements for public benefits. The guidelines must:

1. Be consistent with the objectives of Division 4.7 of the county zoning ordinance.
2. Be in addition to any standards, requirements or rules for incentive density calculation included in Division 4.7, but must not conflict with those provisions.
3. Allow incentive floor area ratio (FAR) only for those public benefits listed in Section 4.7.3 of the zoning ordinance.

## Use of Guidelines

The Planning Board, Planning Department staff, applicants and citizens will use these guidelines when determining the adequacy of public benefits and amenities provided by an optional method application for development on property zoned Commercial Residential (CR), Commercial Residential Town (CRT), Employment Office (EOF) or Life Sciences Center (LSC). The public benefits and amenities are considered within the entire development, subject to one sketch plan, and may be compelled by phasing plan on all subsequent site plans.

## Limits of Guidelines

These guidelines illustrate and supplement the requirements in the county zoning ordinance. Criteria for public benefits are based on best practices, meaningful implementation thresholds and experience and analysis related to built projects.

Alternative criteria may be suggested, as long as the standards of the zoning ordinance are met, the intent of the public benefit is achieved, the applicable master or sector plan recommendations are implemented, and an appropriate amount of incentive density is requested. In any case where criteria established by these guidelines conflict with another county regulation, the regulation must be observed and the intent of the criteria must be addressed by other means.

## Enforcement

Enforcement of the public benefits provided under these guidelines is governed by Section 7.3.4.K, Compliance and Enforcement, under the site plan provision of the county zoning ordinance. Submittal requirements and conditions of approval may be imposed to ensure compliance and enforcement.

## Overview of CR, CRT, EOF and LSC Zones

### Provisions

The Commercial/Residential zones (including CR and CRT) are a family of mixed-use zones that establish the zoning classification, maximum total density, nonresidential density, residential density and building heights.

The Employment zones (including EOF and LSC) are a family of zones that establish the zoning classification, maximum total density and height. Once the zoning classification and the numbers associated with each of these factors are enacted on a zoning map, the zone is set. These guidelines only apply to CR, CRT, EOF and LSC zones because only these zones may be developed under the optional method of development requiring public benefits.

### Requirements and Standards

There are requirements and standards that must be met by any project in a CR, CRT, EOF or LSC zone, including setbacks, public open space, streetscape improvements, residential amenity spaces, bicycle parking and shower facilities, parking facility design and consistency with the applicable master plan and design guidelines. All development must satisfy the standards and requirements in the county zoning ordinance, regardless of any public benefits provided.

#### CR Zones

**CRT 2.0, C 1.0, R 1.5, H 60**

**CRT** sets the uses and some requirements.

**2.0** means the building floor ratio (FAR) is a maximum of two times the size of the lot.

**C 1.0** is the maximum commercial FAR within the total 2.0 FAR.

**R 1.5** is the maximum residential floor area within the total 2.0 FAR.

**H 60** is the maximum building height—60 feet.



**Floor area ratio (FAR):** The ratio of the gross floor area of a building to the area of the tract on which it is located. For example, a building with a gross floor area of 43,560 square feet on a one-acre tract would have a 1.0 FAR. Parking and non-leasable space of the building are generally excluded from the computation.



**Site Plan** — A site plan is a detailed plan, required only in certain cases, that shows proposed development on a property in relation to immediately adjacent areas. It indicates roads, walks, parking areas, buildings, landscaping, open spaces, recreation facilities, lighting, etc. The Planning Board approves the site plan after sketch plan approval and before building permits can be issued.

## Process and Contents of a Sketch Plan

### Provisions

A sketch plan showing the general nature of a development, including all proposed public benefits and amenities, must be presented to the public prior to filing an application. Applicants are encouraged to use this required public meeting to present designs to citizens and staff before any detailed engineering of development occurs, so that alternatives can be explored and a best fit development can be achieved.

Sketch plans should maintain the minimum level of detail necessary to allow citizens, staff and Planning Board members to evaluate a proposed development and make the required findings of the ordinance in Section 7.3.3.E of the zoning ordinance. Examples of appropriate levels of detail are included in these guidelines, but more or less detail may be needed, which will become apparent in the early discussions about an application.

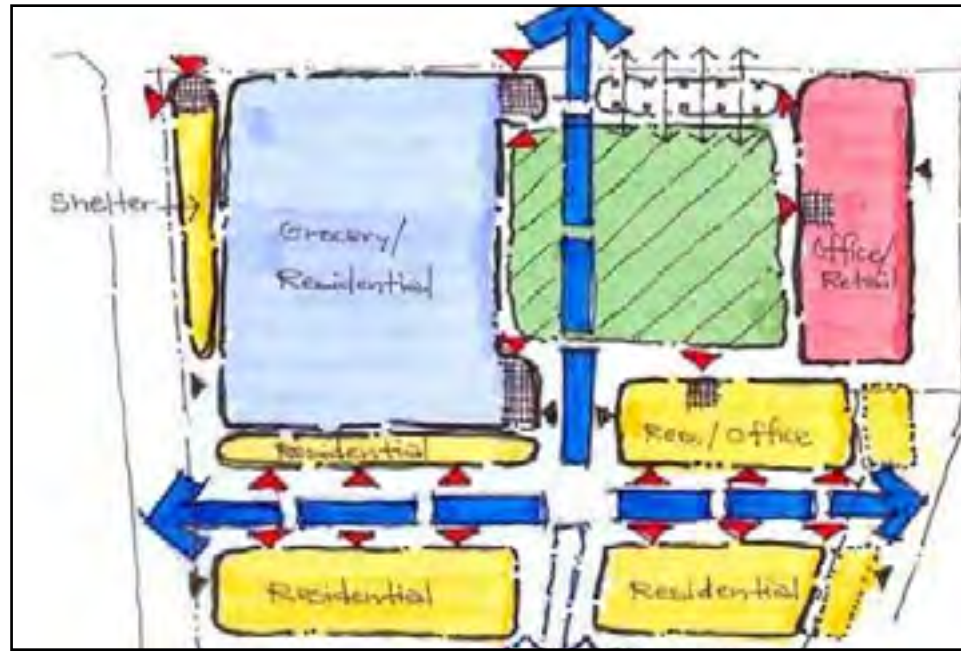
It should be remembered by all parties that a sketch plan approval only ensures that an application is “appropriate in concept and appropriate for further detailed review at site plan.” Sketch plans may be modified at the site plan stage with proper notice and upon a showing that the required findings can still be made.

The complete submittal requirements, application forms and fees are established by the Montgomery County Planning Department and may be obtained online or at the Information Desk at the Planning Department offices, 8787 Georgia Avenue, Silver Spring, MD 20910. More information is available at [www.MontgomeryPlanning.org](http://www.MontgomeryPlanning.org) or at 301-495-4595.

## Concept Plan Review Alternative

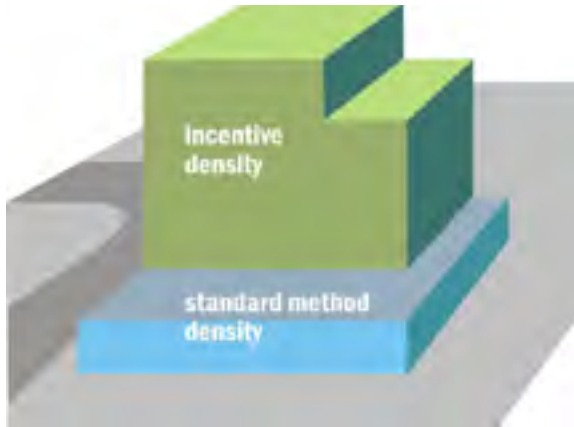
All owners, applicants and citizens interested in submitting designs through the sketch plan process are strongly encouraged to enter into a concept plan review of these design and site ideas. During this review, collaborative, informal discussions on site strategies and project concepts with Planning Department staff helps to minimize conflicts before the more advanced, formal sketch plan phase. This initial review makes the application process easier and more efficient in determining design strategies from the beginning.





*Sketches, models and diagrams help in the review of development concepts.*

*Simple models can show the massing of a proposed development for a clearer discussion.*



**Incentive Density** - The amount of a building's floor area greater than the maximum development allowed without providing public benefits. To support this added floor area, public amenities must be provided and additional public review is required.

**Building Lot Termination (BLT)** — A transferable development right created from a tract of land that is at least 25 acres. The land must be capable of being served by an individual sewage treatment unit that meets the requirements of Chapter 27A (Montgomery County Code) and applicable regulations issued under that chapter. It must be located in the county Agricultural Reserve (AR) zone and transferred by a building lot termination (BLT) easement under Chapter 59 of the Montgomery County Zoning Ordinance. When a BLT easement is recorded in the land records, the right to build a dwelling unit on that land in the AR zone is extinguished by the easement.

## Required Public Benefits

### Density

Development on CR-, CRT-, LSC- and EOF-zoned land may proceed under standard or optional method development. Standard method development limits density to 0.5 FAR or 10,000 square feet (whichever is greater) in the CR and LSC zones, and 1.0 FAR or 10,000 square feet in the CRT and EOF zones.

The difference in density between the standard method and the density indicated on the zoning map is defined as “incentive density.” Any applicant wishing to develop above the standard method density—up to the maximum allowed by the zone—must apply for an optional method development approval.

During this application process, the applicant proposes to provide specific public benefits and amenities that support the project’s incentive density. The Planning Board will determine whether the proposed public benefits support the additional density requested.

### Height

The height on the zoning map (H) is the maximum building height allowed under standard or optional method.

### Minimum Points and Categories

Optional method applications must provide public benefits from at least the number of benefit categories and for at least the minimum number of points indicated in the Zoning Ordinance tables (Section 4.5.4.A.2 and Section 4.6.4.A.2), regardless of whether the full density allowed by the zone is realized. No proportional allocation of density and public benefits is allowed.

To ensure that applications are not filed piecemeal to avoid providing public benefits, common ownership of adjoining properties is counted in any application and the applicable numbers of benefit categories and benefit points are required.

All CR- and LSC-zoned properties must purchase (or make a payment) for building lot terminations under Section 4.7.3.F.1.

### Zoning Ordinance Citation: Section 4.5.4.A.2 and Section 4.6.4.A.2 Public Benefit Points and Categories

1. Public benefits under Division 4.7 must be provided according to zone and tract size, or maximum total mapped FAR, whichever requires more public benefit points;
2. In the CR and LSC zones, the purchase of building lot terminations (BLTs) is required under Section 4.7.3.F.1.a and Section 4.7.3.F.1.b, respectively.

**Table 1: Required Public Benefits**

Zone	Tract Size or Max Total FAR	Public Benefit Points (minimum)	Number of Benefit Categories
CRT	< 10,000 SF OR <1.5 max FAR	25	2
	≥10,000 SF OR ≥1.5 max FAR	50	3
CR	< 10,000 SF OR <1.5 max FAR	50	3
	≥10,000 SF OR ≥1.5 max FAR	100	4
LSC	< 10,000 SF OR <1.5 max FAR	15	1
	≥10,000 SF OR ≥1.5 max FAR	30	2
EOF	< 10,000 SF OR <1.5 max FAR	30	2
	≥10,000 SF OR ≥1.5 max FAR	60	3



*Enhanced or enlarged community spaces can bring greater activity to a town center.*



*Playgrounds and trails can be the heart and soul of a neighborhood and bring tremendous value.*



*Public art on central plazas dramatically improves the public realm of a community.*





*Integrated rain gardens, public art and thoughtful street design dramatically improve site design and protects the environment.*



*Deep, lush green roofs can create habitat and views, while also enhancing the natural environment.*

## Public Benefits Categories

### Zoning Ordinance Citation: Section 4.7.1.A. Public Benefit Categories

Public benefits must be provided that enhance or contribute to the objectives of the zone among the following categories:

1. Major public facilities.
2. Transit proximity.
3. Connectivity and mobility.
4. Diversity of uses and activities.
5. Quality building and site design.
6. Protection and enhancement of the natural environment.
7. Building reuse.

Section 4.7.2 indicates the individual public benefits that may be accepted in each of these categories.

There are seven categories of public benefits that may be used to support incentive density in the CRT, CR, EOF and LSC zones.

Major public facilities, transit proximity and building reuse are self-contained categories. The other categories, connectivity, diversity, quality design and environment, require an applicant to provide certain individual public benefits in order to obtain incentive density.

These self-contained categories and the individual public benefits are established by the county zoning ordinance and certain basic criteria for implementation must be met. Additional standards and rules are established by these guidelines.



<b>Major Public Facilities</b>	
<b>Transit Proximity</b>	
<b>Connectivity and Mobility</b>	
Advance Dedication	Transit Access Improvement
Minimum Parking	Streetscape Improvement
Neighborhood Services	Trip Mitigation
Public Parking	Way Finding
Through-Block Connection	
<b>Diversity of Uses and Activities</b>	
Adaptive Buildings	Live/Work
Care Centers	Moderately Priced Dwelling Units
Dwelling Unit Mix	Small Business Opportunities
Enhanced Accessibility for the Disabled	
<b>Quality of Building and Site Design</b>	
Architectural Elevations	Public Open Space
Exceptional Design	Structured Parking
Historic Resource Protection	Tower Step-Back
Public Art	
<b>Protection and Enhancement of the Natural Environment</b>	
Building Lot Terminations	Transferable Development Rights
Cool Roof	Tree Canopy
Energy Conservation and Generation	Vegetated Area
Habitat Preservation and Restoration	Vegetated Roof
Recycling Facility Plan	Vegetated Wall
<b>Building Reuse</b>	



*Work-live units allow for flexibility and a greater mix of uses within neighborhoods.*



*Structured public parking placed mid-block and lined with uses helps to activate the street and create a park-once, walkable environment.*



*An expansive, paved streetscape with rows of trees and landscaped public plaza are some of the additional amenities provided by this development.*



*Integrating storm water management into streetscape design creates beauty and benefits the environment.*

## Public Benefit Criteria

### Zoning Ordinance Citation: Section 4.7.1.B. General Public Benefit Considerations

Granting points as a public benefit for any amenity or project feature otherwise required by law is prohibited. In approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. Recommendations and objectives of the applicable master plan.
2. Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines.
3. Any design guidelines adopted for the applicable master plan area.
4. Size and configuration of the site.
5. Relationship of the site to adjacent properties.
6. Presence or lack of similar public benefits nearby.
7. Enhancements beyond the elements listed in the individual public benefit descriptions or criteria that increase public access to or enjoyment of the benefit.



*Through-block, well lit passages lined with active uses and/or landscapes, provide pedestrian activity through and along long blocks, and help to activate neighborhoods.*



### General Public Benefit Considerations

The foundation of optional method development is the applicant's provision of public benefits in return for increases in density and height above the standard method maximums, up to the maximum permitted by the zone. Three aspects of a public benefit must be analyzed:

- The general considerations required by the zone for all public benefits.
- The zone's standards required for individual public benefits applicable to the specific benefit.
- The additional criteria required by the guidelines.

Fundamentally, the general considerations establish that a public benefit must be consistent with the county zoning ordinance and the applicable master plan and design guidelines, and must be appropriate for the particular context. The considerations listed above must be analyzed for all public benefits and any additional criteria applied must be consistent with them.

Individual benefits also have specific criteria that are enumerated in subsequent sections. The Planning Board must consider both the general and specific benefit criteria.



*The Bullitt Center in Seattle is LEED Platinum-rated, a zero energy building and a certified living building.*



*Daylighting of streams adds habitat, enhances the environment and creates a tremendous amenity to the surrounding neighborhood in Northgate, Washington, outside of Seattle.*



*Integration of gardens into urban communities enhances the environment and improves health.*



*Civic buildings and plazas are important elements of community pride and identity.*



*Civic space creates activity, improves health and brings value to communities.*

## Major Public Facilities

**Intent:** Public amenities and facilities are essential parts of the social and cultural fabric of our best neighborhoods. New public facilities are highly desired by communities to meet civic needs as population and density increase in Montgomery County.

### Zoning Ordinance Citation: Section 4.7.3.A. Major Public Facilities

1. Major public facilities include, but are not limited to, such facilities as a school, library, recreation center, park, county service center, bikeshare station, public transportation or utility upgrade, or other resources delineated in an applicable master plan. Major public facilities provide public services at a convenient location where increased density creates a greater need for civic uses and **greater** demands on public infrastructure.
2. If a major public facility is recommended for a property in a master plan, an applicant for a sketch plan on that property must provide the major public facility unless the Planning Board finds that the facility:
  - a. Is infeasible
  - b. Would not be accepted by the government department or agency responsible for operating the facility.
  - c. Is no longer in the public interest.
3. If a proposed major public facility is not recommended in the applicable master plan, the Planning Board must find that the facility or improvement provides the community with a resource that is at least as beneficial as other major facilities recommended in the applicable master plan. Additionally, any infrastructure upgrade may only receive incentive density for improvements beyond those required by any applicable adequate public facilities requirement to complete the proposed development.
4. Due to the significance of incentive FAR in place-making, the Planning Board may approve incentive FAR for (a) the conveyance of a site or floor area, (b) the construction of or (c) making a partial or full payment for a major public facility that is accepted for use or operation by an appropriate public agency, community association or nonprofit organization.



### Guideline Criteria

Incentive density for major public facilities is limited to a maximum of 20 points in an LSC zone, 40 points in an EOF or a CRT zone, and 70 points in a CR zone. Incentive density points may be granted if:

- The applicant conveys land and/or floor area for the facility.
- Constructs the facility.
- Makes a payment toward construction of the facility.

For projects not providing simple conveyance of land or construction of a public facility, a payment toward the construction of a facility will be granted public benefit points after public review and an assessment of master plan goals and community priorities.

In the case of a CR-zoned, 8-acre lot that includes provision of floor area and full build-out of a satellite library/ community center within the building, with no land conveyed, the zone standards would be applied as follows:

### Minimum Submittal Requirements

Sketch plan: Description and calculation.

Site plan: Final calculation, detailed layout and agency or association acceptance

Formula: $\{(((L+F)/N)*2)+[(C/N)*4]\}*100$	Example
N (net lot area)	348,480 square feet
L (land area conveyed)	0 square feet
F (floor area conveyed)	20,000 square feet
C (constructed area of facility)	20,000 square feet
	Calculation: 23 points



*Conveying land for schools generates social and economic value for the development and entire community.*



*The public library and plaza increase value of downtown Rockville and adjacent tenants.*



*The Round House Theater in Bethesda was a major public amenity for a developer to achieve additional density.*





*Transit-Oriented development (TOD) reduces the pressure for sprawl and maximizes public investment dollars. TODs deserve the highest quality of design.*



*Transit proximity should encourage higher density at transit station centers to discourage auto use.*

## Transit Proximity

**Intent:** Maximizing height and density at or near transit locations reduces the pressure for sprawl in our county, dramatically decreases our carbon footprint and maximizes private investment where public investment in infrastructure is most concentrated. Locating new development at transit stops creates and maintains a more environmentally, socially and economically sustainable county and provides variety and convenience of transportation opportunities to the largest number of people.

### Zoning Ordinance Citation: Section 4.7.3.B. Transit Proximity

Transit proximity points are granted for proximity to existing or master-planned transit stops based on transit service level and CRT, CR, LSC and EOF zones. Public benefit points can only be granted for one transit stop.

1. Transit proximity is categorized according to three levels:
  - a. **Level 1** is proximity to an existing or master planned Metrorail station.
  - b. **Level 2** is proximity to an existing or master planned station or stop along a rail or bus line with a dedicated, fixed path; this level excludes a site that is within one mile of an existing or master-planned MARC station.
  - c. **Level 3** is proximity to an existing or master-planned MARC station.  
All distances for transit proximity are measured from the nearest transit station entrance or bus stop entrance.
2. A project is abutting or confronting a transit station or stop if it shares a property line or easement line, or is separated only by a right-of-way from an existing or master-planned transit station or stop, and 100 percent of the tract in a single sketch plan application is within ¼ mile of the transit portal.

**Table 2: Public Benefits Categories**

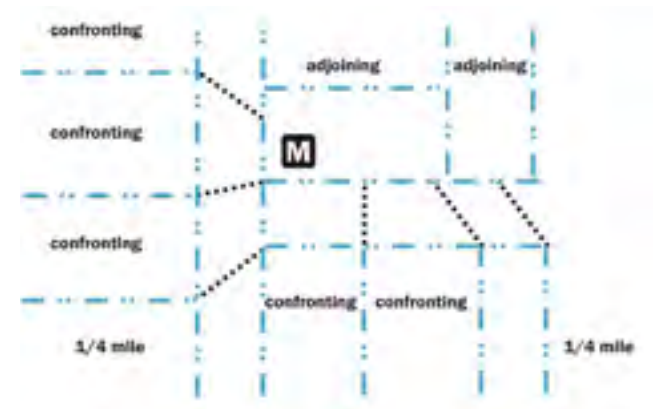
	Abutting or Confronting			Within ¼ Mile			Between ¼ and ½ Mile			Between ½ and 1Mile		
Transit Service Proximity Level	1	2	3	1	2	3	1	2	3	1	2	3
LSC	10	5	2.5	8	4	0	6	2	0	4	0	0
EOF or CRT	25	15	5	20	12.5	2.5	15	10	0	10	7.5	0
CR	50	30	10	40	25	5	30	20	5	20	15	2.5

3. For split proximity-range projects:
  - a. If at least 75 percent of the tract in a single sketch plan application is within the closer of two proximity ranges, the entire project may take the points for the closer range.
  - b. If less than 75 percent of the tract in a single sketch plan is within the closer of two proximity ranges, the points must be calculated as the weighted average of the percentage of area in each range.

### Guideline Criteria

According to Subsection 2 to qualify for the highest density points, a project must share a property line with or confront a property with a transit station or stop. Further, 100 percent of the tract submitted in a single sketch plan that takes advantage of this proximity must be within  $\frac{1}{4}$  mile of that portal. The ability to easily access the transit stop using a mode of travel other than the automobile will also be taken into account.

Subsection 3 ensures that properties are granted incentive density in proportion to their proximity to a transit station or stop when they straddle the ranges. There are two parts to this provision. First, if a property is 75 percent within a proximity range, the entire property is eligible for the density incentive enumerated for that range. Second, if less than 75 percent of a property is within a proximity range, a property is eligible for a weighted average. In this case, the amount of property in each range must be calculated and the density incentive enumerated as a weighted average.



*Confronting properties are those that are directly located across a right-of-way from each other based on a line between the two properties that is drawn perpendicular to the right-of-way. Properties within a 45 degree diagonal across an intersection are also considered confronting.*



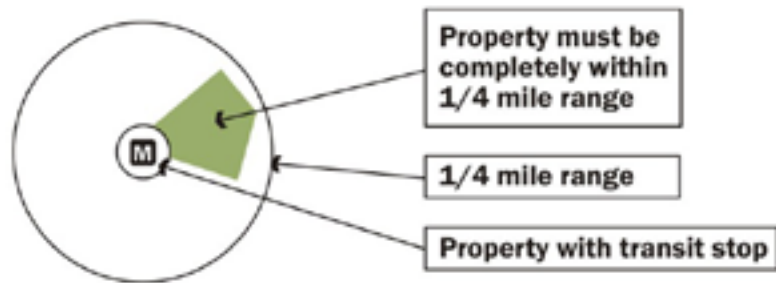
*Transit proximity has become a primary criteria for new commercial development in Montgomery County.*



*Bus rapid transit (BRT) stations in the suburbs can reduce auto use and encourage greater density at transit centers, thereby helping to reduce sprawl.*



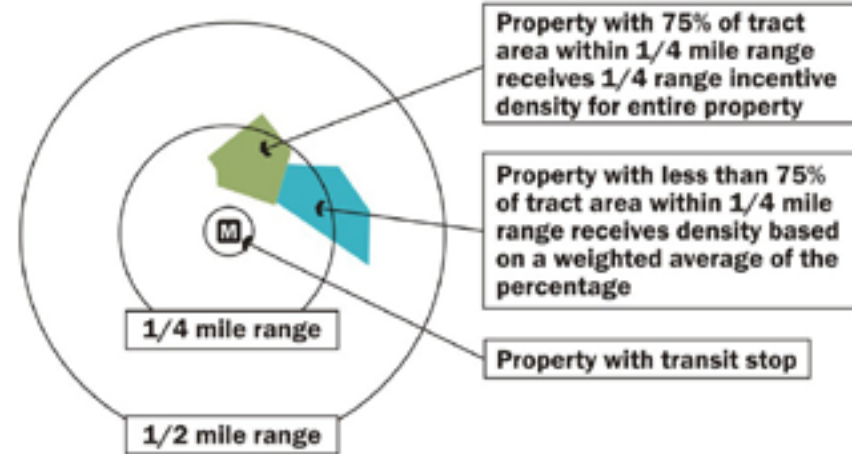
To qualify for subsection 2):



Formula: $[(t1/T)*P1]+[(t2/T)*P2]$	Example
T (total tract area)	80,000 square feet
t1 (tract area within proximity range 1)	55,000 square feet
t2 (tract area within proximity range 2)	25,000 square feet
P1 (points for range 1)	20 points
P2 (points for range 2)	15 points
	Calculation: 18 points

A *split-proximity range project* is one that has property with less than 75 percent of its area within a proximity range (for example, within  $\frac{1}{4}$ ,  $\frac{1}{2}$ , or one mile of a Metro station).

To calculate under subsection 3):



In cities like Seattle/Tacoma, Portland, Washington, DC, St. Paul, Los Angeles, Tucson and Charlotte, transit and TODs have concentrated development, reduced sprawl, created walkable centers and improved the environment.



## The Importance of the Public Realm

Ultimately, the goal of zoning, especially in the Commercial/Residential and Employment zones, is to create the most active, vibrant, beautiful and walkable public realm in cities, towns, centers and neighborhoods throughout the county. Through the incentive density program, Montgomery County strives to generate even greater value and public benefit in the public realm. Through these guidelines, we hope to create a socially, economically and environmentally sustainable county.

The public realm is the space in which the public has right of access: the setting for street life. The public realm includes the streets, sidewalks and parks plus the places that are privately owned or operated but accessible to the public. Arguably, views are an important aspect of the public realm; the aesthetic quality of buildings and landscapes on private property have significant impact on the experience of walking down the street. Vibrant street life relies on certain physical qualities of the public realm to host and strengthen activities and behaviors. Streets and public spaces are both settings and agents for social interactions that make public places interesting and engaging. They should be designed and improved for maximum value to the people who use them and the neighborhood and county as a whole.



*Wide sidewalks and plazas, special lighting and paving, large street trees, planting strips and shade trees, ample areas for seating and strolling, adjacency to transit, centralized and hidden parking, integrated wayfinding, and an active mix of uses and/or housing types framing the street, plaza or park all help to create a public realm that generates economic value, social inclusion and interaction, and environmental sustainability. All of these elements bring a vibrancy to neighborhoods and benefit everyone in the new developments, adjacent neighborhoods and entire county.*



*Aligning a school clock tower with a street enhances visual connectivity and civic prominence.*



*Pedestrian and bike trails improve health, reduce auto trips and provide great public amenities.*

## Connectivity and Mobility

**Intent:** Many studies throughout the country have indicated that urban and suburban neighborhoods, and rural centers that promote walkability through the creation of a vital and strong public realm will retain and enhance their social and economic value in both good and bad economic times. By enhancing mobility and connections at the lot, block, neighborhood and regional levels, Montgomery County will become more environmentally, socially and economically sustainable. Communities will become healthier and safer, and less reliant on the automobile.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

Development that enhances connectivity between uses and amenities; increases mobility options; encourages walking, cycling and transit; facilitates social interaction; provides opportunities for healthier living; and stimulates local businesses may achieve public benefit points.

- A. Advance Dedication:** Up to 8 points in the LSC zone, 15 points in the EOF zone and 30 points in the CRT and CR zones for dedicating or providing a reservation for dedication for master-planned rights-of-way in advance of a preliminary or a site plan application.
- B. Minimum Parking:** Up to 10 points for providing fewer than the maximum allowed number of parking spaces, where a maximum is applicable.
- C. Neighborhood Services:** When fewer than 10 different basic services exist within ¼ mile, up to 15 points for providing retail bays appropriate for at least 10 different basic services on-site or within ¼ mile, of which at least four have a maximum retail bay floor area of 5,000 square feet.
- D. Public Parking:** Up to 25 points for providing up to the maximum number of parking spaces allowed in the zone as public parking.
- E. Through-Block Connections:** Up to 20 points for safe and attractive pedestrian connections between streets.
- F. Transit Access Improvements:** Up to 20 points for constructing new or improving existing transit access.
- G. Streetscape Improvements:** Up to 20 points for construction of off-site improvements, excluding any streetscape improvements otherwise required.



- H. **Trip Mitigation:** Up to 20 points for entering into a binding traffic mitigation agreement to reduce the number of weekday morning and evening peak hour trips attributable to the site in excess of any other regulatory requirement; the agreement must result in a reduction of at least 50 percent of trips attributable to the site.
- I. **Way Finding:** Up to 10 points for design and implementation of a way finding system orienting pedestrians and cyclists to major open spaces, cultural facilities and transit opportunities.

"If you design communities for automobiles, you get more automobiles. If you design them for people, you get walkable, livable communities."

*Parris Glendening, former Governor of Maryland*

"Our streets and squares make up what we call the public realm, which is the physical manifestation of the common good. When you degrade the public realm, the common good suffers."

*James Howard Kunstler, writer*



In Seattle, bike tracks and bus and light rail stops are combined to enhance connectivity and mobility.



This streetscape in Washington, DC is enhanced with rain gardens, wide sidewalks and a variety of uses.



Shopping arcades offering through-block connections like this one in Ann Arbor, MI, provide a great pedestrian experience.



Big box, small shops, housing and offices are combined to provide enhanced services and activity in Seattle.



*Dedication of new streets within a superblock creates a framework around which development can occur.*



*Dedicating bike share stations that are integral to the design of a development improves the neighborhood.*

## Advanced Dedication

**Intent:** The purpose of these points is to promote a fine grain of blocks and streets within a development and surrounding neighborhood. Dedicated rights of way added to existing streets and roads help to promote greater connectivity and accessibility to pedestrians, bikes, autos and transit, while increasing the overall walkability within the development.

**Zoning Ordinance Citation:** Section 4.7.3.C. Connectivity and Mobility

- A. **Advance Dedication:** Up to 8 points in the LSC zone, 15 points in the EOF zone and 30 points in the CRT and CR zone for dedicating or providing a reservation for dedicating master- planned rights-of-way in advance of a preliminary or a site plan application.

### Guideline Criteria

The incentive density for advance dedication of rights-of-way is calculated on a sliding scale that allows up to 8 points in the LSC zone, 15 points in the EOF zone and 30 points in the CRT and CR zones based on the percentage of tract area that is dedicated. Rights-of-way dedicated in advance of submitting a development application may also be considered part of the tract area for FAR calculations. The only advance dedications that will be considered for incentive density in a sketch plan approval are dedications made in anticipation of future development, such as those made prior to filing a site plan or those made within areas that will be developed during later phases of a sketch plan.

For example, the owner of a 75,300 square foot lot dedicates 8,500 square feet for a master-planned bikeway prior to filing a site plan application for that portion of the site:

Formula: $(D/N) \times 100$	Example
D (dedicated land area)	8,500 square feet
N (net lot after dedication)	75,300 square feet
	Calculation: 11 points

### Minimum Submittal Requirements

Sketch Plan: Conceptual layout.

Preliminary Plan: Final location and area.

Prior to Site Plan: Area recorded by plat.



## Minimum Parking

**Intent:** Promotion of alternative transportation modes, such as transit, shared car use, bikes and pedestrian use, is most important to our county's future transportation network. By unbundling parking from building rent, greater affordability is possible for those who do not own or want to own cars and, therefore, do not want to pay for a parking space. This uncoupling also allows developers to reduce the number of parking spaces, thereby reducing construction costs, rents and unit costs. The overall reduction of auto trips is another goal of this category.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

- B. **Minimum Parking:** Up to 10 points for providing fewer than the maximum allowed number of parking spaces, where a maximum is applicable.

### Guideline Criteria

Incentive density is calculated on a sliding scale, from no points for providing the maximum allowable number of spaces on-site to 10 points for providing no more than the minimum number of spaces on site.

Formula: $[(A-P)/(A-R)] * 10$	Example
A (maximum allowed spaces)	100 spaces
R (minimum required spaces)	50 spaces
P (proposed spaces)	60 spaces
	Calculation: 8 points

### Minimum Submittal Requirements

Sketch plan: Initial estimate of calculation.

Site plan: Parking layout and uses with calculation approved.

**Unbundled Parking** — Consists of parking spaces priced separately from the building rent.



Providing dedicated car share spaces helps reduce auto ownership and the need for more parking.



The creation of secure bike storage, a bike repair station and showers available to bike commuters will help to reduce the need for auto parking spaces and provide LEED points. Bike stations like this one in San Francisco are a tremendous public amenity.



*Encouraging small local businesses in a permanent or a temporary location brings life to a neighborhood.*



*The integration of institutional uses brings activity, culture and character to a neighborhood.*



*A variety of neighborhood services contributes to an active daily life and reduces the need for vehicle trips.*

## Neighborhood Services

**Intent:** The ideal neighborhood size is a quarter mile from the center to its outer edges (a 5-minute walk). The intent of this guideline is to maximize the mix of uses in each neighborhood to increase walkability, minimize the need for auto trips and add vibrancy to a neighborhood. An additional goal is to promote commercial variety and small and local business ownership.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

- C. **Neighborhood Services:** When fewer than 10 different basic services exist within  $\frac{1}{4}$  mile, up to 15 points for providing retail bays appropriate for at least 10 different basic services on-site or within  $\frac{1}{4}$  mile, of which at least four must have a maximum retail bay floor area of 5,000 square feet each.

### Guideline Criteria

Incentive density of 7.5 points is appropriate for a project that meets zoning ordinance criteria. No single use should occupy an excessive amount of frontage and the services should contribute to improving the pedestrian environment.

Up to 5 additional incentive density points may be granted if other criteria are met, such as:

- Required number of retail uses is within one block.
- More than the minimum number of services are small businesses.

Qualifying basic services include banks, cafes, care centers, community/civic centers, convenience stores, dry cleaners, hair care services, hardware stores, health clubs, laundromats, libraries, medical and dental offices, parks, pharmacies, police and fire stations, post offices, religious institutions, restaurants, schools, supermarkets, theaters.

### Minimum Submittal Requirements

Site plan: a map showing qualifying basic services, existing and proposed, within  $\frac{1}{4}$  mile of subject site, measured from each residential or office lobby.

## Public Parking

**Intent:** Balanced parking plans provide easy access for office and residential uses, and visitor access, yet promote maximum pedestrian activity and alternative transit and bike use. Visitor parking is already calculated into office and residential parking programs so the additional public parking is primarily for civic and retail uses within a "park once" scenario that encourages walking.

Before calculating the amount of public parking needed, include on-street and off-street parking as part of the equation. New "park once" public parking is encouraged to reduce or eliminate surface parking for lot owners who cannot afford expansion due to parking requirements or limited lot sizes. Informative, easy-to-read signage promotes greater use of public parking. Parking fees for users are strongly encouraged and consider parking quantities as a coordinated neighborhoodwide issue. By locating public parking in mid-block structures within cities and large towns, or behind or to the side of buildings in rural to suburban settings, walkability and pedestrian-friendly uses can be promoted along streets.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

- D. **Public Parking:** Up to 25 points for providing up to the maximum number of parking spaces allowed in the zone as public parking.

### Guideline Criteria

Incentive density is calculated on a sliding scale from zero points, if no public parking is provided, to 25 points for providing 100 percent of the spaces above the minimum amount required as publicly available spaces.

### Minimum Submittal Requirements

Sketch plan: Initial estimate of calculation.

Site plan: Detailed parking layout with calculation.

Formula: $[P/(T-R)] \times 25$	Example
P (public spaces provided)	25 spaces
T (total spaces provided)	115 spaces
R (minimum required spaces)	80 spaces
	Calculation: 17 points



*Public parking areas may be run by a public agency or a private entity and should charge a fee.*



*Providing real-time parking vacancy numbers helps to minimize the need for more parking.*





*Bethesda Lane connects and enlivens adjacent retail streets, promotes walking and generates economic and social value.*



*Adding art, special paving and storefronts can invigorate an alley or a through-block connection.*



*Mid-block connections create pedestrian activity in a neighborhood.*

## Through-Block Connections

**Intent:** To minimize walking distances and promote walkability, through-block connection pathways or pedestrian-only lanes within developments are strongly recommended through larger blocks. These passageways encourage pedestrian use, promote safety and accommodate all users.

**Zoning Ordinance Citation:** Section 4.7.3.C. Connectivity and Mobility

E. **Through-Block Connections:** Up to 20 points for safe and attractive pedestrian connections between streets.

### Guideline Criteria

Incentive density of 10 points is appropriate for connections that meet the following criteria:

1. Open-air (direct access between streets may be provided through the first floor of a building if the property owner grants a public access easement for the walkway).
2. At least 15 feet wide.
3. Open to the public at least between 8 a.m. and 9 p.m. and, where the connection leads to a transit facility or publicly-accessible parking facility within ½ mile, for the hours of operation of the transit or parking facility.

Additional incentive density may be appropriate if criteria<sup>a</sup>other criteria are met, such as:

4. At least 35 percent of the walls facing the interior pedestrian connection must have clear, unobstructed windows above the floor level between 3 and 8 feet.
5. Direct connection to parks, transit facilities or public buildings.
6. Accessible retail uses along a majority of its length.
7. Increased width.

Fewer than 10 incentive density points may be granted if some of the guideline requirements are not provided.

### Minimum Submittal Requirements

Sketch plan: Concept layout and narrative regarding guideline criteria.

Site plan: Final detailed plan of circulation and site layout.

## Transit Access Improvement

**Intent:** To maximize connectivity and transit use throughout the county, improvements and additions to existing or new transit stops and access points are strongly encouraged. Transit stops that provide real-time scheduling information, community information and seating for those waiting for buses or trains provide community focal point opportunities within new and existing neighborhoods.

**Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility**

F. **Transit Access Improvement:** Up to 20 points for constructing new or improving existing transit access.

### Guideline Criteria

Incentive density of 10 points is appropriate for transit access improvements that:

1. Upgrade pedestrian connections to transit stations or stops to county standards for handicapped accessibility.
2. Are located within ½ mile of the project site or, in the case of mobile transit improvements, such as a bus shuttle, provide regular access for passengers within ½ mile.
3. Are not otherwise required on-site or along frontage.

Additional incentive density may be appropriate if other criteria are met, including:

4. Provision of a closer access point.
5. Provision of public access easements.
6. Construction of seating areas and shelters.

### Minimum Submittal Requirements

Sketch plan: Layout and narrative of improvements.

Site plan: Final detailed improvements and approvals by applicable agencies.



*Bus station seating is incorporated into this building design.*



*Transit stops can be designed to add to the character of a place.*



*Providing alternative transportation modes at or near transit maximizes connectivity.*



*Urban streetscapes should be interesting with wide sidewalks to promote walkability.*



*Suburban streetscapes should promote walkability through ample sidewalks, minimum curb cuts, lush landscape, abundant and large street trees, a mix of housing types, interesting architecture and destinations within walking distance.*

## Streetscape

**Intent:** Streetscapes are the most essential elements of the public realm. They are the community "living rooms" of towns, neighborhoods and cities. They are the places for walking, sitting and socializing with neighbors to strengthen communities and make neighborhoods safer for all.

Great streetscapes are different in rural, suburban and urban settings, but all include similar elements, including accessible building frontage, dense street trees, pedestrian-scaled lighting, landscape strips, various depths of front yards and frontage elements, street furnishings, seating areas and on-street parking. A minimum 5 feet wide sidewalk allows two people to walk side by side. Streetscapes of a high quality bring value to all individual developments within a neighborhood.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

G. **Streetscape:** Up to 20 points for construction of off-site improvements, excluding any streetscape improvements otherwise required.

### Guideline Criteria

Incentive density points for improvements to off-site streetscape are granted on a sliding scale, based on the area improved calculated as a percentage of the lot area. The improvements must follow the applicable master plan recommendations, including providing utilities underground and/or behind buildings. Construction of streetscape along the property frontage is required and does not qualify for incentive density.

Formula: $(S/N) \times 100$	Example
S (streetscape improvements)	9,000 square feet
N (net lot area)	78,000 square feet
	Calculation: 11 points

### Minimum Submittal Requirements

Sketch plan: Conceptual layout.

Site plan: Final layout, improvement details, and applicable agency approvals.



## Trip Mitigation

**Intent:** By reducing the number and frequency of automobile trips, traffic congestion and air and water pollution will decrease throughout Montgomery County. The provision of neighborhood, block or business shuttle buses, shared biking and autos, vanpools, transit use, staggered office hours and/or a wide variety of uses all help to mitigate trips and are encouraged in all new developments. The mitigation of trips helps to create more walkable and healthier communities.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

- H. **Trip Mitigation:** Up to 20 points for entering into a binding traffic mitigation agreement to reduce the number of weekday morning and evening peak hour trips attributable to the site in excess of any other regulatory requirement; the agreement must result in a reduction of at least 50 percent for trips attributable to the site.

### Guideline Criteria

Incentive density of 10 points is appropriate for trip mitigation agreements (TMAGs) that meet the county zoning ordinance requirements. The TMAG must:

1. Be accepted by M-NCPPC and Montgomery County Department of Transportation (MCDOT) prior to certification of any site plan for development subject to the agreement.
2. Outline the policies, tracking mechanisms and reporting procedures for car-pooling, transit subsidies, parking restrictions, bicycle facilities and other mitigation strategies.
3. Additional incentive density points may be appropriate if a greater than 50 percent reduction is proposed.

### Minimum Submittal Requirements

Sketch plan: Narrative.

Site plan: Approved traffic mitigation agreement.



*Bike Share stations promote biking and exercise as an alternative to driving a car.*



*Providing car share programs reduces the need for parking and reduces auto trips within communities.*



*Developing carpooling programs can help mitigate multiple single occupancy vehicle trips.*



*Providing shuttle service helps to reduce auto trips and increase pedestrian activity.*



*A consistent, well-designed way finding program can establish character and identity for a community.*



*Consistency of signage in the town or city is important.*

## Way Finding

**Intent:** Way finding helps strengthen and promote walkability, helps tie the greater community or neighborhood together, and provides direction to new developments and amenities. Most developments have signage as well as additional way finding elements. However, the inclusion of additional pathways, artworks and landmarks that are well designed and integral to the overall building and streetscape designs, create an identifiable image and character for a community.

### Zoning Ordinance Citation: Section 4.7.3.C. Connectivity and Mobility

- I. **Way finding:** Up to 10 points for design and implementation of a way finding system orienting pedestrians and cyclists to major open spaces, cultural facilities and transit opportunities.

### Guideline Criteria

Incentive density of up to 5 points is appropriate for installing signage in proposed open spaces and public spaces. These signs should provide maps and information orienting pedestrians and cyclists to nearby:

1. Parks and publicly accessible open spaces.
2. Trails and paths.
3. Cultural and government facilities.
4. Transit stations and stops.
5. Artworks and landmarks.
6. Special areas, buildings or facilities of interest.

Additional incentive density points may be appropriate if other criteria are met, including:

7. A large number of signs are provided.
8. The way finding system helps fulfill a demonstrated need, such as implementing a municipal program or capital improvement priority.

### Minimum Submittal Requirements

Sketch plan: Narrative with conceptual layout and design.

Site plan: Final design, locations and installation details approved by applicable agencies prior to use-and-occupancy permit.





*A well landscaped streetscape with rain gardens brings nature into neighborhood centers.*



*Wherever possible, all public parking should be placed behind or to the side of buildings.*



*Through-block connections that link to other streets and open spaces break down the scale of a block.*



*As the county densifies, dedication of land for new community centers or schools will be necessary.*



*Dedicated privately owned public spaces (POPS) should relate directly to streets or parks and plazas.*



*Streetscapes should offer a variety of seating, landscape, public art and activity options.*



*Dense street trees in neighborhood streetscapes offer both summer shade and wind protection.*



*Streetscape interventions and improvements can contribute to the natural ecology.*





*These work/live townhouses offer a mix of uses and affordability for a shop owner living over a store.*



*Small office over retail provides for local, neighborhood-oriented business opportunities.*



*Townhouses at the base of an apartment building help to activate the street and promote safety.*

## Diversity of Uses and Activities

Increasing the variety and mixture of land uses, types of housing, economic variety and community activities contributes to development of more efficient and sustainable communities; reduces the necessity for automobile use; and facilitates healthier lifestyles and greater social interaction and safety. A greater diversity of uses also promotes higher walkability scores, which have proven to increase social and economic value to neighborhood residents and businesses.

### Zoning Ordinance Citation: Section 4.7.3.D. Diversity of Uses and Activities

- A. **Adaptive Buildings:** Up to 15 points for constructing commercial or mixed-use buildings with minimum floor-to-floor heights of at least 15 feet on floors meeting grade and 12 feet on all other floors. Internal structural systems must be able to accommodate various types of uses with only minor modifications.
- B. **Care Centers:** Up to 20 points for constructing a child, teen or adult daycare facility accommodating at least 15 users that satisfies state standards.
- C. **Dwelling Unit Mix:** Up to 10 points for integrating a mix of residential market-rate unit types with at least 7.5 percent efficiency units, 8 percent one and two-bedroom units, and 5 percent three-or-more bedroom units; the proportional number of moderately priced dwelling units (MPDUs) for each unit type must satisfy Chapter 25A of the county zoning ordinance.
- D. **Enhanced Accessibility for Seniors or the Disabled:** Up to 20 points for constructing dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent county standard.
- E. **Live/Work:** Up to 15 points for developments of up to 2.0 floor area ratio (FAR) total allowed density that provide at least 3 units or, for developments allowed greater than 2.0 FAR, 10 percent of the total unit count as live/work units.
- F. **Moderately Priced Dwelling Units:** There is no limitation on the number of points for providing more than 12.5 percent of the residential units as MPDUs as required under Chapter 25A.
- G. **Small Business Opportunities:** Up to 20 points for providing on-site space for small, neighborhood-oriented businesses.



*Townhouse units located above retail spaces provide a work/live environment along a street.*



*In this community, small business opportunities are mixed into a townhouse neighborhood.*



*This office building was built in a way that allows for an easy transformation into other uses over time.*



*This mixed-use building provides townhouses, studios, larger units and retail.*



*This office building was transformed into moderately priced dwelling units.*



*Care centers can incorporate children's art into the architectural designs.*

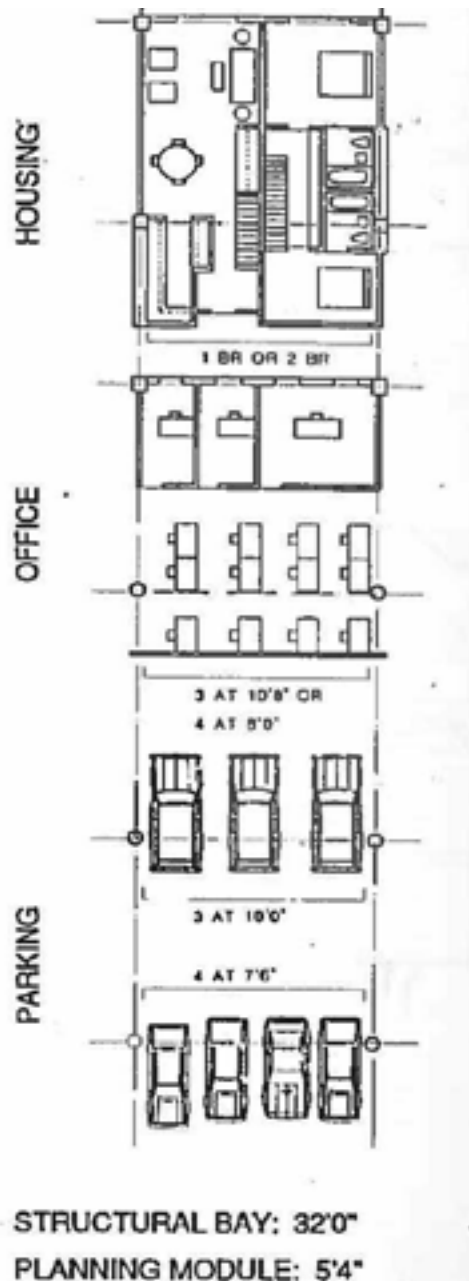


*Narrow, moderately priced dwelling units can fit into market rate townhouses.*



*"Visitable" homes allow enhanced accessibility at the first floor for all residents and guests alike.*





Structural bays can be designed to maximize possible adaptive reuse and program changes.

## Adaptive Buildings

**Intent:** More than 40 percent\* of our country's energy is consumed in the construction of buildings each year. Buildings that last generations promote a much more sustainable society no matter what the changing use within the building may be. Well designed, adaptive buildings allow offices to be converted to housing, parking garages to be redeveloped into commercial or residential uses, and small unit apartments to be converted to larger unit condominiums over time. This recycling saves money, energy, raw materials and reduces greenhouse gases and other pollutants within the environment. Adaptive buildings can also help generate affordability and dramatically reduce wasteful economic practices.

*\*Source: US Energy Information Administration*

**Zoning Ordinance Citation:** Section 4.7.3.D. Diversity of Uses and Activities

- A. Adaptive Buildings: Up to 15 points for constructing commercial or mixed-use buildings with minimum floor- to-floor heights of at least 15 feet on any floor meeting grade and 12 feet on all other floors. Internal structural systems must be able to accommodate various types of use with only minor modifications.

### Guideline Criteria

Incentive density of 7.5 points is appropriate for an adaptive building that meets the requirements of the zoning code. Points will be pro-rated per building in multi-building projects. Additional incentive density points may be appropriate if other criteria are met, including:

1. A structural system that can support additional density and height in the future, up to the maximum permitted density, without demolishing the structure.
2. An internal layout that allows changes between residential, retail and office uses through minor modifications.

### Minimum Submittal Requirements

Sketch plan: Narrative with conceptual layout and design.

Site plan: Final design, locations and installation details approved by applicable agencies prior to use-and-occupancy permit.





*Live/work units can be designed originally as residences and then converted to retail on first floor.*



*Loft buildings are perfectly adaptable. They frame streets, have tall ceilings and minimal interior walls so they can be converted to many different uses.*



*Taller ceiling heights within loft units allow for less complicated conversion over time to different uses.*



*Once the market becomes stronger for retail, ground-floor units can be converted into commercial uses.*



*This loft building with retail on the ground level can be used for residential, but can also be converted to office if the market changes.*



*Individual care centers should be designed to add character to a community.*



*Adult care centers can inspire neighbors and visitors through imaginative designs.*



*Care centers can be freestanding or incorporated into new or existing buildings.*

## Care Centers

**Intent:** Care centers provide amenities in communities, strengthen diversity, integration and social inclusion, and bring value to neighborhoods. Inclusion of a care center in the public amenity process is an essential addition to any great neighborhood.

**Zoning Ordinance Citation:** Section 4.7.3.D. Diversity of Uses and Activities

B. Care Centers: Up to 20 points for constructing a child, a teen or an adult daycare facility accommodating at least 15 users that satisfies state standards.

### Guideline Criteria

Incentive density of 10 points is appropriate for care centers that provide:

1. Daytime child, teen or adult care for at least 15 total users.
2. At least 25 percent of the spaces are open to the public at large.

Additional incentive density points may be appropriate if other criteria are met, including:

3. The care center is a master plan priority.
4. Serves more than 15 users.
5. Includes an adjacent lay-by or on-site drop-off area.
6. Offers a higher percentage of spaces open to the public.
7. Provides recreation facilities above those required by law.

### Minimum Submittal Requirements

Sketch plan: Narrative and location.

Site plan: Final size, location and layout; specific conditions for lease length and monitoring will be determined at the site plan stage.



## Dwelling Unit Mix

**Intent:** A wide variety of dwelling unit types provides for greater social and economic diversity, affordability and economic stability in down markets. A diversity of unit types and tenures also strengthens community and provides additional passive neighborhood security during all hours of the day and night.

**Zoning Ordinance Citation:** Section 4.7.3.D. Diversity of Uses and Activities

- C. **Dwelling Unit Mix:** Up to 10 points for integrating a mix of residential market-rate unit types with at least 7.5 percent efficiency units, 8 percent one- and two-bedroom units, and 5 percent three-or more bedroom units; the proportional number of MPDUs for each unit type must satisfy Chapter 25A of the zoning ordinance.

### Guideline Criteria

Incentive density of 5 points is appropriate for providing residential buildings with a mix of dwelling unit types (calculated by rounding to the next higher whole number) with a minimum of:

1. 7.5 percent efficiency dwelling units.
2. 8 percent one-bedroom dwelling units.
3. 8 percent two-bedroom dwelling units.
4. 5 percent three-bedroom or larger dwelling units.

Incentive density of 10 points is appropriate for providing residential buildings with a mix of dwelling unit types (calculated by rounding to the next higher whole number) with a minimum of:

5. 10 percent efficiency dwelling units.
6. 10 percent one-bedroom dwelling units.
7. 10 percent two-bedroom dwelling units.
8. 7.5 percent three-bedroom or larger dwelling units.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout and location with narrative.

Site plan: Final layout, design and location approved at site plan.

Prior to use-and-occupancy: As-built floor plans.



*This building in Washington, DC provides semi-basement flats, townhouses at the street level and apartments on upper floors.*



*At the Fenwick apartments in Silver Spring, townhouses are located at the street level with a variety of unit types on upper floors.*



**1 Bedroom / 1 Bath**  
approx. 600 sq. ft.



**2 Bedroom / 1 Bath**  
approx. 850 sq. ft.



**3 Bedroom / 2 Bath**  
approx. 1015 sq. ft.



## Enhanced Accessibility for the Disabled

**Intent:** In addition to meeting the requirements of the Americans with Disabilities Act (ADA), this zoning ordinance citation component encourages developers to go beyond ADA requirements.

**Zoning Ordinance Citation:** Section 4.7.3.D. Diversity of Uses and Activities

- D. **Enhanced Accessibility for the Disabled:** Up to 20 points for constructing dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent county standard.

### Guideline Criteria

The provision of dwelling units that satisfy ANSI A117.1 Residential Type A standards, or an equivalent county standard, is eligible for incentive density points of up to 20 points, on a sliding scale calculated on the percentage of complying units. Each percentage of units is worth 3 points, thus, provision of seven percent of all units would be worth the full 20 points.

Formula: $(A/T) \times 300$	Example
A (ANSI 117.1 units)	12 units
T (total units)	200 units
	Calculation: 18 points

### Minimum Submittal Requirements

Sketch plan: Conceptual layout.

Site plan: Final location and area.



ADA compliant counters and tables.

“Visitability” is a growing trend nationwide. The term refers to single-family or owner-occupied housing designed so it can be lived in or visited by people who have difficulties with steps or who use wheelchairs or walkers.



The inclusion of a ramp and wide rear door allows this home to be "visitabile" to the entire ground floor.



Within this townhouse development, several units, as shown here, are fully visitable to guests.



*Live/work units built within a suburban townhouse development can enhance the neighborhood.*



*Live/work units with loft apartments above provide some residential uses in a mostly retail area.*



*These live/work units include retail, office and residential uses around a central courtyard.*

## Live/Work Units

**Intent:** A diverse mix of uses helps to activate streets, promotes more walking and social interaction, and creates greater public safety within communities through more eyes on the street. Live/work units provide the additional benefit of creating opportunities for small, locally owned and locally serving retail and businesses to thrive within neighborhoods. These unit types can also help make housing more affordable for those interested in renting a retail space next to their home.

### Zoning Ordinance Citation: Section 4.7.3.D. Diversity of Uses and Activities

- E. **Live/Work Units:** Up to 15 points for developments of up to 2.0 FAR total allowed density that provide at least 3 units or, for developments allowed greater than 2.0 FAR, 10 percent of the total unit count as live/work units.

### Guideline Criteria

Incentive density of 10 points is appropriate for providing:

1. Two live/work units in a development that is located in a zone mapped with an FAR equal to or less than 2.0.
2. 6.6 percent of the total units as live/work units in a development that is located in a zone mapped with an FAR greater than 2.0.

Incentive density of 15 points is appropriate for providing:

3. Three live/work units in a development that is located in a zone mapped with an FAR equal to or less than 2.0.
4. 10 percent of the total units as live/work units in a development that is located in a zone mapped with an FAR greater than 2.0.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout and location with narrative.

Site plan: Final layout, design and location.





*This building contains two live/work units in a loft-style apartment building.*



*Kentlands, MD street with apartments located above shops that are convenient to the entire neighborhood.*



*Within a town center, homes have been converted into live/work buildings which activate a Main Street retail area.*



*Affordable townhouses (blue townhouse) blended in with market-rate townhouses in Washington, DC.*



*Affordable duplex (red) and triplex buildings with front porches on a suburban street.*



*Westlawn Gardens in Milwaukee provides low-income and affordable housing on walkable streets.*

## Affordable Housing

**Intent:** Affordable housing is the cornerstone of a just and sustainable society. Providing more opportunities for affordable housing within all neighborhoods and places where jobs are located is an important county goal. Allowing those who police our streets, teach our children and deliver our mail to live near their jobs reduces countywide traffic congestion and maintains a robust economy. Affordable housing also promotes greater diversity, social interaction, public safety and social, economic and environmental sustainability.

### Zoning Ordinance Citation: Section 4.7.3.D. Diversity of Uses and Activities

- F. **Affordable Housing:** There is no limitation on the number of points for providing more than 12.5 percent of the residential units as moderately priced dwelling units (MPDUs) as required under Chapter 25.
1. Points are calculated as follows:
    - a. 12 points are granted for every 1 percent of MPDUs greater than 12.5 percent. Any fraction of a 1 percent increase in MPDUs entitles the applicant to an equal fraction of 12 points.
    - b. An additional 2 points are granted for every 1 percent of 2 bedroom MPDUs not otherwise required.
    - c. An additional 5 points are granted for every 1 percent of 3 bedroom MPDUs.
    - d. In any case, for density and points to be awarded, at least one more MPDU than would be required at 12.5 percent must be provided to take advantage of the MPDU public benefit points in any zone.
    - e. For a project providing a minimum of 15 percent MPDUs, one less benefit category than required under Section 4.5.4.A.2 and Section 4.6.4.A.2 must be satisfied. A project that provides a minimum of 20 percent MPDUs does not have to satisfy any other benefit category under Section 4.5.4.A.2 and Section 4.6.4.A.2.
  2. In a zone with a “T” designation, if a project exceeds 12.5 percent MPDUs, residential density may be increased under Section 4.5.2.C in the Commercial/Residential zones or under Section 4.6.2.C in the Employment zones.
  3. In a zone without a “T” designation:
    - a. If a project exceeds 12.5 percent MPDUs, the height limit of the applicable zone and master plan does not apply to the extent required to provide the MPDUs. The additional height is calculated as the floor area provided for MPDUs above 12.5 percent, divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet.



- b. For a project providing less than 15 percent MPDUs, the gross floor area of any MPDUs provided above 12.5 percent is exempt from the calculation of FAR.
- c. For a project providing a minimum of 15 percent MPDUs, the gross floor area of all MPDUs provided is exempt from the calculation of FAR.

### Guideline Criteria

The calculations for incentive density for affordable housing are provided in Chapter 25A of the zoning ordinance and must comply with all applicable regulations. MPDUs are calculated as a percentage of the total number of dwelling units.

Formula: $(P-R)*12 + W*2+T*5$	Example
P (percentage MPDUs provided)	14.5%
R (percentage MPDUs required)	12.5%
W (percentage 2 bedroom MPDUs provided, not otherwise required)	0%
T (percentage 3 bedroom MPDUs provided)	1%
	Calculation: 29 points

### Minimum Submittal Requirements

Sketch plan: Initial calculation

Site plan: Final approval per the Montgomery County Department of Housing and Community Affairs' Agreement to Build.



*Affordable and attractive apartments in a walkable neighborhood were built by the non-profit The Friends of Housing Corp. at Westlawn Gardens in Milwaukee, WI.*



*Two over two units provide affordable townhouse living at a scale that frames streets in Kentlands, MD.*



*Low income townhouses on a park in Philadelphia were created through the HUD HOPE VI program.*





*Ground-floor retail in suburban or rural towns creates small business options.*



*Small, shallow retail bays fronting a parking garage help activate the street and encourage small shops.*

## Small Business Opportunities

**Intent:** Small businesses are the backbone of great communities in our rural, suburban and urban centers. Many require only small areas of space between 500 square feet and 2,500 square feet to operate. By providing small footprint floor plans in new or renovated town developments, small businesses have a chance to prosper. These types of businesses with small footprints can provide retail and pedestrian activity in less than ideal locations, such as at the base of parking garages. They offer opportunities for local ownership, a diversity of retail options and economic sustainability by keeping local dollars in local communities.

**Zoning Ordinance Citation:** Section 4.7.3.D. Diversity of Uses and Activities

G. **Small Business Opportunities:** Up to 20 points for providing on-site space for small, neighborhood- oriented businesses.

### Guideline Criteria

Incentive density of 10 points is appropriate for developments that provide retail bays of no more than 5,000 square feet for:

1. At least three small businesses on sites of more than one acre.
2. All of the commercial spaces on smaller sites.

Further, the approved gross floor space for these businesses must be restricted for a period of six years after the issuance of the initial use and occupancy permits. The six-year time period is binding on future owners and successors in title, and must be stated as a condition of any site plan approved by the Planning Board. Before a building permit is submitted for approval, the applicant must file a covenant in the county land records that reflects these restrictions.

Greater or fewer points are appropriate if more or less spaces are provided. Additional incentive density points are appropriate if small business opportunities are a master plan priority.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout and location with narrative.

Site plan: Final layout, design and location approved. Prior to building permit: Recorded covenant.

Prior to use-and-occupancy: As-built floor plans.



*As small towns change over time, first floors can become incubators for small, local businesses.*



*Small shops at the base of a garage add small business options and activity on the street.*



*Farmers markets support local businesses, enliven streets and generate greater health.*



*Retail kiosks at the Reston East Metro Station plaza provide peak hour start-up opportunities.*



*Small, unique local shops and businesses within a residential neighborhood in Richmond, VA create value and character that generate very high pedestrian activity. Some shops are as small as 500 square feet.*



*This food truck court in Ann Arbor, MI generates a large amount of business for locals.*





*The historic O Street Market in Washington, DC was renovated into a grocery store with new residential uses attached.*



*The Bullitt Foundation headquarters in Seattle is designed to be 100 percent carbon neutral.*

## Quality Building and Site Design

**Intent:** A primary goal of the Montgomery County Planning Department is to dramatically improve the quality of our architecture, urban design, landscapes and public realm. Quality design is an inducement for attracting the best and brightest to our county, and creating neighborhoods and centers that are commensurate to the great prosperity and high expectations of county residents. Montgomery County will continue to build on its great historical past and construct world-class architecture with walkable streets and open spaces to attract residents and businesses. As we continue to grow and densify sustainable neighborhoods and centers that provide the design quality and amenities that encourage great civic life and participation will be most important.

### Zoning Ordinance Citation: Section 4.7.3.E. Quality Building and Site Design

High quality design is especially important in urban, integrated-use settings to ensure that buildings and uses are visually compatible with each other and adjacent communities, and the pattern of development is harmonious. Due to increased density in these settings, buildings tend to be highly visible and high quality design helps attract residents, patrons and businesses to these areas.

Location, height, massing, façade treatments and ornamentation of buildings all affect the sense of place, orientation and perception of comfort and convenience. The quality of the built environment affects light, shadow, wind and noise, as well as the functional and economic value of property.

- A. **Architectural Elevations:** Up to 20 points for providing architectural façades and agreeing to particular elements of design, such as minimum amount of transparency, maximum separation between doors, awning provisions, sign restrictions or lighting parameters that affect the perception of mass or pedestrian comfort, or enhance neighborhood compatibility.
- B. **Exceptional Design:** Up to 10 points for a building or a site designs that exceptionally enhances the visual and functional character of a setting per the purposes listed in Section 4.7.3.E.

**"Great architecture is great civilization. Always. Without it, no civilization. Art alone gives vitality and true appreciation of life to human desire... Without art and architecture, civilization has no soul."**

*Frank Lloyd Wright, architect*

**"People ignore design that ignores people." - Frank Chimero, designer**



- C. **Source Protection:** Up to 20 points for the preservation or enhancement of and historic resource, or payment toward preservation or enhancement of an historic resource or a contributing element within an historic district designated in the Montgomery County Master Plan for Historic Preservation.
- D. **Public Open Space:** Up to 20 points for providing, or making a payment for public open space in excess of the minimum open space requirement of the zone.
- E. **Public Art:** Up to 15 points for installing public art reviewed by the Art Review Panel under the Public Art Guidelines approved by the Planning Board, or by paying a fee accepted by the Public Arts Trust Steering Committee.
- F. **Structured Parking:** Up to 20 points for placing parking in an above- or below-grade parking structure.
- G. **Tower Step-Back:** Up to 10 points for setting back a building's upper floors by a minimum of 6 feet behind the first-floor façade. The setback must begin at a height no greater than 72 feet.



*Centralized public spaces framed by buildings and streets create value for neighborhoods.*



*Historic structural elements provide public art within an open space.*



*Stepbacks allow buildings to respond to the heights and mass of adjacent buildings.*



*Great elevations include a strong pedestrian-oriented base, pleasing proportions and attractive materials.*



*Stepbacks, bay windows, varied bays and window rhythms add quality to a building elevation.*



*Facades are varied through a rhythm of primary and secondary bays and large entrances.*

## Architectural Elevations

**Intent:** Great building exteriors, particularly within the suburban and urban context, provide attractive, well-proportioned faces to the public realm of streets, plazas and parks. They increase activity along the street, create pedestrian interest, give scale to open spaces and ultimately provide for greater public safety through eyes on the street. Orienting exterior wall elevations to the pedestrian, through the scale and permanency of materials, transparency from inside to out, creating a taller, more predominant first floor to all upper floors, activates the public realm and improves our neighborhoods. Beautiful elevations framing streets or public open spaces promotes pedestrian interest and activity.

**Zoning Ordinance Citation:** Section 4.7.3.E. Quality Building and Site Design

- A. **Architectural Elevations:** Up to 20 points for providing architectural façades and agreeing to be bound by particular elements of design, such as minimum amount of transparency, maximum separation between doors, awning provisions, sign restrictions or lighting parameters that affect the perception of mass and pedestrian comfort, or enhance neighborhood compatibility.

### Guideline Criteria

Incentive density of 10 points is appropriate for development that provides and is bound by architectural elevations as part of a certified site plan showing particular elements of the façade, including:

1. Minimum amount of transparency on the first floor.
2. Minimal spacing between operable doors.
3. Design priorities of the applicable master plan and/or implementing design guidelines.

Additional incentive density points may be granted where additional elements, such as signage, awnings and lighting designs, are included, and where architectural elevations are a priority of the applicable master plan.

### Minimum Submittal Requirements

Sketch plan: Concept and narrative.

Site plan: Final details and binding elevations.

*"In pure architecture the smallest detail should have a meaning or serve a purpose." -Augustus W. N. Pugin, architect and theorist*





*Simple, colorful and contrasting materials, clearly defined base, middle and top, combined symmetry and asymmetry, and large storefront windows all contribute to a successful elevation.*



*Overlapping major and minor window grids, color and a strong base make this elevation special.*



*Setbacks, sun screens, balconies, colors and materials distinguish these elevations.*



*Unique shading devices, iconic tops and varied massing can vary elevations.*



*Creating a strong relationship between inside and outside strengthens connections between buildings and pedestrians.*





*Holy Cross Hospital in Germantown, MD features well proportioned massing, beautiful materials, a strong entry and landscaped courtyards.*



*Public art, building details, a well considered signage program and great streets help make Pike and Rose in North Bethesda, MD an exceptional design.*



*The award-winning headquarters of Ruppert Nurseries in Gaithersburg, MD was designed and detailed as a rural compound around courtyards.*

## Exceptional Design

**Intent:** Exceptional design is both pro-urbanist and pro-environmentalist. Architecture that delivers quality settings for human life is appreciated, if not beloved, by citizens. Exceptional design has a permanence that responds to our unique society, climate, culture and geography. It is intended to be timeless and separates this county from the rest of our region in quality, value and community pride. Such designs are realized within judicious budgets, but can also bring long-term value to a particular development and surrounding community.

### Zoning Ordinance Citation: Section 4.7.3.E. Quality Building and Site Design

- B. **Exceptional Design:** Up to 10 points for building or site design whose visual and functional impacts exceptionally enhance the character of a setting, per the purposes listed in Section 4.7.3.E.

### Guideline Criteria

Incentive density of 5 points is appropriate for development that meets at least four of the following criteria. 10 points are appropriate for development that meets all of them. Building or site design qualifies for the incentive density by:

1. Providing innovative solutions in response to the immediate context.
2. Creating a sense of place and serves as a landmark.
3. Enhancing the public realm in a distinct and original manner.
4. Introducing materials, forms or building methods unique to the immediate vicinity or applied in a unique way.
5. Designing compact, infill development so living, working and shopping environments are more pleasurable and desirable on a site.
6. Integrating low-impact development methods into the overall design of the site and building, beyond green building or site requirements.

### Minimum Submittal Requirements

Sketch plan: Narrative and exhibits addressing criteria with specific examples.

Site plan: Final details, layout and justification.

**"As an architect you design for the present, with an awareness of the past, for a future which is essentially unknown."**

*Norman Foster, architect*

"People think that design is styling. Design is not style. It's not about giving shape to the shell and not caring about the guts. Good design is a renaissance attitude that combines technology, cognitive science, human need and beauty to produce something that the world didn't know it was missing."

*Paola Antonelli, museum curator*



*Montgomery College's Cultural Arts Center is separated into wings acknowledging its context to create exceptional architecture and urbanism.*



*Exquisite wood details and structural expression make this pool house design exceptional.*



*Building, site and landscape completely support each other through the high-quality urban design of the Silver Spring Civic Building and Veteran's Plaza.*



*An active base with townhouse stoops and a building skin of alternating windows frame the street with a visual appeal.*





*Preservation of Rockville's town hall, plaza and fountain add great value to the growing city.*



*Historic Bethesda Theater reminds us of the county's history and culture, and enlivens the streetscape.*

## Historic Resource Protection

**Intent:** Historic preservation in Montgomery County is unique and important. Saving our most valuable resources is not just to reaffirm the importance of our architectural heritage, but to prevent our historic resources from being carted off to the landfill. Historic buildings add character to a neighborhood, promote walkability and are inherently sustainable. Flexible and efficient solutions to help preserve these buildings or their elements, such as facades, even when they cannot meet contemporary code requirements, are reviewed by the Planning Department.

**Zoning Ordinance Citation:** Section 4.7.3.E. Quality Building and Site Design

- C. **Historic Resource Protection:** Up to 20 points for the preservation or enhancement of, or payment toward preservation or enhancement of, a historic resource or a contributing element within a historic district designated in the Montgomery County Master Plan for Historic Preservation.

### Guideline Criteria

Incentive density of up to 10 points is appropriate for projects that protect historic resources by one of the following means:

Preservation or enhancement of a historic resource designated in the Master Plan for Historic Preservation or the Locational Atlas and Index of Historic Sites, or for contributing elements within a historic district designated in the Master Plan for Historic Preservation on- or off-site through:

1. Providing capital improvements, interpretive signs or museum-type exhibits.
2. Integrating and constructing context-appropriate landscape and settings.
3. Protecting important view sheds.
4. Alternatively, a payment may be made as follows:
5. The minimum fee is 1 percent of the development's projected cost up to a maximum fee of \$100,000.
6. The fee is paid prior to the release of the first building permit for the development.
7. The fee is used for stabilization, restoration, rehabilitation or interpretive improvements of publicly owned historic resources on parkland; or for the identification, evaluation, documentation, interpretation or related activities that will lead to a better understanding of the county's historic resources;
8. The fee is to be used for a project within or near the policy area where the proposed development is located.



9. More points will be awarded for preservation and enhancement projects that most closely adhere to the recommendations in the Master Plan for Historic Preservation or Locational Atlas and Index of Historic Sites.
10. Fewer points will be granted when less than the applicable recommendations are implemented. No points will be awarded if it is determined the resource is compromised by the proposed development.

#### Minimum Submittal Requirements

Sketch plan: Concept and narrative.

Site plan: Final details and approval by the Historic Preservation Commission.

**"Old buildings attract people, remind us of our past culture and heritage, are the coolest location for new businesses, contain the greatest details and materials, and provide economic and cultural value."**

*National Trust for Historic Preservation*



*Preservation of the Agricultural Preserve is a primary component of the county's growth policies.*



*Preservation and repurposing of this house into offices added great value to this nursery headquarters.*



*Repurposing an historic store facade into the Fillmore Theater created great value and street life.*



*Historic neighborhoods with narrow streets and grand street trees maintain the highest real estate values.*



*The Back Bay neighborhood in Boston is centered on great streets and public spaces.*



*An urban park built over a parking garage is the center of this city's public activities.*



*Privately owned, public space (POPS) can provide the centers for civic life in our communities.*

## Public Open Space

**Intent:** Open space is a most important element of the public realm and is essential to Montgomery County's civic life and patterns of activities. These spaces, developed in coordination with an active and vibrant street network system, help to support and focus various activities and development around them. Although public open spaces come in various shapes and sizes, they are centrally located and publicly owned, or part of a larger system of spaces that is a privately owned but publicly accessible space (POPS). These spaces make a positive contribution to the character of the county and improve the pedestrian experience of its residents. As outdoor “rooms” where civic life takes place, public open spaces are for people first. They are not to be the leftover spaces of a development nor be isolated from the greater network of streets, parks, plazas and squares within a community.

### Zoning Ordinance Citation: Section 4.7.3.E. Quality Building and Site Design

D. **Public Open Space:** Up to 20 points for providing, or making a payment for, open space in excess of the minimum open space requirement of the zone.

#### Guideline Criteria

Incentive density for public open space above the zone's requirements is granted on a sliding scale, based on the percentage of the lot area. The open space should be:

1. Directly accessible to a street.
2. Open to the public between sunrise and sunset.
3. Designed so that proposed loading or parking facilities are screened or fronted with active uses.
4. Completed with seating, trash receptacles, landscaping and other amenities, such as water features, kiosks and passive recreation areas.
5. At least 35 feet wide.
6. Designed so that walls of any nonresidential floor area facing the open space have windows between 3 and 8 feet above ground level on at least 60 percent of the facade.
7. Designed so that main entries to any dwelling units are from a wall facing the open space.

A fee-in-lieu of public open space may be accepted for incentive density as follows:

8. The fee equals \$35 per square foot plus the development's market rate of land value per square foot for whatever percentage of the lot is requested for incentive density up to 20 points.
9. The fee is paid into an amenity fund or other designated open space construction, renovation or improvement fund prior to release of a building permit.



10. The fee is used for installation and or acquisition of public facilities and amenities in part or in full that the Planning Board finds consistent with the goals of the applicable master plan.

More points may be awarded in addition to those established by the formula when open space is a master plan priority or where there is a lack of open space nearby.

#### Minimum Submittal Requirements

Sketch plan: Concept layout and narrative regarding guideline criteria.

Site plan: Final detailed plan and site layout.

Formula: (P/N)*100	Example
P (public open space)	6,000 square feet
N (net lot area)	46,000 square feet
	Calculation: 13 points

**"Public spaces should be integrated into development, visible and accessible to all users."**  
*Montgomery County Zoning Ordinance*

**"Without public space, we simply don't have cities and towns. We have mere collections of buildings and vehicles."**  
*Joan Clos, Secretary-General of Habitat III*



*This space faces housing and streets, making it safe and attractive for kids to play.*



*In this Seattle neighborhood, a stream was daylight to create a new park, which stimulated new housing.*



*Great spaces attract people, are framed by buildings, well programmed and safe.*



*The plaza in front of Barnes & Noble in Bethesda is one of the highest used public spaces in the county.*



*At Park Potomac, townhouses are arranged to frame public spaces, which create outdoor rooms.*





*Public art should be incorporated into streetscapes, parks and/or buildings early in the design process.*



*Public art can transform spaces into community focal points and add value to entire neighborhoods.*



*Trash cans can be designed in an artistic way to add life and color to public spaces.*

## Public Art

**Intent:** The promotion and creation of public art in Montgomery County advances our reputation as a cultural center for innovation and creativity. By providing opportunities for individuals to encounter art in parks, libraries, community centers, on roadways, bridges and other public venues, as well as within privately owned, publicly accessible spaces, citizens' lives are enriched on a daily basis. Although there may be many instances where public art consists of an individual, freestanding sculpture, painting or decoration, the best public art is integral to the design and construction of architecture, landscapes and public spaces.

### Zoning Ordinance Citation: Section 4.7.3.E. Quality Building and Site Design

E. **Public Art:** Up to 15 points for installing public art reviewed for comment by the Art Review Panel under the Public Art Guidelines approved by the Planning Board or by paying a fee accepted by the Public Arts Trust Steering Committee (PATSC).

### Guideline Criteria

Incentive density of 7.5 points is appropriate for public art that is reviewed for comment by the Art Review Panel and is found to fulfill at least five of the following goals.

1. Achieve aesthetic excellence.
2. Ensure an appropriate interaction between the art and the architectural setting in terms of scale, materials and context.
3. Ensure public access and invite public participation.
4. Encourage collaboration between the artist(s) and other project designers early in the design phases.
5. Ensure long-term durability of permanent works through material selection and/or a documented maintenance program.
6. Encourage a rich variety of arts, including permanent installations, revolving temporary works and event programming.
7. Increase public understanding and enjoyment of art through interpretive information and/or programmed events.
8. Contribute to a collection of commissioned art that is unique and fosters a positive community identity.

A fee instead of public art may be accepted for incentive density as follows:

9. The minimum fee is calculated on 0.5 percent of the development's projected cost up to \$100,000.

10. The fee is paid to the PATSC via the Arts and Humanities Council prior to release of a building permit.
11. The fee is used for installation, management and maintenance of public art at the discretion of the PATSC, with preference given to the policy area where the proposed development is located.

More or fewer points may be awarded for projects that fulfill greater or fewer goals, respectively; more points may be awarded for unique works that expand the county's collection of various types of works or recognized artists or for projects that provide rotating temporary pieces. Review by the Art Review Panel should be completed prior to any Planning Board hearing on a site plan, except as allowed and conditioned by the Planning Board.

#### Minimum Submittal Requirements

Sketch plan: Public art concept and narrative (or fee proposed).

Site plan: Final details approved after review by the Art Review Panel.

**"Artwork can define a place and become a landmark, as well as enliven community open spaces."** *Montgomery County Zoning Ordinance*



*A public parking garage identifies each floor by the specific primary color of graffiti art.*



*Artistic reliefs provide color and character to this parking garage at Pike and Rose in North Bethesda.*



*Art creates an iconic monument within a public square at Baltimore's Pennsylvania Station.*



*Artistic lighting can make a dingy underpass pop with excitement and color.*



*Art can be incorporated into public infrastructure to bring beauty to streets.*



*Parking structures designed with colorful lighting and artistic screens fit better into neighborhoods.*



*Artistic screens and first floor uses help to stimulate street life at this parking garage.*



*Parking structures should be screened with a layer of office or residential uses around the perimeter.*

## Structured Parking

**Intent:** Structured parking reduces the footprint of car storage areas and maximizes the programmable development of a site or the county as a whole. It also reduces the quantity of impervious surfaces within a block or neighborhood to decrease storm water flow and increase water quality in our rivers and streams. Structured parking can help frame the public realm with building surfaces rather than open asphalt parking lots. It can be costly, but can maximize value of limited sites in our urban and suburban areas.

Where structured parking or underground garages can eliminate standard parking lots, maximize building program and/or reduce view obstructions, incentive density can be realized for the additional cost. The best examples of above-grade parking structures that face the public realm of the streets or open spaces, are those that include active programmed uses at the ground level and are screened with residential or office uses on higher floors. Where this arrangement is impractical at constrained sites, well-articulated fenestration, screens or public art at the upper floors can shield the structure and dramatically improve the pedestrian experience.

**Zoning Ordinance Citation:** Section 4.7.3.E. Quality Building and Site Design

**F. Structured Parking:** Up to 20 points for placing parking in an above- or below-grade structure.

### Guideline Criteria

Structured parking may be granted incentive density points on a sliding scale, based on the percentage of total on-site spaces provided in an above-ground parking structure multiplied by 10 points plus the percentage of total on-site spaces provided in a below-grade parking structure multiplied by 20 points.

Formula: $[(A/T)*10]+[(B/T)*20]$	Example
A (above-grade spaces)	200 spaces
B (below-grade spaces)	145 spaces
T (total spaces)	345 spaces
	Calculation: 14 points

### Minimum Submittal Requirements

Sketch plan: Initial estimate of calculation.

Site plan: Detailed parking layout with calculation.





*On important streets, garages should be screened with elevations that mimic the quality of adjacent facades.*



*Artistic glass screen in this parking garage provides interest to pedestrians at the street level.*



*Addition of vertical elements, primary and secondary grids and different materials all improve the facade.*



*Garage entries should be well marked with real-time capacity indicators.*

Structured parking should be well integrated and visually pleasing.



*This floor plan shows structured parking screened by housing and retail uses facing the streets.*



*This development steps back from a park and allows sun to penetrate a central courtyard from the south.*



*Three-story townhouses create a pedestrian scale with towers set back to introduce light within courtyards.*



*In Vancouver, a strong pedestrian-scaled base supports towers set back to provide for natural light.*

**Intent:** In our urban areas and suburban centers, high-rises have become a fact of life. To break up the mass of these larger buildings and provide more natural light at the street level, buildings can be designed to provide horizontal setbacks at different locations. These setbacks can make the streets and open spaces more pedestrian-friendly and pleasant, and transition large tower masses down to medium-scale and smaller buildings. Setbacks can delineate a one or two-story base of a building, demarcate a podium height that is sympathetic to adjacent buildings or correspond to lower heights of typical wood-framed buildings on a block or within a neighborhood. Setbacks at the top of towers help to screen mechanical equipment and shape a distinctive skyline. These elements, together with exceptional elevations and high-quality architectural design, reduce the impact of larger buildings on their surroundings and dramatically improve the overall character and value of a building, a block and a neighborhood.

### **Zoning Ordinance Citation:** Section 4.7.3.E. Quality Building and Site Design

G. **Tower Step-Back:** Up to 10 points for stepping back a building's upper floors by a minimum of 6 feet behind the first floor façade. The setback must begin at a height no greater than 72 feet.

### **Guideline Criteria**

Incentive density of 5 points is appropriate for buildings that meet the requirements of the zoning ordinance. The setback should be retained across at least 70 percent of the frontage on any right-of-way or open space. Incentive points are pro-rated per building in multi-building projects.

Additional incentive density points may be appropriate if other criteria are met, including:

1. Deeper setbacks.
2. A setback at a lower level.
3. Integration of setbacks with reduced floor plate sizes on upper stories.

### **Minimum Submittal Requirements**

Sketch plan: Concept

Site plan: Final layout and step-back established.

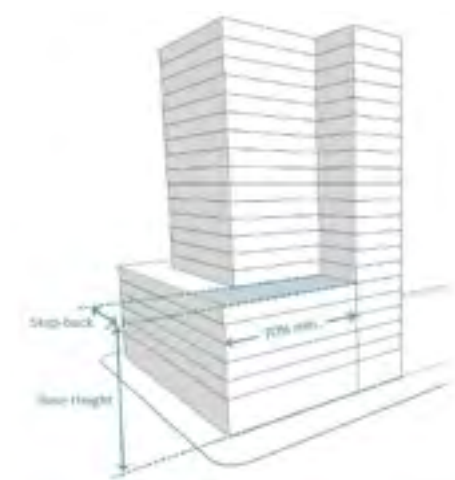




*Building heights are adjusted to provide height at the corner and anchor a primary intersection.*



*Building setbacks, strong horizontal string courses and corner elements create appealing views.*



*Many of the county urban guidelines require a setback to delineate the base from the tower.*



*Building heights relate to different zoning requirements at adjacent streets with balconies, materials and roof setbacks used to break down the scale.*



*Stepped-back and sculptural tops create a distinctive skyline for a city or town.*



*Special sculpting of the tower top improves the skyline view and experience from near and far.*





*Restoration of the Evans Parkway culvert into a natural stream creates a neighborhood amenity.*



*Planting an urban meadow creates habitat and brings color and beauty to a neighborhood.*



*Solar panels incorporated into the design of this office building provide energy generation on site.*

## Protection and Enhancement of the Natural Environment

**Intent:** With Montgomery County's growth rising between one and two percent annually over the past 35 years, development and additional density must be primarily located in our new and existing rural, suburban or urban centers so our agricultural lands, parks and open spaces can be preserved. Likewise, with buildings and transportation currently accounting for more than 62 percent of our greenhouse gases, the way we travel, and design, build and use our natural resources is changing so our county can become more sustainable.

This section of the zoning implementation and incentive guidelines is most important in our continuing efforts to reestablish the relationship between the art of building, the making of community and the conservation of our natural world. Previous sections addressed the social and economic aspects of sustainability, while this portion of the guidelines focuses on the environmental opportunities. All are equally important.

### Zoning Ordinance Citation: Section 4.7.3.F. Protection and Enhancement of the Natural Environment

Protection and enhancement of natural systems, and reduced energy consumption help mitigate or reverse environmental impacts, such as heat island effects from the built environment, inadequate carbon sequestration, habitat and agricultural land loss, and air and water pollution caused by reliance on the automobile.

- A. **Building Lot Termination (BLT):** Up to 30 points for the purchase of BLT easements or payment to the Agricultural Land Preservation Fund (ALPF).
- B. **Cool Roof:** Up to 10 points for constructing any roof area that is not covered by a vegetated roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.
- C. **Energy Conservation and Generation:** Up to 15 points for constructing buildings that exceed the energy-efficiency standards for the building type by 17.5 percent for new buildings or 10 percent for existing buildings. At least 15 points for providing renewable energy generation facilities on site or within ½ mile of the site for a minimum of 2.5 percent of the projected energy requirement for the development.
- D. **Habitat Preservation and Restoration:** Up to 20 points for protection, restoration or enhancement of natural habitats, on-site or within the same local watershed; these points are in addition to requirements of the Forest Conservation Law or other county laws.

- E. **Recycling Facility Plan:** Up to 10 points for providing a recycling facility plan to be approved as part of a site plan for buildings that satisfy Montgomery County Executive Regulation 15-04AM or Montgomery County Executive Regulation 18-04.
- F. **Transferable Development Right:** For a property that is in a transferable development right (TDR) overlay zone, up to 20 points for the purchase of TDRs under Section 4.9.15.B. Every TDR purchased is worth 1 point.
- G. **Tree Canopy:** Up to 15 points for protecting tree canopy coverage with at least 15 years of growth per the Trees Technical Manual approved by the Planning Board, as amended, on at least 25 percent of the on site open space.
- H. **Vegetated Area:** Up to 10 points for installation of plantings in a minimum of 12 inches of soil, covering at least 5,000 square feet. This area does not include vegetated roofs or storm water management facilities.
- I. **Vegetated Roof:** Up to 15 points for installation of a vegetated roof with a soil depth of at least 4 inches covering at least 33 percent of a building's roof, excluding space for mechanical equipment.
- J. **Vegetated Wall:** Up to 10 points for the installation and maintenance of a vegetated wall that covers at least 30 percent of any blank wall or parking garage façade that is at least 300 square feet in area and visible from a public street or an open space.



*Cool roofs reflect up to 90 percent of the sun's energy, reducing energy consumption to cool the building.*



*Creating strong recycling plans reduces waste, conserves energy and is much better for the planet.*



*Vegetated roofs can be much more than sedum planted in a 4 to 8 inch medium. This roof includes pervious pavers, perennial plants, shrubs and small trees in deeper soil medium.*



*Providing recycling education instills environmental stewardship at an early age.*





*BLTs help preserve large contiguous areas of land for farming and open space.*

"Value is added to every home and household in the area when we know future generations can see Sugarloaf rise from fields instead of roofs; bike a country road on the weekend without having to drive to West Virginia; and learn that it is both possible and practical to grow smart."

*- Royce Hanson, former Montgomery County Planning Board Chair*



*The Agricultural Reserve creates locally grown food for farmer's markets.*

## Building Lot Termination

**Intent:** A primary goal of Montgomery County is to preserve our rural and agricultural heritage through the nationally recognized preservation of farmland in the northern and western portions of the county.

### Zoning Ordinance Citation: Section 4.7.3.F. Protection and Enhancement of the Natural Environment

- A. **Building Lot Termination (BLT):** Up to 30 points for the purchase of BLT easements or payment to the Agricultural Land Preservation Fund (ALPF).
1. In the CR zone:
    - a. An applicant must purchase BLT easements, or make payments to the ALPF, in an amount equal to 7.5 percent of the incentive density floor area under the following parameters:
      - One BLT, equivalent to 9 points, must be purchased or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5 percent incentive density floor area.
      - A private BLT easement must be purchased in whole units.
      - BLT payments must be made to the ALPF, based on the amount established by Executive Regulations under Chapter 2B; if a fraction of a BLT easement is needed, a payment based on the gross square footage of incentive density must be made for at least the fraction of the BLT easement.
    - b. Up to 25 points for the purchase of BLTs or equivalent payments to the ALPF may be made for any incentive density greater than 7.5 percent. Each BLT easement purchase or payment is equivalent to 9 points, or such proportionate points represented by a fractional BLT purchase or payment.
  2. In the LSC zone:
    - a. An applicant must purchase BLT easements or make payments to the ALPF in an amount equal to 50 percent of the incentive density under the following parameters:
      - For any floor area above 0.50 FAR, one BLT, equivalent to 9 points, must be purchased or an equivalent payment made for:
        - Each 31,500 square feet of floor area of residential, nonresidential and life sciences between 0 and 40 percent of the project's floor area.
        - Each 60,000 square feet of life sciences between 40 percent and 50 percent of the project's floor area.
      - Any private BLT easement must be purchased in a whole unit.



- BLT payments must be made to the ALPF, based on the amount established by Executive Regulations under Chapter 2B; if a fraction of a BLT easement is needed, a payment based on the gross square footage of incentive density must be made for at least the fraction of the BLT easement.
- b. Floor area restricted to the following uses is subtracted from the total density before calculating the required BLTs:
  - Workforce housing units.
  - Moderately priced dwelling units (MPDUs).
  - Hospitals, including the hospital's accessory uses, other than medical office buildings.
  - Educational facilities for non-life sciences.
  - Life sciences in excess of 50 percent of the project's total floor area.
- 3. In the CRT and EOF zones, BLT payments are optional; each BLT easement purchase or payment is equal to 9 points, or such proportionate points represented by a fractional BLT purchase or payment.

### Guideline Criteria

Calculations for incentive density for BLTs are provided in Section 4.7.3.F.1 of the zoning ordinance.

### Minimum Submittal Requirements

Sketch plan: Initial calculation.

Site plan: Final calculation with proof of purchase/ payment prior to building permit.

### From the Montgomery County Zoning Ordinance:

If a 50,000 square-foot CR-3.0 site is fully developed, the incentive density available to be earned equals 125,000 square feet (150,000 square feet - 25,000 square feet [standard method density] = 125,000 square feet). The 7.5 percent BLT requirement for 125,000 square feet equals 9,375 square feet, which equals 0.30 BLT (9,375 square feet / 31,500 square feet = 0.30) and 2.7 points. If the applicant seeks an additional 7.3 points through the purchase of BLTs, this would require the purchase of 0.81 BLT (7.3 points / 9 points per BLT). Together, the required and incentive BLTs equal 1.11 BLTs for a total of 10 points in the Environment category.



*Sugarloaf Winery has Sugarloaf Mountain as a backdrop and is a tourist attraction in summer.*





Cool roofs on larger commercial buildings can dramatically reduce energy costs.



This curvilinear roof was created with a cool roof system to help minimize heat island effects.



Cool roofs save money and are environmentally sustainable.

## Cool Roof

**Intent:** A cool roof provides greater solar reflectance through very light or white surfaces which reduce the roof's surface temperature and heat transfer to a building from the sun. It helps to reduce air conditioning costs, roof maintenance expenses and the heat island effects in the summer.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

- B. **Cool Roof:** Up to 10 points for constructing any roof area that is not covered by a vegetated roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.

### Guideline Criteria

On sites larger than one acre, incentive density of 5 points is appropriate for development that meets the cool roof requirements of the zoning ordinance. On sites of one acre or less, up to 10 points is appropriate. Incentive density points may be pro-rated per total roof area covered for individual or multiple buildings.

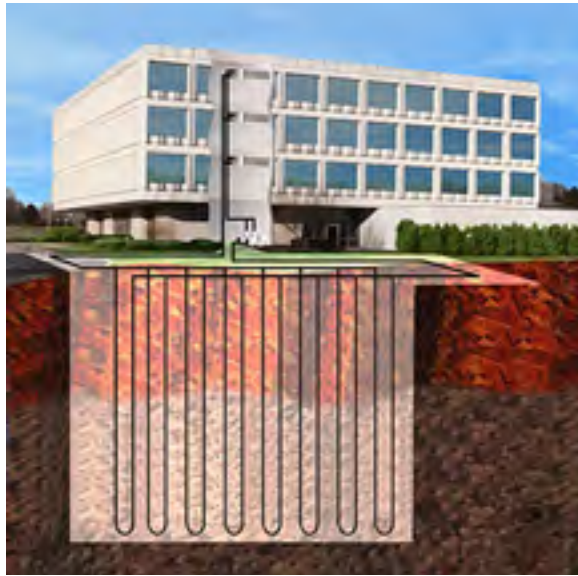
### Minimum Submittal Requirements

Sketch plan: Concept and narrative.

Site plan: Final layout and details.



This building is fitted with solar panels and a cool roof to reduce energy costs. Both sustainable design elements and site design led to a LEED rating for the building.



*Geothermal heating and cooling is very efficient in the Mid-Atlantic region for conserving energy..*



*The Bullitt Center in Seattle generates 60 percent more energy than it uses per year.*

## Energy Conservation and Generation

**Intent:** Buildings account for 39 percent of all carbon dioxide emissions in the United States, higher than any other sector. Buildings also are responsible for consuming 70 percent of the electricity load in the U.S.\* Most of this consumption comes from fossil fuel combustion for heating, cooling, lighting and to power electrical equipment. By reducing carbon dioxide emissions, global warming can be reduced. Montgomery County can lead in this endeavor through energy conservation and generation guidelines.

*\* Source: US Green Buildings Council*

### Zoning Ordinance Citation: Section 4.7.3.F. Protection and Enhancement of the Natural Environment

- C. **Energy Conservation and Generation:** Up to 15 points for constructing buildings that exceed the energy-efficiency standards for the building type by 17.5 percent for new buildings or 10 percent for existing buildings. At least 15 points are given for providing renewable energy generation facilities on-site or within ½ mile of the site for a minimum of 2.5 percent of the projected energy requirement for the development.

### Guideline Criteria

Incentive density points for buildings that exceed the energy-efficiency standards for the building type are granted, as follows:

Additional incentive density points are appropriate for buildings that meet the renewable energy generation requirements of the zoning ordinance as follows:

Table 3: Energy Efficiency Requirements

Building	Percent Exceeding Standard		
	2.5%	10%	17.5%
New	5 points	10 points	15 points
Existing	10 points	15 points	n/a

Table 4: Renewable Energy Generation

Percent of Energy Requirements Provided through Renewable Resources	
1.25%	2.5%
10 points	15 points

### Minimum Submittal Requirements

Sketch plan: Conceptual exhibits and narrative.

Site plan: Energy use/generation model with comparisons to average use/generation (in kwh) for building type based on U.S. Department of Energy standards or as modeled by a LEED-accredited professional.





*New United Therapeutics building in Silver Spring, MD will be a net zero site with no carbon footprint. All energy will be created on site. Sustainable elements include geothermal heating/cooling, more than 3,000 solar panels, high performance building envelope, natural ventilation and daylighting, and advanced monitoring systems.*



*Solar panels are incorporated into the design of the roof and facade of this office building.*



*The Washington, DC Forensic Laboratory is LEED Platinum certified.*



*Obtaining certain green building certifications, such as LEED, can achieve energy efficiency.*



*Micro-wind turbines on buildings are becoming more efficient and cost competitive.*



*Solar panels awnings on these townhouses provide electricity and shading from western, summer sun.*



*Once a Seattle suburban mall parking lot, this daylight stream and new park provides habitat and generates value to the new developments around it.*



*Through weirs, natural channels and terraces, this daylight stream transforms from a buried pipe to a thriving habitat for plants, animals and people.*



*Lush streetscapes with dense rows of trees create natural habitat corridors between parks.*

## Habitat Preservation and Restoration

**Intent:** Over the years, many cherished places in Montgomery County have been severely damaged due to over-development, neglect or bad practices that often did not consider natural ecosystems and processes. Wetlands were filled, streams were channelized or piped, stormwater was rushed into a pipe and then into the nearest stream to be flushed immediately into the Chesapeake Bay. All of this has led to the endangerment of plant and animal species, proliferation of evasive species, destruction of ecosystems and degradation of our parks and open spaces. Improving these practices can help our environment and improve habitat, and provide amenities that can increase the value of developments built around them.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

**D. Habitat Preservation and Restoration:** Up to 20 points for protection, restoration or enhancement of natural habitats, on-site or within the same local watershed, that are in addition to requirements of the Forest Conservation Law or other county laws.

### Guideline Criteria

Up to 20 incentive density points can be granted on a sliding scale for habitat preservation and restoration, based on the amount of habitat preserved or restored as a percentage of the lot area. The formula is the same as that used for public open space. The area preserved or restored must meet the following requirements.

1. The area must be shown on an exhibit as part of a site plan application.
2. Preservation and restoration techniques must at least meet the standards of the M-NCPPC Environmental Guidelines.
3. The area must be at least 2,500 square feet.
4. The area must be protected by a restrictive easement or covenant recorded in the land records or put in a land trust.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout and methods.

Site plan: Final details, layout, design and maintenance approved by M-NCPPC and other applicable agencies or organizations.



## Recycling Facility Plan

**Intent:** As developable lands are shrinking, sites for landfills are going away. Mining, deforestation and waste are becoming unsustainable on our planet. Therefore, we need to dramatically reduce and recycle rather than consume and throw away our everyday products. Montgomery County has robust recycling plans that can be supported and expanded in future county developments.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

- E. Recycling Facility Plan: Up to 10 points for providing a recycling facility plan to be approved as part of a site plan for buildings that must satisfy Montgomery County Executive Regulation 15-04AM or Montgomery County Executive Regulation 18-04.

### Guideline Criteria

Incentive density of 5 points is appropriate for development that meets the requirements of the zoning ordinance.

Additional incentive density points may be appropriate if other criteria are met, including:

- Facilities that exceed the applicable regulations.
- Facilities that are integrated into building and site design, are readily accessible and easy to find without being visually disruptive.

### Minimum Submittal Requirements

Sketch plan: Concept and narrative.

Site plan: Final layout approved by the Division of Solid Waste Services.



*Recycling bins can be artistic and/or technologically advanced to promote recycling.*



*Policies can promote recycled products like these office furnishings.*



*Recycled and recyclable carpets dramatically reduce landfill volumes.*



*Expanding programs to include composting and electronics recycling improves the environment.*







*The Agricultural Reserve provides recreational opportunities, such as horseback riding.*



*A working farm within the Agricultural Reserve.*

## Transferable Development Rights

**Intent:** TDRs are one of the programs to help preserve farmland and farming in the Agricultural Reserve. TDRs allow the county to shift development from the Ag Reserve to another location to preserve rural areas and farmland. This tool is important in order to sustain our farms and preserve the ability to grow our own food within the county, and to counter the pressures of sprawling development.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

F. **Transferable Development Right:** For a property that is in a TDR Overlay zone, up to 20 points for the purchase of TDRs under Section 4.9.15.B. Every TDR purchased is worth 1 point.

### Guideline Criteria

The requirements for a TDR Overlay zone and the purchase of TDRs is in the zoning ordinance.

### Minimum Submittal Requirements

Sketch plan: Initial calculation.

Site plan: Final approval with proof of purchase/payment prior to final plat.



*The Ag Reserve provides educational opportunities for young and old alike.*



*Fresh food is sold to visitors at farmers markets throughout the reserve.*

## Tree Canopy

**Intent:** Older, mature trees provide additional value to any existing or new neighborhood or development. Some of the best neighborhoods in our county are lined by mature shade trees. Trees absorb storm water, ameliorate heat island effects, reduce airborne pollutants and convert carbon dioxide into oxygen. Planting different species of trees in an area reduces potential blight.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

G. **Tree Canopy:** Up to 15 points for protecting tree canopy coverage with at least 15 years of growth per the M-NCPPC Trees Technical Manual approved by the Planning Board, as amended, of at least 25 percent of the on-site open space.

### Guideline Criteria

Incentive density of 7.5 points is appropriate for development that meets the requirements of the zoning ordinance. Coverage is calculated as 75 percent of 20-year canopy coverage under the M-NCPPC Trees Technical Manual. Canopy used to satisfy Forest Conservation Law requirements is ineligible for incentive density.

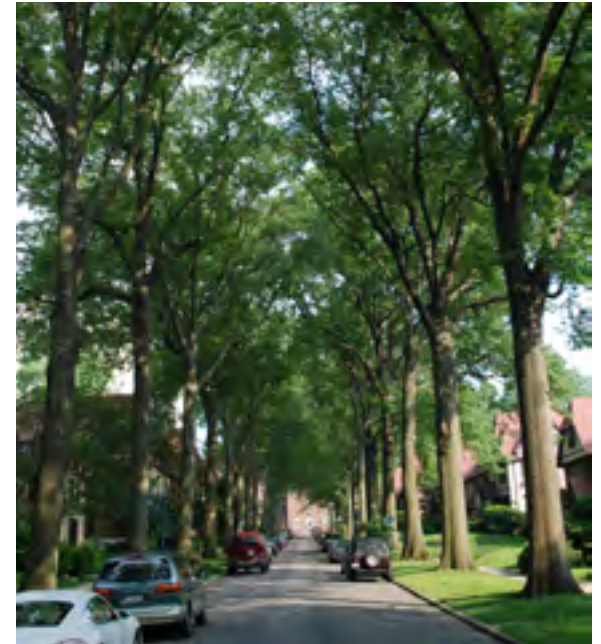
Additional incentive density points may be appropriate if other criteria are met, such as:

- Greater coverage.
- Larger planting size.
- Increased number of varieties.
- Use of native species.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout with soil volumes explained.

Site plan: Final details, layout and tree type.



*Dense rows of street trees, when allowed to mature, increase property values in neighborhoods.*



*The developer of this project went to great lengths to save mature trees to enhance the neighborhood.*



*Mature tree canopies provide color, habitat, natural cooling from shade and storm water absorption.*



## Vegetated Area

**Intent:** Montgomery County offers incentive density for several elements within the Commercial/Residential zones, including vegetated roofs, public open space, tree canopy and habitat preservation. However, in addition to these landscaped elements, the goal of minimizing impervious surfaces for vegetated previous surfaces is highly desired. Vegetated areas provide garden space, food sources, habitat, stormwater benefits, carbon sequestration and reduce heat island effects. Where possible, vegetated areas are preferred over impervious areas.

### Zoning Ordinance Citation: Section 4.7.3.F. Protection and Enhancement of the Natural Environment

H. **Vegetated Area:** Up to 10 points for installation of plantings in a minimum soil depth of 12 inches covering at least 5,000 square feet. This area does not include vegetated roofs or storm water management facilities.

### Guideline Criteria

Incentive density of 5 points is appropriate for development that meets the requirements of the zoning ordinance. This area must not be part of the required public open space or open space used for incentive density. In addition, the areas within storm water management easements may not be counted.

Additional incentive density points may be appropriate if other criteria are met, including:

- A vegetated area that replaces impervious area.
- A vegetated area larger than a required open space area.
- A maintenance program is provided.
- Soil depth is greater than 12 inches.
- The vegetated area is used as a community garden.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout with soil volumes explained.

Site Plan: Final details, layout and planting design.



*This parking lot in Chicago was transformed into a neighborhood garden with planter boxes.*



*Planter boxes and gardens provide an urban forested experience.*



*This parking lot in Seattle was transformed into a neighborhood community garden.*



*A green roof tops of an Oregon State University faculty office building.*



*A Whole Foods roof in Massachusetts is used to grow vegetables for sale to patrons.*



*Bee hives for honey production are part of office rooftops in downtown Chicago.*

## Vegetated Roof

**Intent:** Although green roofs individually have a higher upfront cost, they provide many economic and environmental benefits to the community and owner over the long term. Green roofs reduce storm water runoff, are energy-efficient and reduce heat island effects. They improve air quality, serve as habitat and typically last longer than standard roofs.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

- I. **Vegetated Roof:** Up to 15 points for installation of a vegetated roof with a soil depth of at least 4 inches covering at least 33 percent of a building's roof, excluding space for mechanical equipment.

### Guideline Criteria

Incentive density of 7.5 points is appropriate for development that meets the zoning ordinance requirements. Incentive density points may be pro-rated per building for multi-building development.

Additional incentive density points may be appropriate if other criteria are met, including:

- Greater coverage than 33 percent of building roof.
- Soil depth greater than 4 inches.
- Plant species that provide habitat.
- Native plant species.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout.

Site plan: Final details, layout and planting design.



*This green roof is a highly cultivated vegetable garden for a restaurant within the building.*



*Green roofs provide habitat for many different native birds.*





*Green walls can add color, vegetation and habitat.*



*Green walls are successful in hiding monotonous parking garage elevations.*



*This green wall, located atnext to an otherwise blank facade adds color and interest to the building.*



*Green walls add seasonal color and textures to otherwise blank walls.*

## Vegetated Wall

**Intent:** Vegetated walls when done well can be an aesthetic amenity and improve air quality.

**Zoning Ordinance Citation:** Section 4.7.3.F. Protection and Enhancement of the Natural Environment

- J. **Vegetated Wall:** Up to 10 points for the installation and maintenance of a vegetated wall that covers at least 30 percent of any blank wall or parking garage façade that is at least 300 square feet in area and is visible from a public street or open space.

### Guideline Criteria

Incentive density of 5 points is appropriate for buildings that meet the requirements of zone.

Additional incentive density points may be appropriate if other criteria are met, including:

- Greater percent of coverage.
- Southern or western exposure.
- Plants with varying flowering seasons.
- Integration into an overall energy or environmental site design program.

### Minimum Submittal Requirements

Sketch plan: Conceptual layout and design.

Site plan: Final details, coverage, location and design.

# Retained Buildings

**Intent:** The retention of an existing building for reuse and/or renovation dramatically reduces waste, energy required to build a new structure and need for additional raw materials. It is the most environmentally sustainable practice for development. Saving buildings for reuse preserves some of the structures and edifices that helped to create our county's historical and cultural heritage. Building reuse is an essential part of all developments.

## Zoning Ordinance Citation: Section 4.7.3.G. Building Reuse

Up to 100 points for reuse of an existing building that satisfies the following:

75 percent of the structural system of the building must be retained; an architectural deconstruction company must be used to remove reusable and recyclable materials before any demolition.

Although up to 100 points may be obtained, public benefit category minimums must be met.

A project may receive public benefit points, determined by applying the following formula:

- Public benefit points in CR and LSC zones =  
 $(\text{Retained gross floor area} / \text{Incentive density gross floor area}) \times 100.$
- Public benefit points in CRT and EOF zones =  
 $(\text{Retained gross floor area} / \text{Incentive density gross floor area}) \times 50.$

## Guideline Criteria

An owner or developer who redevelops a site with existing buildings may be granted incentive density points according to the zoning ordinance's requirements and formulas. Incentive density points may be pro-rated per building for a multi-building development.

## Minimum Submittal Requirements

Sketch plan: Concept and initial calculation.

Prior to building permit: Documentation as required by the zoning ordinance.

Formula: $(R/I) \times 100$	Example
R (retained gross floor area)	150,000 square feet
I (incentive density gross floor area)	250,000 square feet
	Calculation: 60 points



*The Fillmore in Silver Spring, MD incorporates a historic storefront facade into a new music venue.*



*Incorporation of the old Canada Dry building into a new housing development honors the history of place.*






# Commercial/Residential and Employment Zones

## Incentive Density Implementation Guidelines

September 2017

Montgomery County Planning Department  
 Maryland-National Capital Park and Planning Commission

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