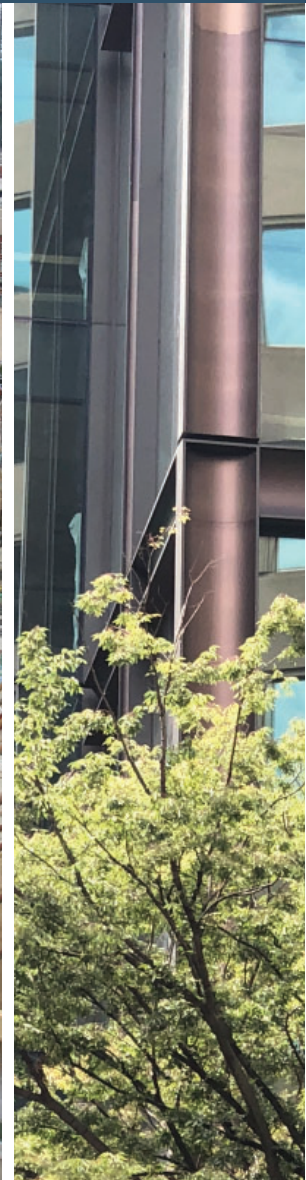


# Bethesda Downtown Plan Implementation Guidelines



Approved May 2019

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



## Abstract

This document contains the Planning Board-approved procedures for coordinating, monitoring and tracking, and implementing the recommendations in the Bethesda Downtown Plan, Bethesda Downtown Plan Design Guidelines, and the Bethesda Overlay Zone, which was approved and adopted in May 2017.

## Sources of Copies

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

Online at: [montgomeryplanning.org/planning/communities/area-1/bethesda-downtown-plan](http://montgomeryplanning.org/planning/communities/area-1/bethesda-downtown-plan)

# Bethesda Downtown Plan Implementation Guidelines

Prepared by the Montgomery County Planning Department

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

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# Guideline Procedures

## Use of the Guidelines

These Guidelines are to be used in the implementation of the 2017 **Approved and Adopted Bethesda Downtown Plan** (the Sector Plan). They provide direction, specific guidance, and address situations that are not specifically addressed in the Sector Plan, Design Guidelines, Subdivision Staging Policy, or other county policies. These Guidelines, once approved by the Planning Board, should be considered when making Site Plan findings for substantial conformance, as stated in 59.7.3.4.E.2.g. of the Zoning Ordinance.

## Changes to the Guidelines

The Annual Monitoring Report established in the Sector Plan is charged with several specific tasks, one of which is to “conduct a regular assessment of schools, parks and transportation adequacy to determine if any issues need to be addressed (page 151). The Sector Plan clearly contemplates that implementation of the Sector Plan will be an iterative and evolving process. These Guidelines will be updated as needed by the Planning Board with recommendations from Planning staff and the Implementation Advisory Committee and may be done as part of the Annual Monitoring Report.

## Monitoring and Tracking Program

The Monitoring and Tracking Program is an online tool that monitors proposed development and tracks the approved square footage (SF) in Downtown Bethesda against the overall cap on development of 32.4 million square feet, set forth in the Bethesda Overlay Zone (BOZ). The information and data from this online tool reports the development data for each project development application submitted to the Planning Department. The online tool reports:

- Project base and proposed density
- Amount of BOZ density requested by project at Sketch Plan.
- Amount of Park Impact Payment (PIP) being assessed
- Number and % of MPDUs (if applicable)
- Residential Square Footage and number of dwelling units (if applicable)
- Total BOZ density allocated by the Planning Board at Site Plan
- Remaining BOZ density available based on Site Plan allocations/approvals

The Monitoring and Tracking Program website is located here: <http://montgomeryplanning.org/planning/communities/area-1/bethesda-Downtown-plan/bethesda-Downtown-development-tracking/>



DEVELOPMENT ACTIVITY TOOL

# HOW TO GUIDE

**DATE OF INFORMATION** (updated February, 2018)

**MONITORING PHASE PROJECTS TOTALS**

**TRACKING PHASE PROJECTS TOTALS**

**MAP LEGEND**

**PROPOSED DWELLING UNITS AND MPDUs TOTALS**

**BOZ DENSITY APPROVED AND AMOUNT OF PIP AT SITE PLAN TOTALS**

**TABS TO SORT BETWEEN PHASES, DUs AND BOZ**

**SELECT THE PROJECT LOCATION HIGHLIGHTED ON THE MAP TO SEE DETAILED INFORMATION AND LINK TO DAIC SYSTEM**

**OPTIONS:**  
 -EXPORT TO EXCEL FILE  
 -FILTER  
 -SHOW SELECTED RECORDS  
 -SHOW/HIDE COLUMNS

**CLICK ON COLUMNS NEXT TO PROJECT TO HIGHLIGHT ON MAP**

**EXISTING SF: ANY EXISTING GFA ON THE SITE AT THE TIME THE PARCEL FILE WAS CREATED (SEPT. 2017)**

**BUILT SF: APPROVED SF THAT HAS BEEN CONSTRUCTED OR COMPLETED.**

**APPROVED/UNBUILT SF: DEVELOPMENT WITH SITE PLAN APPROVAL THAT IS NOT CONSTRUCTED**

Project Name	Development Type	Existing SF	Approved Unbuilt SF	Built SF	Sketch Plan	Preliminary Plan	Site Plan
Marriott International Headquarters	Commercial	90,504	959,496	0	320180060	120180020	820180030
Millers Addition to Bethesda	Commercial	52,521	146,666	0	n/r	119980510	n/r
Rugby Condominium	Residential	9,100	96,074	0	n/r	120060290	820070260

## Bethesda Downtown Implementation Advisory Committee (IAC)

### COMMITTEE COMPOSITION AND TERM

The Implementation Advisory Committee includes 14 members. According to the Sector Plan:

*“This new group should reflect the current makeup of the Woodmont Triangle Action Group (WTAG) in that it will be structured to include representatives from the various constituencies interested in successful implementation of the plan.”*

The 14-member committee includes members from the following groups:

1. Property owners/business community
2. Residents of the community (Homeowners/Civic/Condo Associations)

Members are appointed by the Planning Board and serve three-year terms.

The Implementation Advisory Committee (IAC) *“Rules of Procedure”* can be viewed on the Implementation Advisory Committee website.

### ROLE OF THE IMPLEMENTATION ADVISORY COMMITTEE

The IAC will be guided by the vision, goals and recommendations in the Sector Plan, the Bethesda Downtown Design Guidelines, and the Bethesda Overlay Zone. The IAC will work in coordination with the Planning Department, Bethesda Urban Partnership, Bethesda Chevy-Chase Regional Services Center and Bethesda Green by providing specific community and redevelopment expertise and serving as an interface for the community, developers and county agencies.

The committee is to coordinate and monitor the progress of development, specifically the overall cap, and construction of Capital Improvement Projects (CIP). Although the IAC does not have a formal role in the regulatory process, the committee may address issues that may arise, including but not limited to overall density, community impacts, public benefits, and parks and open space improvements.

Furthermore, applicants are encouraged to meet with the IAC early in the process as part of their community outreach requirements to receive feedback from the committee. The IAC may submit written comments to the Planning Board regarding specific development projects.

Applicants should check the IAC website listed below for schedule of monthly meetings and contact the IAC Liaison and/or committee Co-chairs to get on the IAC agenda for future meetings.

The IAC will help to ensure transparency and accountability in the implementation process. The committee will also help stakeholders and decision makers maintain the objectives of the Sector Plan, Design Guidelines and Bethesda Overlay Zone.

The committee will strengthen the monitoring of implementation, development, and construction of the many projects comprising Downtown Bethesda.

### Design Advisory Panel (DAP )

The primary goal of the Design Advisory Panel (DAP) is to provide advice and recommendations that will heighten design excellence and improve the quality of architecture, urban design and landscape architecture in Downtown Bethesda. The DAP will be guided by the Sector Plan and the related Design Guidelines.

The Design Advisory Panel includes five members composed of the following, at a minimum:

- One registered architect representing academia and/or other jurisdictions in the region with a design review panel.
- One registered architect from the greater Montgomery County community.

*The IAC website is located here: <http://montgomeryplanning.org/planning/communities/area-1/bethesda-Downtown-plan/bethesda-Downtown-implementation-advisory-committee/>*



- One member of the development/real estate community.
- One Bethesda community member who has a professional interest in urban design, architecture, and/or landscape architecture.
- One registered landscape architect.

The Design Advisory Panel includes the senior urban designer as an ex-officio member and a Planning staff member as a liaison to the panel.

The Design Advisory Panel *“Rules of Procedure”* can be viewed on the Design Advisory Panel website.

### THE ROLE OF THE DESIGN ADVISORY PANEL

All optional Method Development projects will be presented to the DAP at least once during Sketch Plan review and again at Site Plan review. The DAP may determine that a project be presented more than once during Sketch Plan and/or Site Plan review. Although the optional method typically begins with Sketch Plan submission, applicants who choose to go through the Concept Plan process will meet with the DAP at this stage.

Written comments from the panel will be provided to Planning Department staff at Concept, Sketch and Site Plan stages. The DAP’s comments will be provided to the Planning Board for their determination that the project achieves at least 10 exceptional design points. Staff encourages applicant teams to strive for the maximum number of points.

### SUBMITTAL REQUIREMENTS

1. Schedule a Design Advisory Panel review date with the Design Advisory Panel Liaison.
2. A minimum of two weeks prior to the scheduled Design Advisory Panel meeting, provide the completed submission form and supplemental drawings for review in PDF format to the Design Advisory Panel Liaison via email.
3. Supplemental drawings should include the following at Site Plan and as many as available at Concept and Sketch Plan: property location (aerial photo or line drawing), illustrative site plan, 3D massing models, typical floor plans, sections, elevations, perspective views, precedent images and drawings that show the proposal in relationship to context buildings and

any planning Board-approved abutting buildings in as much detail as possible. Provide a 3-D diagram or series of 3-D diagrams that illustrate side-by-side strict conformance with the design Guidelines massing and the proposed project massing. The diagrams should note where the proposal does not conform with the Guidelines and how the alternative treatments are meeting the intent of the Guidelines.

### PUBLIC PARTICIPATION

Members of the public who wish to participate in a DAP meeting should notify the DAP’s staff liaison before the meeting, but may sign up to participate the day of the meeting as well. Citizens will be invited to participate in the order in which they sign up. In certain cases, there may not be sufficient time for all interested citizens to participate in the meeting. Members of the public who wish to ensure their comments are considered by the DAP should submit them in writing to the DAP’s staff liaison no later than 24 hours before the DAP meeting. Any written comments submitted to the DAP will also be sent to the Planning Board before the Board meets to consider the proposed development.

Although DAP meetings are intended to be informal, it may be necessary in certain cases, such as meetings with many interested citizens, for the DAP to impose equitable time limits on public comments or other reasonable rules of order. When possible, the staff liaison will announce time limits at the start of the DAP meeting.

*The Bethesda Downtown Design Advisory Panel website can be accessed through [here.](#)*

# Bethesda Overlay Zone (BOZ)

The Bethesda Overlay Zone is intended to implement the recommendations of the Sector Plan as it relates to *density, building heights, affordable housing, parks and open space and design.*



## The Bethesda Overlay Zone (BOZ)

Unlike previous Sector Plans, the Bethesda Downtown Plan does not allocate or map additional density to specific properties. Instead, it sets an overall limit on development for the Downtown and recommends new height limits for many properties. Through mechanisms allowed by the BOZ, any developer who wants to build taller must provide additional community benefits above those required through conventional optional method.

The BOZ sets a cap (maximum) on the total square footage of development in Downtown Bethesda to ensure that total density in the Sector Plan area, including existing, approved and new development (including affordable housing), does not exceed 32.4 million square feet of gross floor area. To ensure that the Planning Board does not approve more than the cap, an online Monitoring and Tracking Program has been established for this Sector Plan. The Monitoring and Tracking Program is a web-based tool accessible to everyone and is located on the Bethesda Downtown Plan website.

### BOZ DENSITY

As defined in Section 4.9.2, “BOZ density means the total square footage of gross floor area by which new development in the Bethesda Downtown Plan Area may cumulatively exceed the maximum square footage of gross floor area allowed under the mapped CR and CRT zones”.

Example: A project mapped at an overall 5.0 FAR with the potential to accommodate an additional FAR within the mapped height. A request for an additional 2.0 FAR/density through the BOZ would be considered BOZ density and result in an overall project density of 7.0 FAR if approved.

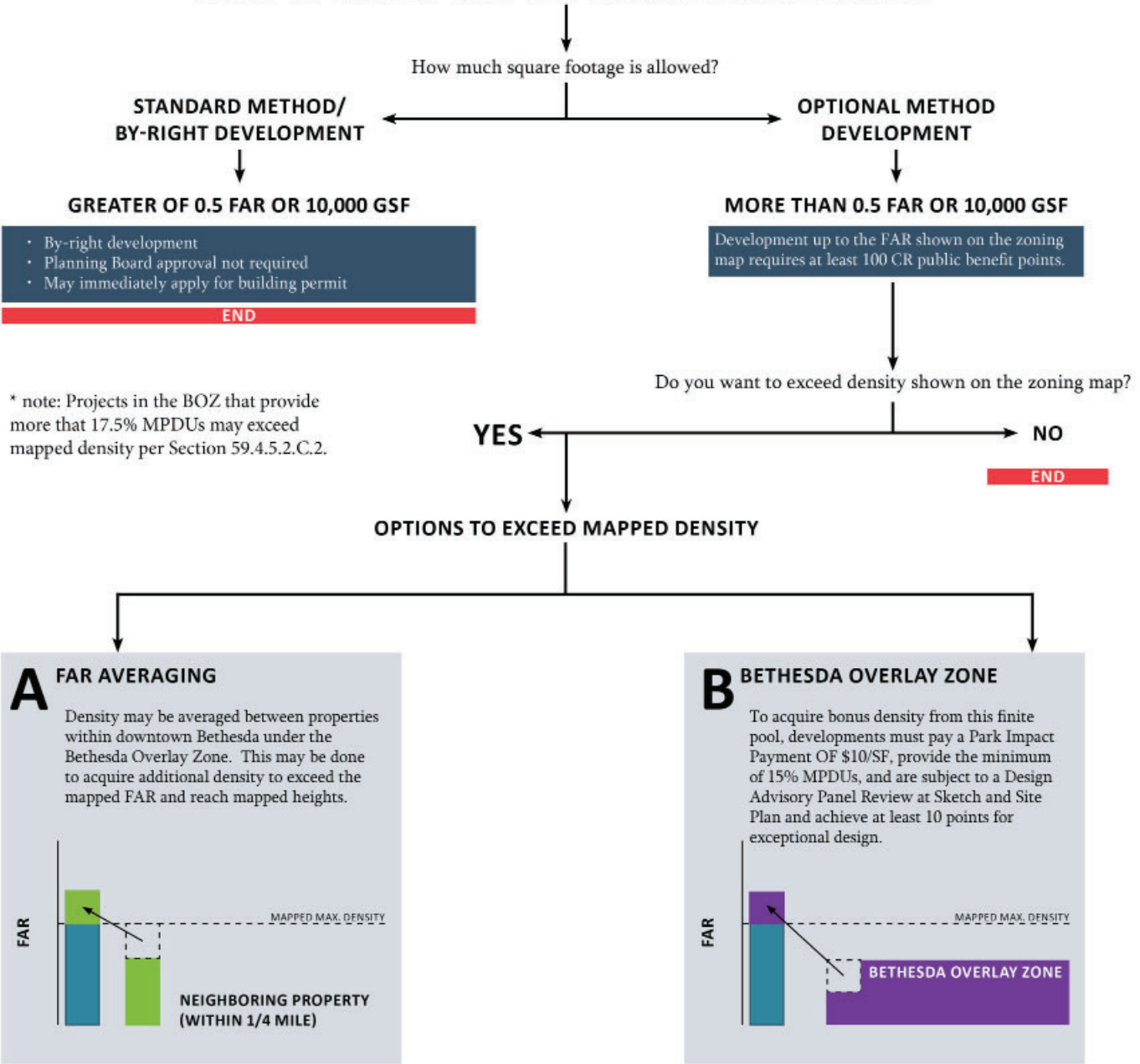
To qualify for BOZ density, a project must:

- Exhaust all gross floor area allowed by the mapped CR or CRT zone;
- Not transfer BOZ density to any property;

- permit application is issued at a rate of \$10.00 per square foot of approved BOZ density; and
- Meet with the Design Advisory Panel at Sketch Plan and Site Plan to have the project reviewed for exceptional design points.

*The BOZ can be found in Chapter 59, Division 4.9 Overlay Zones, Section 4.9.2 of the Montgomery County Zoning Ordinance*

### HOW TO EXCEED MAPPED DENSITY IN BETHESDA?



\* note: Projects in the BOZ that provide more than 17.5% MPDUs may exceed mapped density per Section 59.4.5.2.C.2.

## Park Impact Payment (PIP)

Implementation of new parks and open spaces will be achieved through a funding mechanism tied to new development called the Park Impact Payment (PIP). Any new development in Downtown Bethesda that is allocated BOZ density by the Planning Board is required to make a PIP of \$10.00 per square foot on the gross floor area of the approved BOZ density, except for the gross floor area allocated for MPDUs and projects that provide a minimum of 25 % MPDUs. (See Section 2.1.4.a for more detail related to MPDUs).

If a project dedicates or conveys to the Montgomery County Parks Department land that is identified in the Sector Plan as a recommended open space, the Planning Board may decide to reduce the amount of square footage for which the PIP must be made.

PIPs must be submitted to the M-NCPPC, Montgomery County Planning Department’s Development Applications and Regulatory Coordination (DARC) Division as a condition of the Planning Board approval and prior to any above-grade building permit application being issued. The PIPs will be placed in a fund for appropriation and expenditure. PIP funds may only be used for acquisition of parkland and for planning, design and construction of new park facilities and new parks within the Bethesda Downtown Plan boundary.

The Planning Board approves the use of the PIP with recommendations from Park and Planning Staff and the IAC based on the priorities set forth in Section 2.7 of the Sector Plan. Priorities include:

- Civic Gathering Spaces
- Linkages and Gateways to Major Trail Systems
- Green Neighborhood Parks
- Enhance Existing Parks, Open Spaces and Trails

The order of the priorities listed above and in the Sector Plan may change as opportunities are evaluated against a myriad of factors related to the timing and realization of the opportunity and funds available to implement the recommendations. It is not anticipated that PIP funds alone will be enough to implement all of the recommendations. The PIP is a dedicated funding source for Downtown Bethesda parks in addition to other existing funding programs such as Legacy Open

Space, and ALARF (Advance Land Acquisition Revolving Fund).

Additionally, the Planning Board must review the PIP rate on July 1 of each odd-numbered year, starting July 1, 2019, by the annual average increase or decrease in a published construction cost index for the two most recent calendar years. Prior to this rate adjustment, the Planning Board will advertise and hold a public hearing.

## Building Heights

The Sector Plan extinguished the “T” designation from the CR zones, removing the height and density bonus as previously allowed in the Zoning Ordinance Section 4.5.2.C for projects within the Sector Plan boundary. These CR zones were given a 20 % height increase rounded to the nearest 5-foot increment as outlined on page 70 of the Sector Plan.

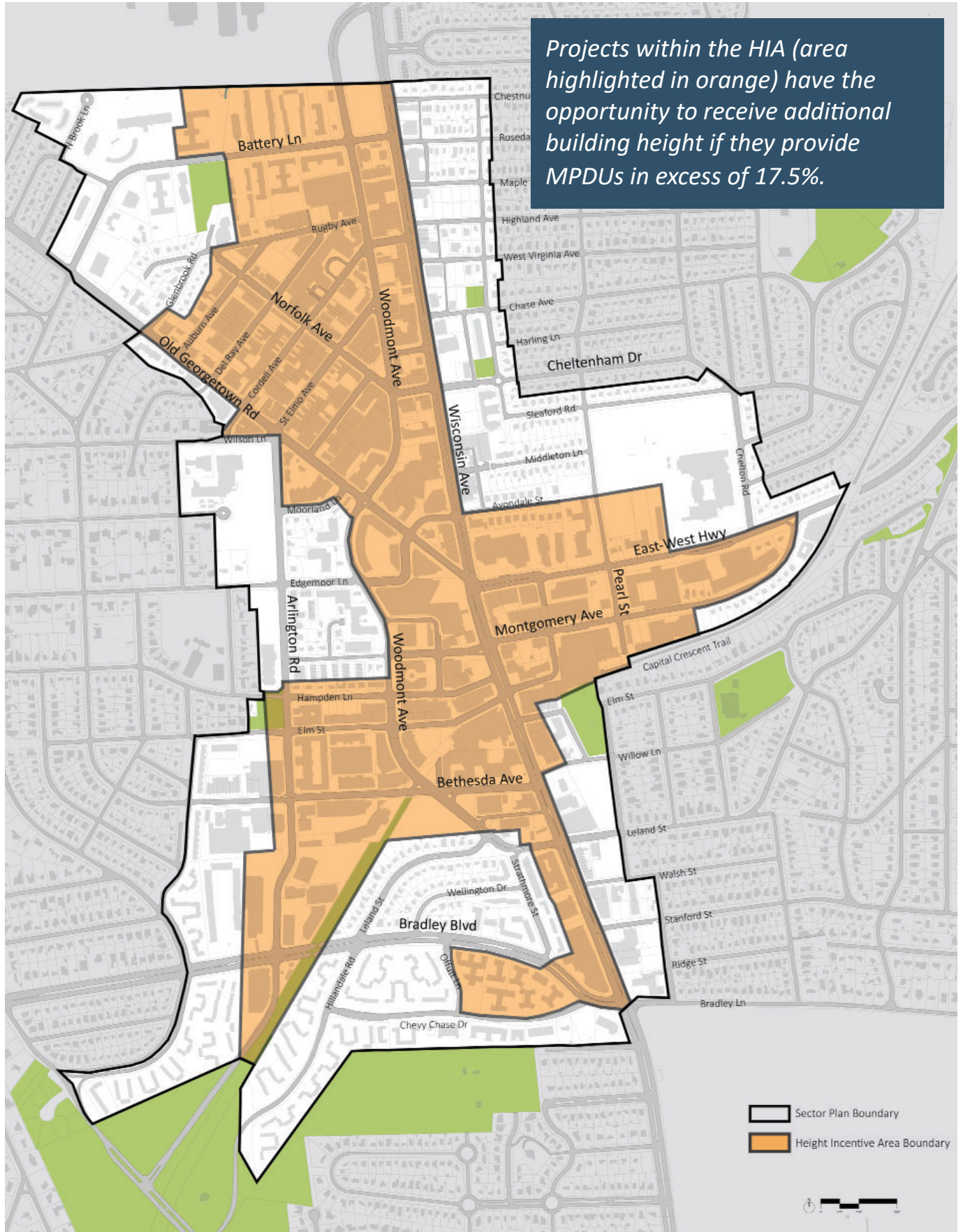
Maximum building height is limited to the height allowed in the underlying zones except where projects exceed 17.5 % Moderately Priced Dwelling Units (MPDUs) within the Height Incentive Area (HIA) boundary shown on the HIA map. No additional building height beyond what is mapped is granted for properties outside of the HIA boundary. Note that Gross Floor Area for MPDUs may be calculated by average unit size (as below) or as a percent of total residential floor area.

**Note to applicants: Projects must exceed 17.5% MPDUs to qualify for additional height.**

**Example:**

Mapped Zone Height	175 feet
MPDUs Provided above 15%	44 units
Average MPDU Size (sf)	738
Gross Floor Area for MPDUs above 15% (sf)	32,472
Average Residential Floorplate (sf)	21,712
Additional Building Height Allowed	24 feet
Maximum Proposed Height	199 feet

# Height Incentive Area Map



### 2.1.4.a. Park Impact Payment Exceptions

Any new development in Downtown Bethesda that is allocated BOZ density by the Planning Board is required to make a Park Impact Payment on the gross floor area of the approved BOZ density, except for the gross floor area allocated for MPDUs.

Example:

TOTAL RESIDENTIAL GFA:	200,000
BOZ DENSITY:	100,000
TOTAL MPDUs (15%) GFA:	25,000
TOTAL BOZ GFA for PIP:	75,000
Park Impact Payment:	750,000

\*Note: For projects providing a minimum of 25 % MPDUs, a Park Impact Payment is not required for any residential gross floor area.

### 2.1.4.b Public Benefit Points

See “Affordable Housing” in the Public Benefit Point Calculations section of this document.

## Moderately Priced Dwelling Units (MPDUs)

The minimum threshold for moderately priced dwelling units (MPDUs) is 15 % in Downtown Bethesda for projects that include 20 or more dwelling units.

Additional building height above the zoned maximum may be achieved if projects exceed 17.5 % MPDUs and are located within the Height Incentive Area boundary. The additional height consists of those MPDUs that are above the minimum 15 % requirement, which must be accommodated within the mapped height. Additional height is calculated as the floor area for the additional MPDUs above 15 % divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet. Note that Gross Floor Area for MPDUs may be calculated by unit size or as a percent of total residential floor area.

Applicants will be required to provide calculations and floorplans showing how the increased MPDUs can be accommodated within the additional height needed for the building.

If a project provides more than the minimum 15 % MPDUs, the project can satisfy one less public benefit category than is required under Section 4.5.4.A.2, Zoning Ordinance.

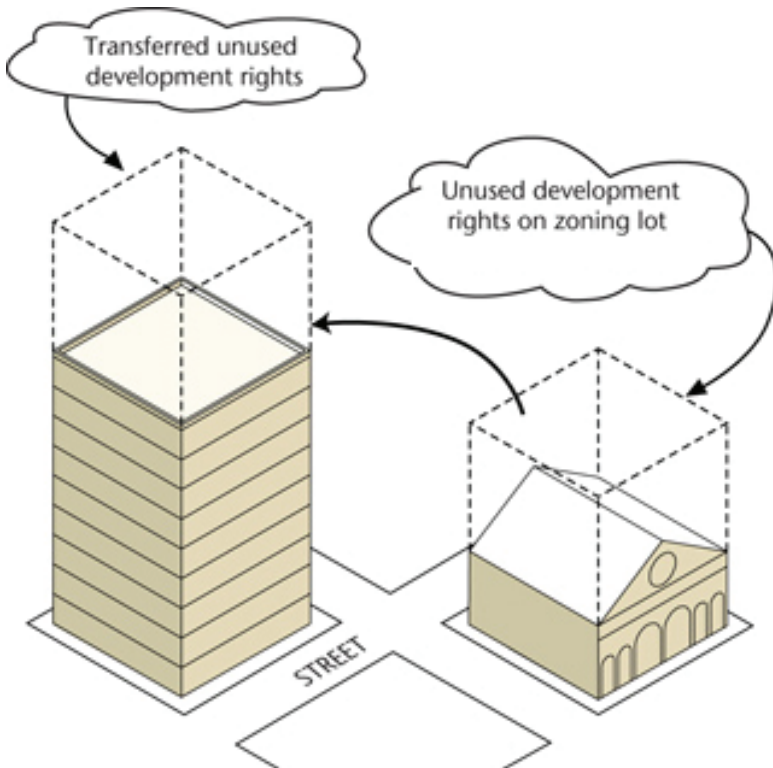
Further, in the BOZ, for projects providing a minimum of 17.5% MPDUs, residential density may be increased above the mapped residential FAR by 17.5%, plus 0.1% for each 0.1% increase in MPDUs above 17.5%, per Section 4.5.2.C.2.

## FAR Averaging (Density Transfers)

The Sector Plan removes the provision in the Zoning Ordinance that non-contiguous properties transferring density must be within a ¼-mile radius of each other. Projects that use density averaging may transfer density to any site within the Bethesda Downtown Plan boundary.

The Sector Plan also removes the requirement that projects provide more than the 100 public benefit points for density averaging. Projects are only required to provide 100 public benefit points.

A Park Impact Payment is not required for projects that increase their gross floor area through density averaging, unless they are also obtaining additional density through the Bethesda Overlay Zone. If a project utilizes density averaging and receives an allocation of additional density through the Bethesda Overlay Zone, a Park Impact Payment is only applied for the BOZ density.



## Public Open Space

Off-site improvements or contributions are strongly recommended instead of on-site public open space that is too small to inhabit, fails to enhance the public realm and/or prevents a building from activating the street.

The Sector Plan and the BOZ identifies any project whose open space requirement is 10 % or less may be required to make an improvement or contribution to off-site public open space instead of providing open space as outlined under Section 6.3.6.C.

## Development Procedures

Sketch and Site Plan approval is required for all projects utilizing FAR averaging or BOZ density. With each Site Plan approval, the Planning Board must find that the proposal, in addition to the sum of previously approved or built developments, does not exceed 32,400,000 square feet of gross floor area. All submissions should include:

- Project base and BOZ density requested by project
- Amount of Park Impact Payment (PIP) being paid
- Number of MPDUs (if applicable)
- Residential square footage and number of dwelling Units (if applicable)
- Total density to be allocated by the Planning Board at Site Plan

Approved Site Plans using BOZ density must have a building permit application, accepted by the Department of Permitting Services (DPS), that includes the core and shell of the principal building within two years of the date of the Planning Board's resolution.

Within two years after the DPS accepts the application, a building permit must be issued. These deadlines may not be extended and failure to comply will result in the entire site plan approval being revoked.

*Top priority public benefits for all optional method projects:*

- *affordable housing*
- *public open space*
- *energy conservation and generation*
- *enhanced vegetated roofs*
- *exceptional design*
- *minimum parking.*



## Public Benefit Point Calculations

### CR Zone Public Benefits in the Bethesda Overlay Zone (BOZ)

To achieve higher density beyond what a zone is mapped, development projects must provide Public Benefits that enhance or contribute to the objectives of the zone and the goals of the Sector Plan. With the increased density provided by the BOZ, as recommended by the Sector Plan, enhanced public benefits are expected with any new development.

The BOZ modifies the public benefit points allowed in the Sector Plan. Changes include eliminating points for transit proximity, providing points for rental housing preservation, and requiring some formerly optional actions such as 15% minimum MPDUs and the maximizing of energy conservation and generation points for projects within the High Performance Area.

The Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines (CR Guidelines) identify methodologies for determining how many points are appropriate in a given scenario.

The following Guidelines supersede the CR Guidelines for projects located within the BOZ.





## 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

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

*\*The minimum number of vehicle parking spaces required is 80% of the minimum number of spaces required by Section 59.6.2.4.*

### Minimum Submittal Requirements:

Sketch Plan: Initial estimate of calculation.

Site Plan: Parking layout and uses with calculation approved.



## Calculation

Up to 20 points for providing fewer than the maximum allowed number of parking spaces where a maximum is applicable.



## Calculation

Up to 30 points for safe and attractive pedestrian connections between streets.

## Through-Block Connection

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

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

- Incentive density of up to 15 points is appropriate for connections that meet basic criteria (for 10 points) in the CR Guidelines.
  - 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).
  - At least 15 feet wide.
  - 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.
- Incentive density of up to 30 points if additional criteria from the CR Guidelines and Bethesda Downtown Plan Design Guidelines are met.
  - At least 35 % of the walls facing the interior pedestrian connection must have clear, unobstructed windows above the floor level between 3 and 8 feet.
  - Direct connection to parks, transit facilities or public buildings.
  - Accessible retail uses along a majority of its length.
  - Increased width.
- Up to 10 incentive density points may be granted if some of the basic criteria 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.



# Streetscape Improvement

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 should 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. Sidewalks should be a minimum of five feet wide for 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

## Guideline Criteria

Incentive density points for improvements to off-site streetscape with the Bethesda Streetscape Standard are granted on a sliding scale, based on the area improved calculated as a %age 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.

## Minimum Submittal Requirements:

Sketch Plan: Conceptual layout.

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

## Calculation

Up to 30 points for construction of off-site improvements including undergrounding of overhead utilities, excluding any streetscape improvements otherwise required. If utilities are not undergrounded for the off-site improvements, the maximum number of points is 20.



## Calculation

Dwelling Unit Mix: Up to 30 points for integrating a mix of residential market-rate unit types with at least 12.5 % efficiency units, 12 % one- and two-bedroom units, and 10 % three-or more bedroom units; the proportional number of MPDUs for each unit type must satisfy Chapter 25A of the zoning ordinance.



## 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

Up to 10 points is appropriate for providing residential buildings with a mix of dwelling unit types with a minimum of:

- 7.5% efficiency dwelling units; and
- 8% one-bedroom dwelling units; and
- 8% two-bedroom dwelling units; and
- 5% three-bedroom dwelling units

Up to 20 points is appropriate for providing residential buildings with a mix of dwelling unit types with a minimum of:

- 10% efficiency dwelling units; and
- 10% one-bedroom dwelling units; and
- 10% two-bedroom dwelling units; and
- 7.5% three-bedroom dwelling units

Up to 30 points is appropriate for providing residential buildings with a mix of dwelling unit types with a minimum of:

- 12.5% efficiency dwelling units; and
- 12% one-bedroom dwelling units; and
- 12% two-bedroom dwelling units; and
- 10% three-bedroom 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.



# 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**

**a. BOZ section 59.4.9.2.C.3.d - Points are calculated as follows**

- i. 15 points are granted for every one percent of MPDUs greater than 15%. Any fraction of a one percent increase in MPDUs entitles the applicant to an equal fraction of 15 points.
- ii. No Change- See CR Guidelines
- iii. No Change- See CR Guidelines
- iv. For points to be awarded, at least one more MPDU than would be required at 15 % must be provided.
- v. For a project providing more than 15 % MPDUs, one less public benefit category than required under Section 4.5.4.A.2 must be satisfied. For a project providing at least 20 % MPDUs, other public benefit point categories are not required except for: 1) Exceptional Design, and 2) Energy Conservation and Generation in the High-Performance Area.

**Minimum Submittal Requirements:**

Sketch Plan: Initial Calculation

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

## Calculation

The Planning Board may only grant points for projects that exceed the minimum 15 % MPDUs.

Formula: $(P-R)*15 + W*2+T*5$	Example
P (% MPDUs provided)	17.5%
R (% MPDUs required)	15.0%
W (% 2 bedroom MPDUs provided, not otherwise required)	0%
T (% 3 bedroom MPDUs provided)	1%
	Calculation: 42.5 points

## Calculation

Up to 30 points for providing architectural facades and agreeing to be bound by particular elements, meeting the CR guideline criteria and conformance with the Bethesda Downtown Plan Design Guidelines. Up to 15 points for meeting the CR guideline criteria.



## Architectural Elevations

Intent: Great elevations, particularly in the suburban and urban context, provide attractive, well-proportioned faces to the public realm of streets, plazas and parks. Skillful elevations accentuate activity along the street, create pedestrian interest, give scale to open spaces and ultimately provide for greater public safety through eyes on the street. As such, elevations should be oriented to the pedestrian, through the scale and permanency of materials, transparency from inside to out and the predominance of the first floor to all upper floors. Elevations framing streets or public open spaces must promote pedestrian interest and activity.

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

### Guideline Criteria

Incentive density of 15 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.





## Exceptional Design

Intent: 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 should separate this county from the rest of our region in quality, value and community pride. Such design should be realized within judicious budgets but also can bring long-term value to a particular development and surrounding community.

With the increases to allowable building heights, flexibility to transfer and allocate additional density in the overlay zone, it is critical that these buildings have exceptional design.

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

### Guideline Criteria

Incentive density of up to 30 points are appropriate for meeting all of the following criteria and the Design Guidelines. Up to 10 points are appropriate for development that meets at least four and are generally consistent with the Design Guidelines. 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 serving 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.

*The Planning Board must determine that the development achieves at least 10 points for exceptional design under Section 59.4.7.3.E.4.*

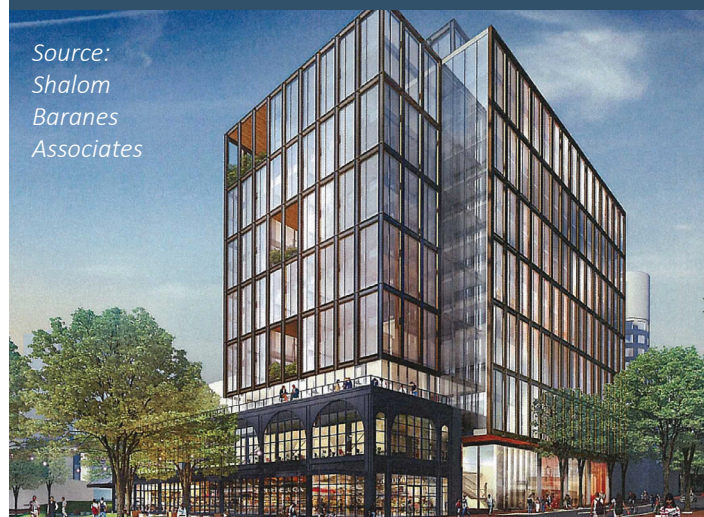
## Calculation

Up to 30 points for meeting all of the CR guideline criteria and the Bethesda Downtown Plan Design Guidelines.

Up to 10 points for meeting at least four of the CR guideline criteria and are generally consistent with the Design Guidelines.

In making its recommendation to the Planning Board, Staff will rely in significant measure on the recommendation of the Design Advisory Panel.

Source:  
Shalom  
Baranes  
Associates



## Calculation

Up to 20 points for providing or making a payment for open space in excess of the minimum open space requirement of the zone per the CR Guidelines. Up to 30 points for Sector Plan priority open spaces.



## Public Open Space

Intent: Open space is a most important element of the public realm and is essential to Montgomery County's civic life. These spaces, part of an active and vibrant street network, support and focus activities and development around them. Public open spaces come in various shapes and sizes, and are centrally located and publicly owned, or privately owned but publicly accessible space (POPS). These spaces must make a positive contribution to the character of the county and improve the pedestrian experience of its residents. They should not be the leftover spaces of a development nor be isolated from the greater network of streets, parks, plazas and squares.

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

**Guideline Criteria:** Incentive density of up to 20 points for providing, or making a payment for, public open space above the zone's requirement, or up to 30 points for Sector Plan priority spaces may be granted. The 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 % 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:

1. The fee equals \$35 per square foot plus the development's market rate of land value per square foot for whatever %age of the lot is requested for incentive density up to 20 points.
2. 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.
3. 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.

### Minimum Submittal Requirements:

Sketch Plan: Concept layout and narrative regarding guideline criteria.

Site Plan: Final detailed plan and site layout.

*The plaza at Woodmont Avenue and Bethesda Avenue in Bethesda is one of the highest used public spaces in the county.*







## Public Art

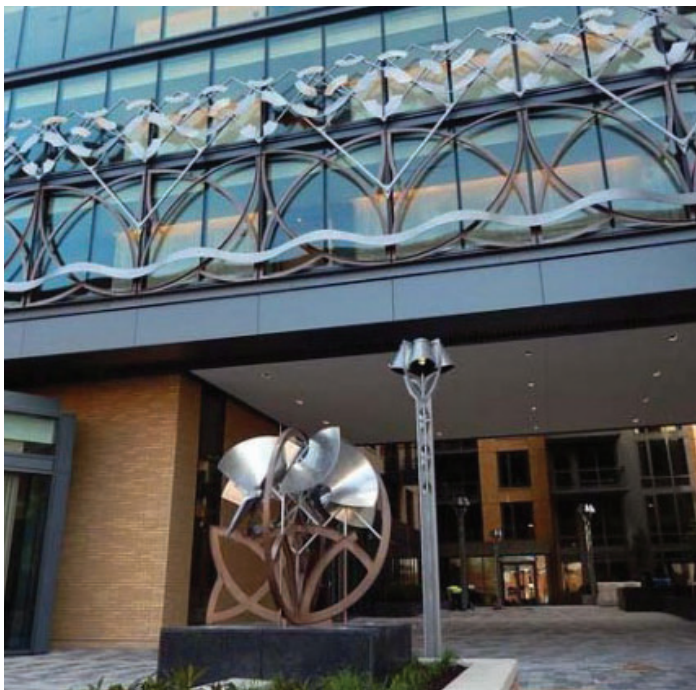
Intent: The promotion and creation of public art in Montgomery County advances our reputation as a cultural center for innovation and creativity. By providing opportunities for individuals to encounter art in parks, libraries, community centers, on roadways, bridges and other public venues, as well as 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

### **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.



## Calculation

Up to 15 points for installing public art reviewed for comment by the Art Review Panel or by paying a fee accepted by the PATSC, per the CR Guidelines. Up to 20 points for providing unique works of art, to be determined by the Art Review Panel.

## Calculation

Up to 20 points for stepping back a building's upper floors by a minimum of 6 feet behind the first-floor façade beginning at a height no greater than 72 feet and conformance with the Bethesda Downtown Plan Design Guidelines. Up to 10 points for meeting CR guideline criteria.



## Tower Step-Back

Intent: In our urban areas and suburban centers, high-rise buildings 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 should 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](#)

**Guideline Criteria:** Incentive density of up to 10 points for stepping back a building's upper floors by a minimum of 6 feet behind the first floor facade. The step-back must begin at a height no greater than 72 feet.

Additional 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.



# 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

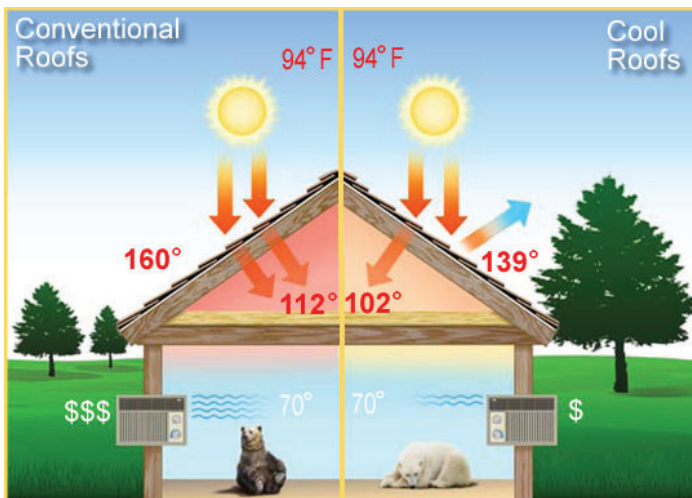
### Minimum Submittal Requirements:

Sketch Plan: Concept and narrative.

Site Plan: Final layout and details.



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



Cool roofs save money and are environmentally sustainable.

## Calculation

Up to 15 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.

*Within the High Performance Area designated in the Sector Plan, the Planning Board must determine that the development achieves 15 public benefit points from Energy Conservation and Generation under Section 59.4.7.3.F.3.*

## Calculation

Up to 25 points for constructing buildings that exceed the energy efficiency standards for the building type by greater than 17.5% for new and existing buildings. Follow the CR Guidelines on page 45 for requirements.



## Energy Conservation and Generation (High Performance Area)

Intent: Buildings account for 39 % of all carbon dioxide emissions in the United States, higher than any other sector. Buildings also are responsible for consuming 70 % 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 must be a leader 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**

**Table 3**

PERCENT EXCEEDING CURRENT ENERGY EFFICIENT STANDARD				
Building	2.5%	10%	17.5%	>17.5%
New	5 points	10 points	15 points	25 points
Existing	10 points	15 points	20 points	25 points

The County Council approved the 2012 International Green Construction Code (IGCC), effective December 27, 2017.

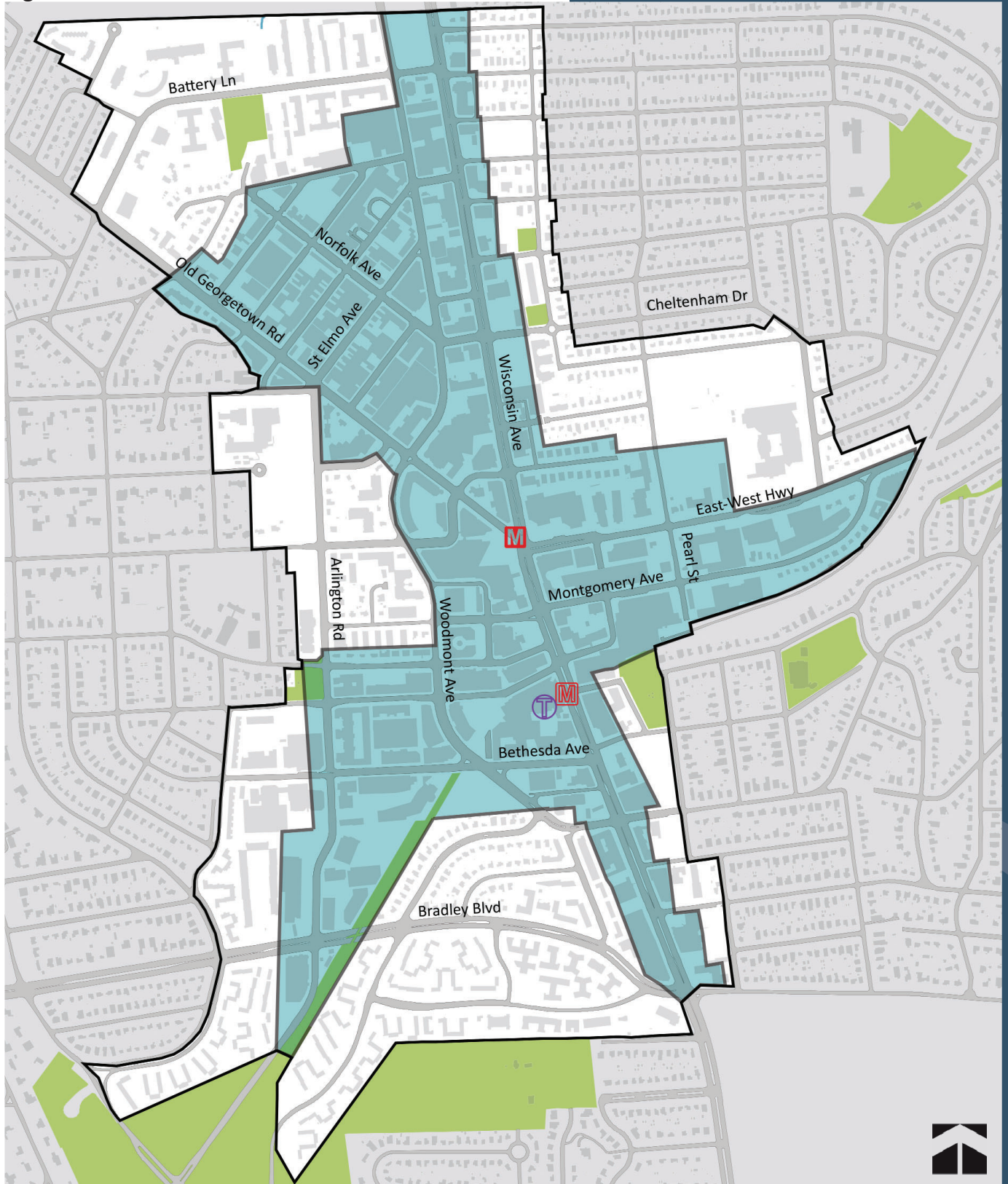
\*Applicants must set up a Design Consultation with Department of Permitting Services (DPS) prior to Sketch Plan to understand the minimum submittal requirements for Sketch Plan and Site Plan and to understand the Sector Plan requirements with the new County-Adopted IGCC.

### 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.

# High Performance Area



-  Sector Plan Boundary
-  Metro Station
-  Proposed Metro Station Entrance
-  Proposed Purple Line Station
-  High Performance Area Boundary

## Calculation

Up to 15 points for installation of planting in a minimum of 12 inches of soil, covering at least 5,000 square feet (not including vegetated roofs or stormwater management facilities).



## 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 on site for vegetated pervious surfaces is highly desired. Vegetated areas provide garden space, food sources, habitat, stormwater benefits, and 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

**Guideline Criteria:** Incentive density of up to 10 points 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, nor within stormwater management easements.

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

1. A vegetated area that replaces impervious area;
2. A vegetated area larger than a required open space area;
3. A maintenance program is provided;
4. Soil depth greater than 12 inches;
5. 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.

## 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 stormwater 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

**Guideline Criteria:** Incentive density of up to 10 points for development that meets the requirements of the zoning ordinance and may be prorated for multi-building developments. Must not include areas for stormwater management.

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

1. Greater coverage than 33 % of building roof;
2. Soil depth greater than 6 inches;
3. Plant species that provide habitat;
4. Native plant species.

### Minimum Submittal Requirements

Sketch Plan: Conceptual layout with soil volumes explained.

Site Plan: Final details, layout and planting design.

## Calculation

Up to 20 points for installation of a vegetated roof with a soil depth greater than 6 inches covering at least 33 % of the building's roof, excluding mechanical equipment (not including vegetated areas or stormwater management facilities).

*A green roof tops a multi-family residential building in Silver Spring providing amenity space for residents and habitat for many different native birds.*



# Urban Green (Green Cover)

*Goal (Sector Plan, Page 60):*

*Reestablish and link green spaces to create green corridors that connect to new and existing green elements.*

*Increasing green cover within the right-of-way, public realm, and private spaces will improve Bethesda's health and well-being, increase property values, lower temperatures, improve biodiversity and provide greater carbon sequestration capacity.*

## **Urban Green (Green Cover)**

Projects are required to provide a minimum of 35 % green cover on private property for the entire site (private property = entire site after dedication). A project may achieve the 35 % green cover requirement by:

- Providing an intensive green roof (6 inches or deeper) on the rooftop of the building;
- Providing tree canopy cover on the landscape of the project site area at ground level; and/or
- Providing a combination of tree canopy cover and intensive green roof for a total of 35 % or greater on the total site.

At Sketch Plan a green cover exhibit with calculations and a graphic illustrating which areas of the site will be included in the green cover calculations to achieve the 35 % minimum is required. In the exhibit, each green cover area must include the total square footage calculations.

If a project cannot meet the minimum green cover requirement, the project must submit at the time of Sketch Plan submittal a narrative describing why the project cannot meet the requirement, a green cover exhibit graphically illustrating that the requirement does not meet the 35 % minimum and provide an on-site alternative treatment as a solution.

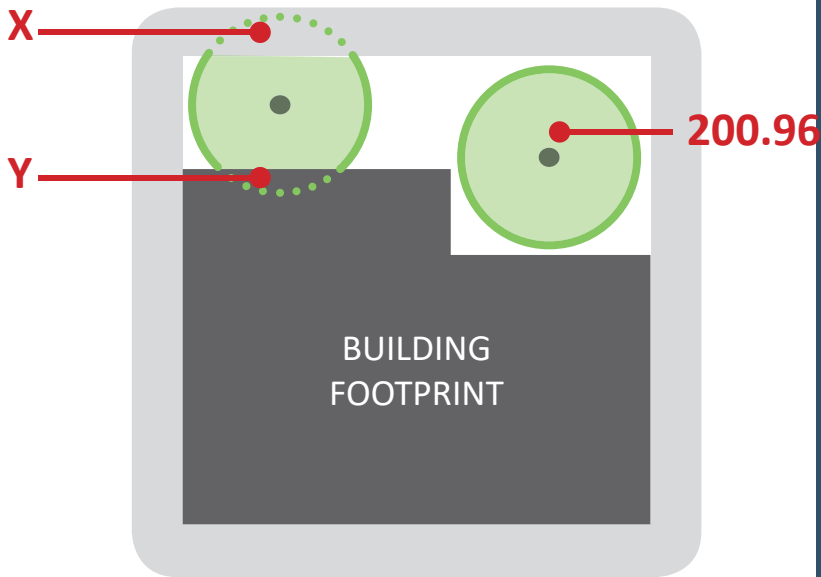
### **Method of calculating area of tree canopy cover:**

Total area of tree canopy cover is determined by the radius of the canopy at 20-year maturity. The diameter at 20 years is different for each species and identified on pages 86-88 of the MNCPPC-approved Trees Technical Manual, 1992. If a building exists within the radius of the 20-year tree canopy, the square footage will be subtracted by the total canopy cover and additional green cover will be required.

If the tree is to be planted over structure, the minimum soil volume per tree is 600 cubic feet.



### Tree Canopy Calculation Diagram



$$200.96 - X - Y = \underline{\quad}$$

Example:

A River Birch at 20 years has a canopy cover of 16 feet.

The area of a circle is  $\pi$  (Pi) or 3.14 times the radius (8') squared:  $3.14 \times 8 \times 8 = 200.96$

For a tree located on the property, the portion of the canopy that either extends off the property or into the proposed building footprint must be excluded from the Green Cover calculation.

# Bethesda Downtown Plan Implementation Guidelines

The Montgomery County Planning Department  
The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910  
[MontgomeryPlanning.org](http://MontgomeryPlanning.org)

