

Bethesda Downtown Sector Plan – Design Advisory Panel

Rules of Procedure Revised September 23, 2020

PURPOSE

The Design Advisory Panel (DAP) is an integral part of the Bethesda Overlay Zone. The primary goal of the DAP is to provide advice and recommendations that will heighten design excellence and improve the quality of architecture, urban design and landscape architecture in Bethesda. The DAP will be guided by the Bethesda Downtown Sector Plan and the related Design Guidelines. To remain competitive within the greater Washington, DC region and to attract the best and brightest to the Bethesda community, it is essential to design great places in which people of all ages, ethnic and economic backgrounds will want to live, work and play. The DAP will help to achieve this outcome.

RELATIONSHIP TO CR ZONES

The Commercial – Residential Zones (CR Zones) were created and adopted with an emphasis on creating great mixed-use, walkable places. Development proposals under the CR Zones are required to provide public amenities and need to focus on design intent to make sure quality is paramount to the applications and that an attractive public realm will be the outcome.

The Bethesda Overlay Zone creates a system for density allocation above and beyond the CR Zone density mapped in the 1994 Bethesda CBD Sector Plan. The requirements for getting additional density from the Bethesda Overlay Zone pool of density include review by the DAP. The additional “BOZ” density should only be allocated if a high degree of design excellence is achieved and the DAP will advise the staff and the Planning Board on this issue.

MAKE UP OF THE DESIGN ADVISORY PANEL

The Design Advisory Panel will have five members. According to the Bethesda Overlay Zone, the DAP must be “composed of relevant independent professionals including at least one resident of the Bethesda community.”

Nominations for members will be solicited from the community and from organizations including but not limited to: CBAR, NAIOP, the Bethesda Chamber of Commerce, AIA, and ULI.

The DAP should, at a minimum, have the following expertise:

1. One registered architect representing academia and/or other jurisdictions in the region with a design review panel.
2. One registered architect from the greater Montgomery County community.
3. One member of the development community. This person may be a developer, real estate professional or involved in real estate investment.
4. One Bethesda community member who has a professional interest in urban design, architecture, and/or landscape architecture.

Members of the DAP will act in a professional manner, provide comments to Planning Department staff and the Planning Board, and be mindful of any conflicts of interest from associations with development teams, property owners or associations. The DAP should include the Planning Department’s Senior

Urban Designer as an ex-officio member, and another Planning Department staff member will serve as a liaison to the panel. If conflicts of interest arise, the specific panel members will recuse themselves from the discussion and recommendations. For reviews of Site Plan application projects that require an official vote on the number of Design Excellence Public Benefit points, if the quorum of voting members results in a split vote, the Senior Urban Designer may cast the deciding vote.

DAP members must be approved by the Planning Board and will serve three-year staggered terms. At initial appointment, two members will serve for two years, two members will serve for three years, and one member will serve for four years. The terms of membership will be staggered from this point onward.

Upon official acceptance of an appointment, each voting member may serve two consecutive three-year terms. After serving two terms, DAP members must take a one-year absence at a minimum from service before being considered for an additional term. Prior to completion of their first term, DAP members interested in remaining on the panel must submit a letter requesting to renew their term to the Planning Board for approval. If a DAP member's term is ended early, a new member may be approved by the Planning Board to serve the remainder of the term. If approved, the new panel member may renew for two additional terms.

Members of the DAP may vote to make minor revisions to the Rules of Procedure as necessary to improve the panel review process and logistics. These revisions are subject to Planning Director approval, but do not require approval from the Planning Board. The Planning Board will be updated on minor revisions at the next major change update.

ROLE OF THE DESIGN ADVISORY PANEL IN THE REGULATORY PROCESS

The DAP will review:

- **All Optional Method Development Projects** – All optional method projects in Bethesda will be presented to the DAP. Although the optional method typically begins with Sketch Plan submission, applicants are strongly encouraged to go through the Concept Plan process and meet with the DAP at this Concept Plan stage. If the applicant does not wish to file a Concept Plan, they must meet with the DAP to review their project early in the Sketch Plan process.
- **Projects Seeking Additional Density through the BOZ, Bonus Points through the CR Amenity Guidelines, and/or Height as a MPDU Bonus** – In order for projects to be considered for additional density or height, the applicant must meet with the DAP early on to review point allocations and to assess urban and architectural design implications.

The DAP will be guided by the Bethesda Downtown Sector Plan, the Bethesda Downtown Design Guidelines, the Bethesda Overlay Zone and the CR Zone criteria for granting density incentives for exceptional design.

The DAP will meet regularly once a month and more often as development applications are submitted and in need of review. This is a significant time commitment and panel members will need to respond within the timelines set forth by our zoning ordinance and development application schedules. The DAP will receive all the review drawings and/or access to the drawings one week in advance of the review meeting.

Written comments from the panel will be provided to Planning Department staff at Concept, Sketch and Site Plan stages. The assigned staff liaison will assist with the comments as needed.

DESIGN ADVISORY PANEL MEETINGS

While DAP meetings are primarily for panel members to consider and comment on proposed developments, meetings should be collaborative, and input from developers, their consultants, and members of the public is encouraged. Because panel members are volunteers, however, the DAP is not expected to meet for more than one hour on any single project.

Members of the public who wish to participate in a DAP meeting should notify the DAP's staff liaison before the meeting. Those who have not notified the staff liaison in advance may sign up to participate the day of the meeting. 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. 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 twenty-four 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.

RECONSIDERATION REQUESTS

The DAP will only entertain requests to reconsider votes from the Planning Board.