

MEMORANDUM

November 5, 2009

TO: Planning, Housing, and Economic Development Committee
FROM: Jeff Zyontz, ^{JS}Legislative Attorney
SUBJECT: Zoning Text Amendment 09-07, Life Sciences Center (LSC) Zone – Revisions

Recommendations from October 29, 2009

The Committee made the following recommendations to revise ZTA 09-07:

- 1) Add the following definitions:

Life Sciences - Research, development and manufacturing activities concerning one or more of the following scientific fields: biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, bioinformatics, medicine, immunology, embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals, pharmacogenomics, drug production, genetic testing or gene therapy activities; related activities and supporting services, such as administrative offices, educational facilities, libraries and data services, of a business organization or government agency engaged in such scientific fields, including nanotechnology, informational technology, and robotics, are also included.

High technology: Activities that require scientific equipment, advanced engineering techniques, or computers; it includes electronics, information technology, optics, nanotechnology, robotics, renewable energy development, telecommunications, and biomedical research.

- 2) Amend the definition of research and development by adding the underlined text:

Research, development and related activities: Study, research, and experimentation in one or more scientific fields such as life sciences, biomedical research, communications, chemistry, computer science, electronics, medicine and physics. Research and development also includes corporate, administrative, or business offices for companies principally engaged in the support of health services, research and development, or related industrial activities, the development of prototypes and the marketing of resultant products. Related activities include the manufacturing, mixing, fermentation, treatment, assembly, packaging and servicing of products.

Supporting services such as administrative offices, educational facilities, libraries, and data services are other examples of related activities.

- 3) Add a new footnote to Section 59-C-5.321, "minimum and maximum use requirements" as follows:

Non-residential uses. In order to maintain an appropriate emphasis on the purpose of the LSC Zone, the following minimum percentage of the total non-residential gross floor area proposed in a concept plan, preliminary plan or a site plan shall be required for tracts under common ownership larger than 5 acres:

Life sciences – 30 percent minimum of the gross floor area proposed excluding (1) healthcare services, hospitals, hospice care facilities, life care facilities, nursing homes, medical clinics, physical therapy facilities, and occupational therapy facilities, or (2) universities and colleges providing teaching or research facilities.

Residential uses. The maximum residential density, excluding dormitories, must not exceed 30 percent of the permitted FAR.

- 4) Remove the requirement to purchase BLT easements from life sciences uses to the extent that such uses exceed a .5 FAR.
- 5) Put the allowable land uses in the land use table. (Planning Staff submitted this revision). The Committee was assured by Planning Staff that the sector plan would not prohibit any of the allowable uses in the zone.
- 6) Amend § 59-C-5.47 (a) to read as follows:

Site plan approval in the LSC Zone must satisfy Division 59-D-3. The site plan must be substantially consistent with the recommendations of the applicable master or sector plan, including general design principles recommended by the applicable master or sector plan and design guidelines adopted by the Planning Board to implement the applicable master or sector plan. As part of its site plan the applicant must submit for approval comprehensive design standards that address building types, and facades, except when the site plan is proposed for amendment through a limited plan amendment, a consent agenda amendment, or a Director level amendment.

The Committee will recommend that Council add text to the Gaithersburg West Master Plan concerning design principles.

Remaining Issues

- 1) The Committee wanted to review the changes to implement their recommendations in the context of ZTA 09-07. The revised text as recommended by the Committee is attached to the memorandum. Staff made minor edits to put all of the land use restrictions in one place. The Planning Staff provided the list of uses in the table of uses as requested.
- 2) Councilmember Knapp requested a draft of changes to ensure that "related and supporting services" were related to activities in the life sciences center. To accomplish that objective, staff would recommend amending the definition of Life Sciences as follows:

Life Sciences – Research A building or structure used for research, development and manufacturing activities concerning one or more of the following scientific fields: biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, bioinformatics, medicine, immunology, embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals, pharmacogenomics, drug production, genetic testing or gene therapy activities. For a business, institution, or government agency conducting such activities in the same Life Sciences Center, life sciences also includes related activities and supporting services, such as administrative offices, educational facilities, libraries, and data services, ~~of a business organization or government agency engaged in such scientific fields, including nanotechnology, informational technology, and robotics, are also included.~~¹

- 3) Councilmember Knapp asked if the limitations on general office, residential, and retail uses would achieve the vision of the master plan.

As recommended by the Committee on October 29, 2009, development on parcels larger than 5 acres must reserve a minimum of 30 percent of the proposed floor area for life sciences use. The minimum would not apply to health care services and universities.

A maximum of 50 percent of the proposed floor area would be allowed for general office. This would be in addition to the office uses allowed as research and development. The combination of the 2 land uses could result in a project that would be 70 percent office uses, excluding any office use classified as life sciences. (Research and development would also include corporate offices as recommended by the Committee.) Lowering the percentage of allowable general office uses would avoid the result. A maximum of 30 percent general office would still allow offices within research and development use in addition to life science office use. A maximum of 30 percent general office use on a 5 acre site with a FAR of 1.0 would allow 65,340 square feet of general office use.

A maximum of 30 percent of proposed floor area could be used for residential uses under the Committee's current recommendations. There is no limit on the floor area of retail uses that may be proposed and no minimum amount of floor area for retail use required. Traditionally, the Council would not have a minimum requirement for retail space; however, it would further the Gaithersburg West Master Plan's goal for a more walkable community. A maximum amount of retail could prevent retail from becoming a dominant use in favorable markets. A maximum of 5 percent retail use on a 5 acre site with a FAR of 1.0 would still result in allowing 10,890 square feet of stores and restaurants.

This packet contains
ZTA 09-07 (as revised after the October 29 PHED meeting)

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¹ At the risk of being accused of beating a dead horse, staff recommends deleting nanotechnology, informational technology, and robotics because those technologies are already included to the extent that they deal with biology, biophysics, biochemistry, bioelectronics, biotechnology, biomedical engineering, and bioinformatics. Beating a dead horse is cruel; however, staff discovered that the speed of a dead horse can be determined by the skill of the jockey.

Zoning Text Amendment No: 09-07
Concerning: Life Sciences Center (LSC)
Zone - Revisions
Draft No. & Date: 2 - 10/3/09
Introduced: July 28, 2009
Public Hearing: September 15, 2009
Adopted:
Effective:
Ordinance No:

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

By: The District Council at the Request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- revise the Life Sciences Center (LSC) Zone to permit mixed-use development under certain circumstances in order to promote the growth and advancement of life sciences and applied technologies, and to establish the use of building lot termination development rights in the LSC Zone; and
- generally amend the provisions of the LSC Zone.

By amending the definitions of the following terms in the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.

Section 59-A-2.1. Definitions.

Research, development and related activities;

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

DIVISION 59-C-5. INDUSTRIAL ZONES.

Section 59-C-5.21. Allowable uses.

Section 59-C-5.23. Retail sales and personal services.

Section 59-C-5.3. Development standards.

Section 59-C-5.47. Special regulations LSC zone.

And adding a new Section 59-C-5.478. Definitions

EXPLANATION:

Boldface indicates a heading or a defined term.

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

[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

* * * indicates existing law unaffected by the text amendment.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-A-2. is amended as follows:**

2 **Sec. 59-A-2.1. Definitions.**

3 In this Chapter, the following words and phrases have the meanings indicated:

4 * * *

5 **Research, development and related activities:** Study, research, and experimentation in one or more
 6 scientific fields such as life sciences or biomedical research, communications, chemistry, computer
 7 science, electronics, medicine and physics. Research and development also includes corporate,
 8 administrative, or business offices for companies principally engaged in the support of health
 9 services, research and development, or related industrial activities, the development of prototypes and
 10 the marketing of resultant products. Related activities include the manufacturing, mixing, fermentation,
 11 treatment, assembly, packaging, and servicing of products. Supporting services such as administrative
 12 offices, educational facilities, libraries, and data services are other examples of related activities.

13 * * *

14 **Sec. 2. DIVISION 59-C-5. is amended as follows:**

15 **Sec. 59-C-5.2. Land uses.**

16 * * *

17 **59-C-5.21. Allowable uses.**

18 No use is allowed except as indicated in the following table:

19 -Permitted Uses. Uses designated by the letter "P" and uses of a similar character[,] are
 20 permitted on any lot in the zones indicated, subject to all applicable regulations.

21 -Special Exception Uses. Uses designated by the letters "SE" may be authorized as
 22 special exceptions[, in accordance with the provisions of] under Article 59-G.

23
 24

	I-1	I-2	I-3	I-4	R&D	LSC[[]]
(a) Residential.						
Accessory residential unit. ³⁸				P		
Dwellings.	SE		SE	SE		<u>P</u>

	I-1	I-2	I-3	I-4	R&D	LSC[[]*[]]
Dwellings, for caretakers or watchkeepers and their families or for bona fide agricultural operations.	P	P	P	P	P	<u>P</u>
Hotel or motel. ¹	SE		SE			<u>P</u>
(b) Manufacturing and industrial.						
I. Uses of a light industrial nature.						
Bakery.	P	P		P		
Blacksmith shops, welding shops, ornamental iron works, and machinery shops, excluding drop hammers and punch presses over 20 tons rated capacity.	P	P	P	P	P	
Bottling plants.	P	P		P		
Confectionery production.	P	P		P		
Contractors, storage yards.	P	P				
Dry cleaning and laundry plant.	P	P		P		
Electroplating and manufacturing of small parts such as coils, condensers, transformers, and crystal holders.	P	P	P	P	P	
Food production, packaging, packing and canning of.	P	P		P		
Fuel storage yards.	P	P				
Ice manufacturing and storage.	P	P		P		
<u>Life sciences</u>						<u>P</u>
Manufacturing of light sheet metal products.	P	P	P	P	P	
Manufacturing, compounding, assembling or treatment of articles from the following previously prepared materials: bone, cellophane, plastic, canvas, cloth, cork, feathers, felt, fiber, fur, hair, horn, leather, textiles, yarns, glass, precious or semi-precious metals or stones, and tobacco.	P	P		P		
Manufacturing, compounding, processing or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries and products resulting from biotechnical and biogenetic research and development.	P		P	P	P	[P] <u>P</u>
Manufacturing, fabrication and/or subassembly of aircraft or satellite parts, components, and equipment.	P		P	P	P	
Manufacturing of musical instruments, toys, novelties, and rubber and metal stamps.	P		P	P		
Manufacturing of paint not employing a boiling or rendering process.	P	P		P		
Manufacturing of pottery and figurines or other products using previously pulverized clay and kilns fired only by electricity or gas.	P	P		P		
Manufacturing and assembly of electronic components, instruments and devices.	P		P	P	P	
Manufacturing and assembly of machine parts, components and equipment.	P	P		P		

	I-1	I-2	I-3	I-4	R&D	LSC[[*]]
Manufacturing and assembly of medical, scientific or technical instruments, devices and equipment.	P		P	P	P	[P] P
Manufacturing and assembly of mobile, modular and manufactured homes.	P	P		P		
Manufacturing and assembly of semi-conductors, microchips, circuits and circuit boards.	P		P	P	P	
Manufacturing of yeasts, molds, and other natural products necessary for medical and biotechnical research and development.	P		P	P	P	[P] P
Paper products manufacturing.	P	P		P		
Printing and publishing.	P		P	P	P	
Research, development, and related activities.	P		P	P	P	[P] P
Sawmills.	P	P				
Sign making shop.	P	P		P		
Stoneworks.	P	P				
Tinsmith and roofing services.	P	P		P		
Wood products manufacturing.	P	P		P		
II. Uses of a heavy industrial nature.						
Alcoholic beverage manufacturing.	SE	P				
Automobile recycling facility		P				
Distillation of coal, tar, or wood.		P				
Central mixing plants for asphalt, concrete, or other paving materials.		P				
Chemicals, except sulfuric, nitric, hydrochloric acid or other corrosive or offensive chemicals.		P				
Dye works.		P				
Fertilizer mixing plants.		SE				
Foundries or metal fabrication plants.		P				
Incinerators. ⁶		SE ²⁷				
Manufacturing of brick, clay, terra cotta, and tile.		P				
Manufacturing of cinder blocks.		P				
Manufacturing of printing inks.		P				
Manufacturing of synthetic fabrics such as rayon.		P				
Manufacturing of cloth made from shoddy or other similar material.		P				
Off-loading and transfer sites for storage of sand, gravel, or rocks.	p ⁷	P		p ⁷		
Recycling facility.	p ³⁰	P		p ³⁰		
Rock crusher, washing and screening plants.		P				

	I-1	I-2	I-3	I-4	R&D	LSC[[]]
Sanitary landfills. ⁶		SE ²⁷				
Starch, glucose, and dextrin.		P				
Steam power plants.		P				
Stove polish.		P				
Sugar refineries.		P				
(c) Transportation, communication, and utilities.						
Amateur radio facility.	p ³⁵ / SE	p ³⁵ / SE	p ³⁵ / SE	p ³⁵ / SE	p ³⁵ / SE	[P ³⁵ / SE] <u>p³⁵/ SE</u>
Cable communications system. ⁵	SE	SE	SE	SE	SE	[SE] <u>P</u>
Electric power transmission and distribution lines, overhead, carrying more than 69,000 volts.	P	P	SE	SE	SE	[P] <u>P</u>
Electric power transmission and distribution lines, overhead, carrying 69,000 volts or less.	P	P	P	P		
Electric power transmission and distribution lines, underground.	P	P	P	P	P	[P] <u>P</u>
Heliports.	SE	SE	SE	SE	SE	[SE] <u>SE</u>
Helistops.	SE	SE	SE	SE	SE	[SE] <u>P*/SE</u>
Parking of motor vehicle, off-street, in connection with any use permitted.	p ²	p ³	P	P	P	[P] <u>P</u>
Parking of motor vehicle, off-street, in connection with any use permitted in a commercial zone.	SE					
Pipelines, aboveground.	P	P	SE	SE	SE	[SE] <u>P</u>
Pipelines, underground.	P	P	P	P	P	[P] <u>P</u>
Public utility buildings and structures.	SE	SE	SE	SE	SE	[SE] <u>P</u>
Radio and television broadcasting stations and towers.	p ³³ / SE	P	p ³³ / SE	p ³³ / SE	p ³³ / SE	[P ³³ / SE] <u>p³³</u>
Railroad tracks.	P	P	P	P	P	[P] <u>P</u>
Railroad yards or roundhouses.		P				
Rooftop mounted antennas and related unmanned equipment building, equipment cabinets, or equipment room. ²⁶	P	P	P	P	P	[P] <u>P</u>
Solid waste transfer station, private. ⁶		SE ²⁷				
<u>Taxicab stands, not including storage while not in use.</u>						<u>P</u>
Telecommunications facility. ⁴	P	P	P	P	P	[P] <u>P</u>
Telephone and telegraph lines.	P	P	P	P	P	[P] <u>P</u>
Telephone offices, communication and telecommunication centers.	P		P	P	P	[P] <u>P</u>
Trucking terminals.	P			P		

	I-1	I-2	I-3	I-4	R&D	LSC[[±]]
(d) Commercial.						
Adult entertainment business. ²²	P	P				
Aircraft parts, sales and services, including the sale of fuel for aircraft only.	P			P		
Animal research service facilities.						[P] P
<u>Antique shops, handicrafts or art sales.</u>						P
<u>Appliance stores.</u>						P
Automobile parts, sales and services, including but not limited to tire sales and transmission services, but excluding automobile filling stations.	P			P		
Automobile repair and services.	P			P		
Automobile sales, indoors and outdoors.	p8			p8		
<u>Book stores.</u>						P
Building material and supply, wholesale and retail. ²⁰	P	P		P	p37	
Cafeteria, dining room, snack bar, or other such facilities as an accessory use in connection with the operation and primarily for employees of the zone in which the use is located. ⁹	P	P	P	P	P	[p29] P
Consignment store.		p31				
<u>Drug store.</u>						P
Eating and drinking establishments. ^{9,10}	SE		SE	SE	SE	[SE] P
<u>Florist.</u>						P
<u>Food and beverage store.</u>						P
<u>Garden supply shops.</u>						P
<u>Gift shops.</u>						P
<u>Grocery stores.</u>						P
<u>Hardware stores.</u>						P
<u>Jewelry stores.</u>						P
Lumberyards.	P	P		P		
<u>Newsstand.</u>						P
<u>Office supply store.</u>						P
<u>Pet shops.</u>						P
<u>Photographic and art supply stores.</u>						P
Retail sales and personal services, dealing primarily with employees in the zone, in accordance with section 59-C-5.23.	P		P	P	P	[p29]
Transitory use. ²⁵	P/SE	P/SE	P/SE	P/SE	P/SE	[P/SE]
<u>Variety and dry goods stores.</u>						P

	I-1	I-2	I-3	I-4	R&D	LSC[[]]
Wholesale trades limited to sale or rental of products intended for industrial or commercial users.	P		p ³⁶	P		
(e) Services.						
Ambulance or rescue squads, publicly supported.	P		P	P	P	[P] <u>P</u>
Animal boarding places. ¹¹	P			P		
Automobile filling stations. ²¹	SE	SE ¹⁴		SE		<u>SE</u>
Automobile repair and services.	P			P		<u>SE</u>
Automobile, truck and trailer rentals, outdoor.	P			P		
<u>Banks and financial institutions.</u>						<u>P</u>
<u>Barber or beauty shop.</u>						<u>P</u>
Chancery.	SE		p ²⁴			
<u>Charitable or philanthropic institutions</u>						<u>P</u>
Child day care facility. ²⁸						
-Family day care home.	P		P	P	P	[P] <u>P</u>
-Group day care home.	P		P	P	P	[P] <u>P</u>
-Child day care center.	P		P	P	P	[P] <u>P</u>
Clinics, medical or dental.	P		P	P	P	[P] <u>P</u>
Computer programming and software <u>sales and services</u> , including data banks and data retrieval.	P		P	P	P	<u>P</u>
Conference centers:						
-With lodging facilities.			SE		SE	<u>P</u>
-Without lodging facilities.			P		P	[P] <u>P</u>
Corporate, administrative or business offices for companies principally engaged in health services, research and development, or high technology industrial activities.					P	[P] <u>P</u>
Day care facility for senior adults and persons with disabilities.	P		P	P	P	[P] <u>P</u>
<u>Domiciliary care home for more than 16 residents.</u>						<u>P</u>
<u>Dry cleaning and laundry establishments, consisting of no more than 3,000 square feet of gross floor area.</u>						<u>P</u>
<u>Dry cleaning and laundry pick-up station.</u>						<u>P</u>
Duplicating service.	P		P	P	P	[p ²⁹] <u>P</u>
Educational institution, private.	p ³⁴					<u>P</u>
Fire station, publicly supported.	P		P	P	P	[P] <u>P</u>
General offices.	P	p ¹²	P	SE	p ¹³	[p ¹³] <u>P</u>
Highway fuel and food service.	SE					<u>SE</u>
<u>Home occupation, major.</u>						<u>SE</u>

	I-1	I-2	I-3	I-4	R&D	LSC[[*]]
<u>Home occupations, registered and no impact.</u>						<u>P</u>
Hospitals.	SE		SE	SE	SE	[P] <u>P</u>
Hospitals, veterinary, when in a soundproof building.	P			P		<u>P</u>
International organization, public.	SE		p24		p24	[P] <u>P</u>
Laboratories.	P		P	P	P	[P] <u>P</u>
Landscape contractor.	P					
<u>Laundromats, self-service.</u>						<u>P</u>
Meeting centers.	SE					
Nursing and care homes.						[P] <u>P</u>
Place of religious worship.	P		P	P	P	[P] <u>P</u>
Physical <u>and occupational</u> therapy facilities.						[P] <u>P</u>
Publicly owned or publicly operated uses.	P	P	P	P	P	[P] <u>P</u>
<u>Shoe repair shops.</u>						<u>P</u>
Storage, outdoor. ¹⁵	P	P		P		
Trade, artistic, or technical schools.	P		p19	P	p19	[p19] <u>P</u>
Universities and colleges providing teaching and research facilities.	p32		P		P	[P] <u>P</u>
Warehousing and storage services:						
-Industrial and commercial users.	P	P	p16	P		
-Self-storage facilities.	P			P		
(f) Cultural, entertainment and recreational.						
Art or cultural centers.			SE		SE	[SE] <u>P</u>
Health clubs.	P		P	P	P	[P] <u>P</u>
Libraries, scientific or technical.	P		P	P	P	[P] <u>P</u>
<u>Parks and playgrounds, publicly owned.</u>						<u>P</u>
Private clubs. ¹⁷	SE		SE	SE	SE	<u>P</u>
Recreational facilities primarily for the use of employees. ¹⁷	P	P	P	P	P	[p29] <u>P</u>
Recreational or entertainment establishments, commercial.	SE	SE		SE		<u>P</u>
Rifle or pistol ranges, indoor.	SE	SE		SE		
Service organizations.	SE			SE		<u>P</u>
Swimming pools, private.			p18			
(g) Resource production and extraction.						
Agricultural uses.	P	P		P		
Dairy products processing.	P			P		
Rock or stone quarries.		P				

	I-1	I-2	I-3	I-4	R&D	LSC[[*]]
Sand, gravel, or clay pits.		P				
Stockyards.	SE	SE				
(h) Miscellaneous uses.						
Accessory buildings and uses.	P	P	P	P	P	[P] <u>P</u>
Signs, in accordance with the provisions of article 59-F.	P	P	P	P	P	[P] <u>P</u>

25 * * *

26 ¹ In the I-1 and I-3 zones, [[On]] on a lot which is a part of or adjacent to an area of at least 50 acres
 27 which is zoned industrial or shown for industrial use on an approved and adopted master plan.

28 ¹⁰ When located in [[an industrially zoned area containing]] the I-1, I-2, I-3, I-4 and R&D zones, the
 29 use must be located in an area containing more than 10 acres of land. Such facilities may be
 30 freestanding, and may be located on an internal business district street, but shall not adjoin any street
 31 or highway which provides access to the industrial area.

32 ¹³ [[In the R&D and LSC zones, no]] No more than 50 percent of the gross floor area may be utilized
 33 for general office use.

34
 35 ¹⁷ When located in the I-1, I-2, I-3, I-4 and R&D zones, the use must [[Must]] not adjoin any street
 36 which provides the principal access to the principal use or uses served.

37 [²⁹ In accordance with Section 59-C-5.23; and also operated for the convenience of hospital and clinic
 38 users.]

39 ³³ A radio and television broadcasting station without a broadcast tower is a permitted use. In the
 40 LSC zone, a radio and television broadcast tower is a permitted use up to a height of 199 feet
 41 with a setback of one foot for every foot of height from all residential and agricultural zoned
 42 properties.

43 * If located on the site of a hospital.

44 * * *

45 [[* Allowable uses in the LSC Zone are listed in Section 59-C-5.211.]]

46

47 **[[59-C-5.211. Allowable uses in the LSC Zone.**

48 The following uses are permitted in the LSC Zone:

- 49 (1) health care services;
- 50 (2) domiciliary care homes;
- 51 (3) research, development, and related activities;
- 52 (4) Corporate, administrative, or business offices for companies principally engaged in health
53 services, research and development, or high technology industrial activities;
- 54 (5) private educational institutions;
- 55 (6) general offices limited to no more than 50% of the gross floor area of the buildings on a
56 lot or group of contiguous lots in common ownership and control at the time of
57 subdivision approval;
- 58 (7) conference centers;
- 59 (8) hotels, motels, and inns;
- 60 (9) dwelling and dormitories;
- 61 (10) housing and related facilities for senior adults or persons with disabilities;
- 62 (11) adult and child day care;
- 63 (12) food services, excluding drive-in restaurants;
- 64 (13) retail trade and personal services;
- 65 (14) cultural, entertainment, and recreation;
- 66 (15) communications facilities or structures;
- 67 (16) publicly owned or operated uses;
- 68 (17) transportation facilities or structures;
- 69 (18) utilities;
- 70 (19) accessory buildings and uses; and
- 71 (20) signs in accordance with the provisions of Article 59-F.]]

72 * * *

73 **59-C-5.23. Retail sales and personal services.**

74 In the I-1, I-2, I-3, I-4, and R&D zones, [Retail] retail sales and personal services operating
75 primarily for the convenience of employees [of Industrial zones] are permitted uses subject to the
76 following limitations:

- 77 (a) Such use must not be located in an industrially zoned area containing less than [ten] 10
78 contiguous acres of land classified in industrial zones.
- 79 (b) Such use must not occupy more than 5 percent of the total floor area of the buildings on a
80 lot or group of contiguous lots in common ownership and control at the time of
81 subdivision approval.
- 82 (c) Such use must not front on or abut any street with a right-of-way of 70 feet or more
83 unless the street is internal to the industrially zoned area. Such use, however, must not
84 front on or abut any street with an existing or master planned right-of-way of 100 feet or
85 more. All access to such use must be from interior streets within the industrially zoned
86 area.
- 87 (d) The display of a sign must [comply with the requirements established in] satisfy Article
88 59-F [of this chapter].
- 89 (e) In the I-3 and R&D zones, such use may be located within any building as [a] an
90 incidental use [in accordance with] under the following requirements:
- 91 (1) Such incidental use must not be located above the first floor;
- 92 (2) Such incidental use must satisfy [the requirements of] subsections (a), (b), and
93 (d)[,] above.

94 The provisions of this section shall not apply to any land or building lawfully existing,
95 under construction, or for which a building permit has been issued [prior to] before
96 August 19, 1987.

97 * * *

98 Sec. 59-C-5.3. Development standards.

	I-1	I-2	I-3	I-4	R&D	LSC
59-C-5.31 Building height.						
No building shall exceed the following height limits:						
(a) Normally:						
-In stories	3	5		3		
-In feet	42	70	100	42	50	[100]150 [12]
(b) In the I-1 zone, this height may be increased [in accordance with the requirements of section] under <u>Section 59-C-5.41.</u>						
59-C-5.32. Coverage limitations. (Percent of gross tract area)						
- <u>Minimum green [Green] area [shall be provided for not less than]</u>	10	10	35	20	30	[25]
- <u>Minimum public use space in the LSC zone; however, such space may be provided in part or entirely off-site on a separate lot or parcel in the same zone. A payment instead of all or some of the required public use space may be made at the time of site plan review, if approved under the applicable provisions of Section 59-D-2.31.</u>						20
-Off-street parking is not allowed to occupy more than			45 ¹			
59-C-5.321. Maximum density of development. ² The maximum density of development must not exceed the following floor area ratio which is to be based on and may be averaged over the gross tract area.					0.30	
In the I-3 and LSC zones, the maximum density of development must not exceed the following floor area ratio, based on gross tract area, which may be averaged over 2 or more lots created by the same subdivision plan if the density is recorded by covenant in the land records for all affected lots. When averaging is used for previously approved subdivision plans, the total development density must not exceed the density for which Facility approval was previously granted, unless a new Adequate Public Facility test is applied. In such situations, the shift of density must be recorded in the land records for all affected lots. [Adequate Public Facility approval was previously granted, unless a new Adequate Public Facility test is applied. In such situations, the shift of density must be recorded in the land records for all affected lots.]			0.50			[0.30]2.0 [***] *
<u>In the LSC Zone, if the property is under common ownership or control, the floor area ratio in one portion of the gross tract area of the property may exceed the maximum floor area ratio of the zone only if the floor area ratio for the total tract area does not exceed the maximum floor area ratio. The densities for all portions of the property must be shown in a covenant that is recorded in the land records and that covers the total tract area of the property. The Planning Board must determine compliance with the densities shown in the covenant when a site plan application is before it.</u>						
<u>In the LSC zone, 12.5% of any density above a floor area ratio of 0.50 must be supported through the purchase of a BLT easement under Section 59-C-5.473.</u>						
In the I-3 zone, the maximum density may be increased up to a maximum floor area ratio of 0.60, provided that the applicant for development obtains approval of a traffic mitigation agreement at the time of site plan review[,] that will result in traffic generation equal to or less than a project with a floor area ratio of 0.50.						

	I-1	I-2	I-3	I-4	R&D	LSC
[In the LSC zone, the maximum density may be increased to a maximum floor area ratio of 0.50 provided the applicant for development obtains approval of a traffic mitigation agreement in accordance with Section 59-C-5.475.]						
59-C-5.322. Requirement for landscape plan. In the R&D zone, the preliminary plan of subdivision must include a landscape plan and a plan for the preservation of natural features.						

99

100 1 In unusual circumstances, may be waived by the [planning board] Planning Board at the time of site plan approval
 101 upon a finding that a more compatible arrangement of uses would result.

102 * * *

103 [[* In approving height limits, the Planning Board must consider factors such as: the size of the lot or parcel; the
 104 relationship of existing and proposed buildings and structures to surrounding uses; and the need to preserve light and
 105 air for the occupants of the development and occupants of surrounding properties.]]

106 [[** In approving the densities, the Planning Board must consider the size of the parcel and the relationship of the
 107 existing and proposed buildings and structures to surrounding uses.]]

108 * Non-residential uses. In order to maintain an appropriate emphasis on the purpose of the
 109 LSC Zone, the following minimum percentage of the total non-residential gross floor area
 110 proposed in a concept plan, preliminary plan or a site plan is required:

111 Life sciences – For tracts under common ownership larger than 5 acres,
 112 the minimum percent of the gross floor area for Life Sciences uses is 30
 113 percent excluding (1) healthcare services, hospitals, hospice care facilities, life
 114 care facilities, nursing homes, medical clinics, physical therapy facilities,
 115 and occupational therapy facilities, or (2) universities and colleges providing
 116 teaching or research facilities;

117 General office – The maximum percent of gross floor area for general
 118 office uses must not exceed 50 percent of the proposed FAR.

119 Residential uses. The maximum residential density, excluding dormitories, must not exceed
 120 30 percent of the proposed FAR.

121
 122 * * *

123 **Sec. 59-C-5.4. Special regulations.**

124 * * *

125 **59-C-5.47. Special regulations LSC zone.**

126 **59-C-5.471. Purpose.** The primary purpose of the Life Sciences Center (LSC) Zone is to
127 promote research, academic, and clinical facilities that advance the life sciences, health care
128 services, and applied technologies. It is also the purpose of the LSC Zone to provide
129 opportunities for the development of uses that support a Life Sciences Center while retaining an
130 environment conducive to high technology research, development, and production.

131 [A life sciences center (LSC) is a major research and development park for facilities of
132 companies specializing in the life sciences and related fields, at a location as recommended in a
133 master or sector plan.]

134 [(a) The goals of an LSC are:

- 135 (1) To provide a unique reinforcing focus for the life sciences industry to promote the
136 successful expansion of the industry in Montgomery County;
- 137 (2) To expand the educational and research resources available for Montgomery
138 County residents, employers and work force; and
- 139 (3) A life sciences center may serve the health care needs of the region.]

140 [(b) It is the intent that LSC's be developed in a manner which makes a positive contribution
141 to the quality of life in the County. The facilities, landscaping and open space will create
142 an attractive setting and environment conducive to high technology research,
143 development, production and related uses. The purposes of the life sciences center zone
144 are as follows:

- 145 (1) To promote the development of life science research parks which reflect the
146 highest architectural and environmental standards; to preserve the confidence of
147 corporate users and the surrounding community that future development will be

148 of consistently high quality and to protect and enhance the economic and
149 environmental values of the life sciences center.

150 (2) To assure that all buildings are compatible with each other and with their
151 surroundings in terms of exterior design, massing and scale, and type and quality
152 of construction.

153 (3) To promote clustering of buildings to encourage and facilitate pedestrian use of
154 open space and common areas and shared facilities.

155 (4) To assure the provision of green areas and promote the use of green areas to
156 enhance the appearance of the facilities and the quality of the work environment.]

157 **59-C-5.472. Where applicable.** No land [shall] may be classified in the LSC zone, unless the
158 land is within an area for which there is an approved and adopted master or sector plan [which]
159 that recommends life sciences center development for the land [which] that is subject to the
160 application of the zone. Development under the LSC zone must be ~~[[substantially]]~~ consistent
161 with the recommendations of the applicable master or sector plan.

162 **[59-C-5.473. Development standards.**

163 (a) **Building setbacks.**

164 (1) Building setback from the rights-of-way of interior roads is 25 feet Building
165 setback from the rights-of-way of perimeter roads is 50 feet.

166 (2) Building setback from the right-of-way line at entry gateways is 50 feet.

167 (3) Building setback from an interior lot line is 20 feet.]

168 [(b) **Building height.** Maximum building height is 100 feet, except 125 feet in the health
169 services core of the Shady Grove Life Sciences Center as defined in the 1986 Shady
170 Grove Life Sciences Center Development Plan, as amended.]

- 171 [(c) **Building coverage.** Maximum building coverage is 25 percent of the lot area except that
172 increased coverage up to 50 percent may be approved when the applicant proposes to
173 construct structured or underground parking.]
- 174 [(d) **Floor area ratio.** The maximum floor area ratio may be increased to 0.50 if special trip
175 reduction is implemented in accordance with the guidelines in Section 59-C-5.475.]
- 176 [(e) **Green area.** The minimum green area on the site is 25 percent of the lot area. Roofs or
177 below grade parking may be counted as green space if developed for passive or
178 recreational use.]
- 179 [(f) **Parking setbacks.**
- 180 (1) Parking setback from rights-of-way is 50 feet.
- 181 (2) Parking setback from an interior lot line is 15 feet. Where internal connection
182 between adjacent parking lots is planned, total combined setback is eight (8) feet.
- 183 (3) In the Shady Grove Life Sciences Center, parking setback from the right-of-way
184 line of Blackwell Road and the curb line of access roadways and cul-de-sacs is 25
185 feet.]
- 186 [(g) **Parking design standards.**
- 187 (1) All parking areas must be effectively screened from adjacent roadways and
188 adjoining lots, through the use of berms, plantings, or the depression of parking
189 areas below surrounding grades.
- 190 (2) Parking areas should be broken up into lots of no more than 150 cars, the lots to
191 be separated by landscaped islands.
- 192 (3) The number of parking spaces provided, and the overall design and layout of
193 parking lots must be in accordance with Article 59-E.
- 194 (4) No access to any lot is allowed directly from perimeter roads.]
- 195 [(h) **Site design standards.**

- 196 (1) Buildings should be sited to provide primary visual orientation to the internal road
197 network. Care must be taken so that exposure to roads surrounding the life
198 sciences center do not detract from the overall appearance of the facility or the life
199 sciences center.
- 200 (2) Buildings should appear to be integrated into the natural terrain, avoiding
201 unnatural looking grading.
- 202 (3) Service areas should not detract from the design of the facility. All service areas
203 should be effectively screened from adjoining lots, pedestrian areas, and parking
204 lots by incorporating them into the building or by the use of walls, berms, level
205 changes and landscaping.
- 206 (4) In the Shady Grove Life Sciences Center, pedestrian paths or sidewalks must be
207 provided in accordance with the 1986 Shady Grove Life Sciences Center
208 Development Plan, as amended.]

209 **[(i) Building design standards.**

- 210 (1) All sides of the building are to be built with finish materials.
- 211 (2) Recommended finish materials include:
- 212 (A) Architectural masonry units (excluding standard concrete and cinder
213 block);
- 214 (B) Natural stone;
- 215 (C) Precast concrete
- 216 (D) Aluminum and architectural metals
- 217 (E) Porcelain covered metal panels; and
- 218 (F) Glass
- 219 (3) Mechanical equipment should be located within the building or within a
220 mechanical equipment penthouse. If mechanical equipment is located on the roof

221 or is free-standing on the site, it must be effectively screened from view by means
222 fully compatible with the architecture. Mechanical equipment must be screened
223 from view from all roads and immediately adjacent structures (existing or future)
224 four stories in height or less. Required flues or vents must be compatible in
225 design with the architecture and preferably incorporated into that design.

226 (4) Outdoor storage must not be permitted except when effectively screened within a
227 court or a wall made of substantial materials compatible with those of the building
228 skin.

229 (5) All trash containers, transformers, meters, telephone junction boxes etc., must be
230 integrated architecturally or effectively screened with screen walls and/or
231 landscaping materials. Locations must be compatible with building and site
232 design.

233 (6) No temporary structures may be constructed or trailers located within the LSC
234 except for those approved by the Director to service a construction project and
235 only for the duration of the construction.]

236 **[(j) Site lighting standards.**

237 (1) Site lighting must be provided to maintain a minimum level of illumination within
238 the parking areas (ft. candle minimum maintained).

239 (2) Maximum pole heights for drives and parking lots must be approximately 24 feet
240 with “cut off” type luminaries. Poles and luminaries must be compatible with
241 established lighting in the existing core area.

242 (3) Lighting bollards must be used adjacent to pedestrian walk areas. The design
243 must be compatible with architectural materials.]

244 **[59-C-5.474. Landscaping guidelines.**

- 245 (a) Landscaping should be an integral part of the building design and should provide
246 effective screening and shade.
- 247 (b) Every effort should be made to avoid formality in plantings except as it may be integral
248 to an architectural concept. Emphasis should be placed on the natural grouping of groves
249 of trees and every opportunity should be taken to emphasize or take advantage of natural
250 terrain features.]
- 251 [(c) Plants should be restricted to those with low maintenance requirements and which have
252 already proven themselves hardy and easily cared for in this area.]
- 253 [(d) To ensure year-round interest and beauty, a skeletal planting of evergreen trees and major
254 shrubs of seasonal interest should be used in each project so that the design does not
255 disintegrate at leaf-fall.]
- 256 [(e) Native flowering trees should be planted in groves placed near areas of pedestrian use.
257 Whenever possible, larger specimens should be selected in order to create an immediate
258 effect at major points in the design. Smaller plantings may be used in peripheral areas.]
- 259 **[59-C-5.475. Special trip reduction guidelines.** Where the approved subdivision plan of the
260 life sciences center allows a development density exceeding 0.3 FAR, it is the intent of the
261 special trip reduction guidelines to achieve as a goal a reduction in auto trips for projects of 10
262 percent below the peak hour trip generation rates adopted by the Planning Board for the
263 administration of the Adequate Public Facilities Ordinance. To help achieve the trip reduction
264 goal, design measures should be incorporated in the project to meet trip reduction objectives
265 established in this section, as well as non-design measures for the purpose of reducing
266 dependence on single-occupant automobiles. The Planning Board may establish a schedule for
267 achieving the goal and time periods during which the trip reduction measures will be in effect.
268 Any or all of the following trip reduction guidelines or other measures proposed by an applicant

269 are to be considered as appropriate on a case-by-case basis taking into consideration specific
270 circumstances of the project.]

271 [(a) **Design guidelines.**

272 (1) Buildings clustered near internal streets to minimize walking distance to available
273 transit and to promote an attractive, active and safe pedestrian-oriented
274 streetscape, to accommodate bus service, carpooling and vanpooling within a
275 project.

276 (2) An uninterrupted pedestrian circulation system linking the various uses within a
277 project . The pedestrian system should provide convenient connections to transit
278 service and employee convenience services to reduce dependence on single-
279 occupant automobiles and to promote an active streetscape.

280 (3) If convenience services are provided, space on the ground floor of a building for
281 such services to reduce the need for private vehicle trips during the day.]

282 [(b) **Non-design guidelines.**

283 (1) Trip reduction programs such as limiting off-street parking after consideration of
284 market demand, flex time, the provision of or participation in share-a-ride
285 programs, transit/vanpool fare discounts, bus shelters, emergency ride-home
286 programs, reserved HOV spaces, or other acceptable measures that may be
287 proposed; provided that a limitation on off-street parking below the applicable
288 standards of Article 59-E shall not be required in order to achieve trip reduction
289 goals.

290 (2) Development phased in accordance with public or private transit availability.]

291 [(c) **Implementation.**

292 (1) The Planning Board may establish a schedule for achieving the requirements and
293 time periods during which the trip reduction measures will be in effect. The

294 Planning Board may also require the applicant to enter into an agreement
 295 providing for the monitoring, enforcement, and other terms of the trip reduction
 296 program. Provision must be made in the agreement to allow for the inclusion of a
 297 maximum cost for the implementation of substitute components of the trip
 298 reduction measures in the event initial components do not achieve the
 299 requirements.

300 (2) Results of on-site trip reduction programs implemented by the applicant to satisfy
 301 other traffic mitigation conditions of development approvals may be credited
 302 toward achieving the trip reduction requirement. All traffic mitigation
 303 requirements otherwise applicable remain in effect. The Planning Board may
 304 phase implementation of some or all of the trip reduction in accordance with the
 305 build-out of the project and/or availability of transit so that the measures are
 306 feasible and effective, except the Planning Board must not defer such
 307 implementation for more than 10 years from the issuance of any use-and-
 308 occupancy permit for a building in the project.]

310 **59-C-5.473. Special regulations for use of a Building Lot Termination (BLT) Development Right.**

311 Except for:

312 residential development subject to the requirement of workforce housing under Section 59-C-

313 5.474(b); [[and]]

314 except for health care services; and

315 Life Science uses to the extent that such uses exceed a FAR of .5:

316 (a) 12.5 percent of any floor area above an FAR of 0.50 must be supported through the purchase by
 317 the applicant of a BLT easement or through a contribution to the Agricultural Land Preservation
 318 Fund, under Chapter 2B, for purchase of a BLT easement on real property to preserve

319 agricultural land in the County. One buildable RDT zoned lot must be extinguished for each
320 9,000 square feet of residential space, or for each 7,500 square feet of non-residential space.

321 (b) If the applicant for development under the LSC zone cannot purchase an easement, or if the
322 amount of density to be attributed to BLT easement is a fraction of the applicable floor area
323 equivalent, the Planning Board must require the applicant to pay the Agricultural Land
324 Preservation Fund an amount set annually by Executive Regulation.

325 **59-C-5.474 MPDUs and Workforce Housing.**

326 (a) **Moderately Priced Dwelling Units.** If residential uses are included in a development,
327 Moderately Priced Dwelling Units must be provided under Chapter 25A. The maximum
328 residential FAR may be increased in proportion to any MPDU bonus density units provided on-
329 site.

330 (b) **Workforce Housing.**

331 (1) Notwithstanding Section 59-A-6.18 and Chapter 25B, this zone requires that any site plan
332 containing residential units at a density of 20 dwelling units per acre or higher, or
333 containing 100 dwelling units or more, include an amount of workforce housing units that
334 is not less than 5 percent of the total number of proposed market rate dwellings, not
335 including any MPDUs or resulting bonus density units, or dwelling units excluded under
336 Chapter 25B.

337 (2) To allow the construction of all workforce housing units on site, the Planning Board must
338 permit:

339 (A) any residential density or residential FAR limit of the applicable zone to be
340 exceeded to the extent required for the number of workforce housing units that are
341 constructed, but not by more than 5 percent;

342 (B) any residential density or residential FAR limit established in a master or sector
343 plan to be exceeded to the extent required for the number of workforce housing

344 units that are constructed, but not more than the maximum density and FAR of the
345 zone, except as provided in paragraph (2)(A); and

346 (C) any building height limit established in a master or sector plan to be exceeded to
347 the extent required for the number of workforce housing units that are
348 constructed, but not more than the maximum height of the zone.

349 **59-C-5.475** **Parking.** Off-street parking must satisfy Article 59-E.

350 **59-C-5.476.** **Procedure for application and approval.**

351 (a) [The procedure for site plan approval in the LSC zone is set forth in] Site plan approval in
352 the LSC Zone must satisfy Division 59-D-3. The site plan must be [[substantially]]
353 consistent with the recommendations of the applicable master or sector plan including
354 general design principles recommended by the applicable master or sector plan and design
355 guidelines adopted by the Planning Board to implement the applicable master or sector plan.
356 [[In addition to the site plan submission requirements,]] As part of its site plan, the applicant
357 must submit for approval comprehensive design standards that address building types, and
358 facades, [[and architecture,]] except when the site plan is proposed for amendment through a
359 limited plan amendment, a consent agenda amendment, or a Director level amendment. [[
360 Site plans also must be substantially consistent with the general design principles
361 recommended by the applicable master or sector plan and design guidelines adopted by the
362 Planning Board to implement the applicable master or sector plan.]]

363 (b) For site plan or subdivision plan approvals before {Effective Date}, [The] the following
364 regulations apply [in the LSC zone]:

365 (1) In the Shady Grove Life Sciences Center, except as provided below, an applicant for site
366 plan or subdivision plan approval must comply with the requirements of the Amended
367 and Restated Declaration of Covenants and Easements dated March 9, 1990 and recorded
368 May 25, 1990 in Liber 9332 at folio 591, or as the Declaration may be later amended, that
369 governs the development of the Shady Grove Life Sciences Center. Any project that
370 receives site plan or subdivision plan approval on property identified as University Sites

371 in the 1995 Shady Grove Life Sciences Center Development Plan is not required to
372 comply with the Declaration.

373 (2) Properties within the Shady Grove Life Sciences Center, except as provided below, are
374 subject to the provisions of:

375 A. an approved subdivision plan which may restrict the maximum density allowed,
376 and

377 B. the 1986 Shady Grove Life Sciences Center Development Plan, as amended. This
378 subparagraph does not apply to any project on the property identified as the
379 University Sites in the 1995 Shady Grove Life Sciences Development Plan. Any
380 application of the 1986 Shady Grove Life Sciences Center Development Plan to
381 such University Sites arises by private agreement only.

382 (3) Any proposed development shown on a site plan or plan of development approved prior
383 to June 11, 1996 may be constructed in accordance with the approved plan, regardless of
384 whether said development is built in one or more phases. Such development is not
385 subject to the provisions of Section 59-G-4.1 and 59-G-4.25, and may be continued,
386 repaired, reconstructed, or structurally altered in accordance with the approved site plan
387 or plan of development. In cases where detailed review of subsequent phases of an
388 approved plan is anticipated, such reviews will continue to be required under the
389 provisions of Division 59-D-3.

390 **59-C-5.477. Existing approved buildings, building permits, or uses.**

391 (a) Any existing building or structure for which a lawful building permit was issued, and any lawful
392 use which was instituted on property within the Shady Grove Life Sciences Center and subject to
393 the provisions of the 1986 Shady Grove Life Sciences Center Development Plan, as amended,
394 prior to a sectional zoning map amendment approved on June 11, 1996, where such lot was
395 rezoned to the life sciences center zone by sectional or local map amendment, will not be

396 regarded as a non-conforming use. Such building or use may be structurally altered, replaced, or
 397 repaired, or may be changed in conformance with the requirements of the previous lease
 398 agreement or memorandum of understanding with the County entered into prior to June 30,
 399 1984, so long as it remains an otherwise lawful use. Properties which are subject to a lease
 400 agreement or memorandum of understanding with the County entered into prior to June 30, 1984
 401 may be developed [in accordance with] under agreements and procedures applicable prior to
 402 June 11, 1996. Any lawful uses or development which were approved in a plan of development
 403 approved by the District Council may be instituted on the Shady Grove Life Sciences Center
 404 properties.

405 (b) Construction underway in the Shady Grove Life Sciences Center [pursuant to] under a building
 406 permit validly issued and existing at the time of reclassification to the [life sciences center] Life
 407 Sciences Center zone [shall be] are permitted, and buildings and structures so constructed [shall]
 408 must not be considered nonconforming.

409 (c) Any lawful structure, building, or use that existed for which a building permit was issued before
 410 the date the LSC zone was applied to the property is a conforming structure or use and may be
 411 continued, structurally altered, repaired, renovated, or enlarged up to 10 percent of the gross
 412 building floor area. However, any enlargement of the building that is more than 10 percent of
 413 the gross floor area, or construction of a new building, must comply with the new standards of
 414 the LSC zone.

415 (d) Any preliminary plan or site plan approved before the date the LSC zone was applied to the
 416 property remains valid, and construction may proceed subject to applicable approvals. A
 417 preliminary plan approved before the date the LSC zone was applied to the property may be
 418 amended under the standards of the previous zone or under the LSC zone standards.

419 **59-C-5.478. Definitions.**

420 In the Life Sciences Center zone, the following words and phrases have the meanings indicated:

421 **High technology:** Activities that require scientific equipment, advanced engineering techniques, or
 422 computers; it includes electronics, information technology, optics, nanotechnology, robotics, renewable
 423 energy development, telecommunications, and biomedical research.

424 **Life Sciences - Research, development and manufacturing activities concerning one or**
 425 more of the following scientific fields: biology, biophysics, biochemistry, bioelectronics,
 426 biotechnology, biomedical engineering, bioinformatics, medicine, immunology,
 427 embryology, clinical engineering, diagnostics, therapeutics, nutraceuticals,
 428 pharmacogenomics, drug production, genetic testing or gene therapy activities; related
 429 activities and supporting services, such as administrative offices, educational facilities,
 430 libraries and data services, of a business organization or government agency engaged in
 431 such scientific fields, including nanotechnology, informational technology, and robotics,
 432 are also included.

433 **[[Cultural, entertainment, and recreation:** Establishments that operate facilities or provide services to
 434 meet cultural, entertainment, and recreational interests of their patrons. Such establishments include
 435 art/cultural centers, health clubs, libraries, private clubs, and theaters.]]

436 **[[Communications facilities or structures:** Facilities or structures that support or facilitate
 437 communications by radio, television, or telephone. Such facilities or structures include amateur radio
 438 facility, cable communications system, radio and television broadcasting studio, radio and television
 439 stations, telephone office or communications center, and rooftop mounted antennas and related
 440 equipment.]]

441 **[[Food services:** Establishments that prepare meals, snacks, and beverages for human consumption.
 442 Such establishments include restaurants, cafes, and coffee shops.

443 **[[Health care services:** Establishments providing health care by trained professionals. These
 444 establishments include hospitals, hospice care facilities, life care facilities, nursing homes, medical
 445 clinics, physical therapy facilities, and occupational therapy facilities.]]

446 **[[Personal services:** Establishments that provide services to individuals, households, and businesses.
 447 These establishments include self-service laundromats, dry cleaning and laundry establishments of no
 448 more than 3,000 square feet of gross floor area, dry cleaning and laundry pick-up stations, beauty and

449 barber shops, shoe repair, photo studios and photo finishing services, data services, appliance repair
450 shops, duplicating services, tailor or dress making shops, and pet grooming services.]]
451 [[Retail trade: Establishments engaged in selling merchandise to the general public and services
452 incidental to the sale of merchandise. These establishments include grocery stores, pharmacies,
453 automobile filling stations, electronic and appliance stores, office supply stores, computer and software
454 stores, hardware stores, and clothing stores.]]
455 [[Transportation facilities or structures: Facilities or structures that support or facilitate transportation
456 of people. Such facilities or structures include bus terminals, bus stops, transit stations, transit stops,
457 taxi stands, heliports, helistops, and off-street parking of motor vehicles, in connection with any use
458 permitted.]]
459 [[Utilities: Buildings and structures that provide services such as telephone, electric power, natural gas,
460 water, and sewage removal.]]

461

462 **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the date of Council adoption.

463

464 This is a correct copy of Council action.

465

466

467 _____
Linda Lauer, Clerk of the Council