



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #11
4/10/03

DATE: April 4, 2003
TO: Montgomery County Planning Board
FROM: Greg Russ, Zoning Coordinator *GR*
REVIEW TYPE: Zoning Text Amendment
PURPOSE: To permit a laboratory use in the C-O zone, under certain circumstances.

TEXT AMENDMENT: No. 03-05
REVIEW BASIS: Advisory to the County Council sitting as the District Council, Chapter 59 of the Zoning Ordinance
INTRODUCED BY: Councilmembers Denis and Knapp
INTRODUCED DATE: March 11, 2003

PLANNING BOARD REVIEW: April 10, 2003
PUBLIC HEARING: April 22, 2003; 11:00 a.m.

STAFF RECOMMENDATION: APPROVAL

PURPOSE OF THE TEXT AMENDMENT

To allow a laboratory use in the C-O zone, under certain circumstances.

BACKGROUND

The proposed zoning text amendment was sponsored by the County Council to provide an opportunity for U.S. Pharmacopeia (USP) to expand its corporate headquarters located at Fishers Lane and Twinbrook Parkway, to include an analytical chemistry laboratory in conjunction with research, development and related activities. Currently research, development and related activities are permitted uses in the C-O zone with a footnote not to include manufacturing, mixing, fermentation or treatment of resultant products for marketing purposes. Laboratories are not currently permitted in the C-O Zone.

- USP is a non-government organization, founded in 1820, that promotes the public health by establishing state-of-the-art standards to ensure the quality of medicines and other health care technologies. These standards are developed by a unique process of

public involvement (including approximately 650 elected scientists and practitioners who comprise USP's scientific decision-making body) and are accepted worldwide. USP establishes standards in written format for more than 4,000 prescription drugs, dietary supplements, medical devices and other products. In addition to standards development, USP's other public health programs focus on promoting optimal health care delivery including a dietary supplement verification program, health care information and patient safety.

ANALYSIS

The proposed text amendment would add a second footnote to the permitted use of the research, development and related activities category in the C-O Zone. The proposed footnote is as follows:

- * *An analytical chemistry laboratory that establishes precise standards for the manufacture of pharmaceuticals is permitted in conjunction with research, development and related activities in the C-O zone.*

Definition: Research and Development

Research and development is defined as follows:

Research, development and related activities: Study, research and experimentation in one or more scientific fields such as biomedical research, communications, chemistry, computer science, electronics, medicine and physics. Research and development also includes 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.

Staff has no objection to the inclusion of the proposed footnote to allow a chemistry laboratory in conjunction with research and development uses in the C-O Zone since the use appears consistent with the permitted uses as stated within the research and development definition and would therefore be compatible with existing research and development uses permitted in the C-O Zone.

Master and Sector Plan Conformance

The Community-Based Planning Division reports that the proposed text amendment would not affect the goals and objectives of any master and sectors plans.

RECOMMENDATION

The staff supports the proposed text amendment to allow a laboratory use in the C-O zone in conjunction with research, development and related activities. This amendment can be accomplished through the proposed language in Attachment 1.

GR

Attachments

1. Proposed Text Amendment 03-05
2. Memorandum to Greg Russ from Community-Based Planning Division

ATTACHMENT 1

Zoning Text Amendment No: 03-05
Concerning: Laboratory use in C-O zone
Draft No. & Date: 1 – 2/24/03
Introduced: March 11, 2003
Public Hearing: April 22, 2003; 11:00 a.m.
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: Councilmembers Denis and Knapp

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- permitting a laboratory use in the C-O zone, under certain circumstances.

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

DIVISION 59-C-4 "COMMERCIAL ZONES"
Section 59-C-4.2 "Land uses"

*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:

Sec. 1. Division 59-C-4 is amended as follows:

DIVISION 59-C-4. COMMERCIAL ZONES.

* * *

59-C-4.2. Land uses.

* * *

	C-T	O-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
(e) Services:												
* * *												
Research, development and related activities.		P ⁴⁷	P ^{30,*}	P ³⁰								
* * *												

* * *

30 Not to include manufacturing, mixing, fermentation or treatment of resultant products for marketing purposes. The assembly, packaging and servicing of resultant products is allowed provided that such activities do not occupy more than 30 percent of the gross floor area of the building(s) on the lot or parcel.

* An analytical chemistry laboratory that establishes precise standards for the manufacture of pharmaceuticals is permitted in conjunction with research, development and related activities in the C-O zone.

Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

April 2, 2003

MEMORANDUM

TO: Greg Russ, Development Review Division
 VIA: John Carter, Chief *JC*
 Community-Based Planning Division
 FROM: Kristin O'Connor *KB* B-CC/North Bethesda Planner
 Community-Based Planning Division
 SUBJECT: ZTA 03-05, Laboratory in the C-O Zone
 MASTER PLAN: North Bethesda/Garrett Park Master Plan (1992)

The following ZTA would allow an analytical chemistry laboratory in the C-O zone. Under the ZTA, an analytical chemistry laboratory would be allowed only if related to research and development activities, that are now permitted in the C-O zone.

The Master Plan confirms the C-O zoning for the U.S. Pharmacopoeia building site at the northwest corner of Fishers Lane and Twinbrook Parkway.

The proposed biotechnology uses are compatible with the existing and proposed development in the ~~C-O zone~~. Staff supports approval of the ZTA.

Twinbrook area.