



**Westbard Sector Plan Sectional Map Amendment**

---

Date: 9-08-16

JM John Marcolin, Planner/Coordinator, [john.marcolin@montgomeryplanning.org](mailto:john.marcolin@montgomeryplanning.org), 301 495-4547

RK Robert Kronenberg, Chief, Area 1, [Robert.kronenberg@montgomeryplanning.org](mailto:Robert.kronenberg@montgomeryplanning.org), 301 495-2187

 Michael Brown, Supervisor, Area 1, [Michael.brown@montgomeryplanning.org](mailto:Michael.brown@montgomeryplanning.org), 301 495-4566

Completed 08/29/16

**Recommendation**

Transmittal of comments recommending approval of Sectional Map Amendment (SMA) H-116 implementing the recommendations of the Approved and Adopted Westbard Sector Plan and implement several corrective amendments.

**Summary**

This proposed SMA will implement the Westbard Sector Plan's zoning recommendations. The Plan seeks to update existing parking lots and strip shopping centers with mixed use development while providing the community with the much needed amenities of parks, trails and open spaces.

**Background**

On May 3, 2016, the District Council approved the Westbard Sector Plan, by Resolution 18-471. On June 15, 2016, the Maryland-National Capital Park and Planning Commission adopted the approved plan, by Resolution 16-07. On July 21, 2016, the Planning Board filed SMA H-116 to implement the recommendation of the approved and adopted Westbard Sector Plan.

The Westbard Sector Plan area encompasses approximately 181 acres and is bounded by Massachusetts Avenue to the south, Little Falls Parkway to the east, Dorset Avenue to the north and the residential neighborhood of Springfield to the west.

**Proposed Sectional Map Amendment**

The Westbard Sector Plan's vision is to improve the quality of life by increasing walkability, providing a mix of retail choices, naturalizing Willett Branch and making it a

community amenity, improving connections to mass transit and providing more affordable housing choices. This SMA will reclassify approximately forty-eight acres, and reconfirms approximately 118 acres of existing zoning. Thirty-seven of those acres are a change from a single use to the CRT mixed use zone in order to support the Sector Plan recommendations to encourage reinvestment, promote mixed use development, add much needed public parks and green space and enhance connectivity.

The County’s 2014 Zoning Ordinance specifies that certain zones (contained in Article 59-8), are to be phased out and replaced when master plans that contain these zones are updates. In the Westbard Sector Plan, these zones include the PD zones and the RT zones. The Sector Plan recommends 16 zoning changes to replace existing zones which covers approximately 48 acres. The proposed amendments to the Zoning Map include changes as outlined in the summary table below:

**Summarized Change Index**

<b>Change No.</b>	<b>Existing Zone</b>	<b>Proposed Zone</b>	<b>Total Changes (in acres)</b>
1	RT-12.5	TMD	4.68
2	R-60, EOF-1.5 H-45	CRT-2.5 C-0.25 R-2.5 H-35	1.98
3	EOF-1.5 H-45	CRT-2.5 C-0.5 R-2.5 H-110	4.24
4	RT-15.0	THD	1.83
5	NR-0.75 H-45'	CRT-2.0 C-0.75 R-1.25 H-60	8.01
6	R-60	CRT-2.0 C-0.75 R-1.25 H-60	3.29
7	R-10	CRT-2.5 C-0.5 R-2.0 H-75	1.44
8	R-10	CRT-3.0 C-0.5 R-3.0 H-165	2.6
9	CRT-0.75 C-0.75 R-0.25 H-45	CRT-2.5 C-0.5 R-2.0 H-110	2.47
10	RT-12.5	TMD	0.45
11	R-60	CRT-1.0 C-0.25 R-1.0 H-45	2.12
12	CRT-0.75 C-0.75 R-0.25 H-35	CRT-1.5 C-0.5 R-1.5 H-75	2.25
13	EOF-1.5 H-45	CRT-3.0 C-3.0 R-3.0 H-90	0.55
14	RT-8.0	TLD	0.86
15*	RT-8.0	CRT-0.75 C-0.75, R-0.5 H-40	0.05
16	PD-28	CRT-4.75 C-0.75 R-4.75 H-100	1
17	PD-28	CRT-0.5 C-0.5 R-0.5 H-55	10.05
		<b>Total Changed Acres</b>	<b>47.87</b>

\* Zoning line Adjustment

There are no pending local map amendments within the boundaries of the Westbard Sector Plan.

### **Split Zoning**

In accordance with the Zoning Ordinance, zoning lines are generally drawn to property lines. Property lines change over time through the subdivision process. Changes in property boundaries occur more often than the changes to the zoning maps, which can occur only through District Council action. The Planning Department is responsible for maintaining the zoning maps, and generally uses the State Tax Assessor's property maps as the base on which to draw zoning boundaries, unless a property is intentionally split-zoned during a rezoning process. One such case exists with changes No. 2 and 3 where the property is split zoned between proposed zone CRT-2.5 C-0.25 R-2.5 H-35 and proposed zone CRT-2.5 C-0.5 R-2.5 H-110. See Attachment B-8 for the metes and bounds. A future public road is proposed to occur along this split zone. In order to avoid a potential Corrective Map Amendment in the future, Planning Staff has worked with the property owner to establish a straight line running east to west that will accommodate the future public road between the two zones.

### **Corrective Map Amendments**

A Corrective Map Amendment process allows for correction of inadvertent omissions and mistakes without impacting the original intent of the rezoning actions. Per Section 7.2.3, the Zoning Ordinance also allows the SMA process to incorporate Corrective Map Amendments or zoning adjustments as part of an SMA application.

Some property boundary changes may create situations where zoning boundaries are not coterminous with the property boundaries even if it was not the intent of the original zoning action to split zone these properties. This can occur with the creation of new roads or the realignment of an existing road(s) which results in the relocation of property line boundaries and the increase or decrease in parcel sizes. A "correction" of the zoning boundaries is appropriate to eliminate any complications in the implementation of the zoning controls without negatively impacting the intended, current and proposed use of the property.

Additional mapping errors may occur in a couple of different ways, including incorrect interpretation of parcel lines during the application of a local map or sectional map amendment. These areas may lie inside the master or sector plan boundaries, or they may be outside of master plan boundaries.

#### Corrective Map Amendment, Change # 15, (Attachment 3)

Staff has identified a technical mapping error because of a misinterpretation of parcel lines

during the application of G-368 on Block A, Parcel V. This correction (Change No. 15) involves a parcel line between an RT- 8.0 zone and the CRT zone that was not drawn along the existing parcel line. This application corrects this error.

### **Potential Corrective Map Amendment, Changes**

The Sector Plan has recommended the re-alignment of Westbard Avenue to tie directly to River Road with a right-angled intersection, instead of teeing into Ridgefield Road. This reconfiguration would create Westbard Avenue extended that would connect directly with River Road. The residential portion of Westbard Avenue between River Road and Ridgefield Road would be renamed to distinguish it from Westbard Avenue extended. This residential section of Westbard Avenue (re-named) would tee into Westbard Avenue extended and Ridgefield Road would be reconfigured to tee into this residential section of Westbard Avenue (re-named).

These potential re-alignments would result in the reconfiguring of all the property boundaries that front onto re-aligned Westbard Avenue and Ridgefield Road. The parcels affected by these boundary changes would change the zoning map for these parcels. If this proposed realignment discussed above occurs, the new public R-O-W and abutting properties will have to be re-platted and would necessitate a Corrective Map Amendment (CMA). Upon such action, the CMA should closely follow the zoning changes, as illustrated in Figure 1 on the next page. In such a CMA additional area adjacent to Parcel A at the northwest intersection of Westbard Avenue extended and the Ridgefield Road would maintain the CRT-1.0 C-0.25 R-1.0 H-45 zone. The area adjacent to Block D, lot 23 at the southwest intersection of Westbard Avenue extended and the Ridgefield Road would maintain the existing R-60 zone. The area adjacent to Parcel A-4 on the west side of Westbard Avenue extended would maintain the CRT-2.0 C-0.75 R-1.25 H-60 zone. The zoning on Block H, Lot 3 on the east side of Westbard Avenue extended would maintain the CRT-1.5 C-0.5 R-1.5 H-75 zone.

### **Conclusion**

Staff requests the Planning Board recommends approval of the proposed Sectional map amendment in order to implement the zoning recommendations of the 2016 Westbard Sector Plan and implement the corrections describe above. The SMA documents can be viewed at <http://mcatlas.org/sma/westbard2016>

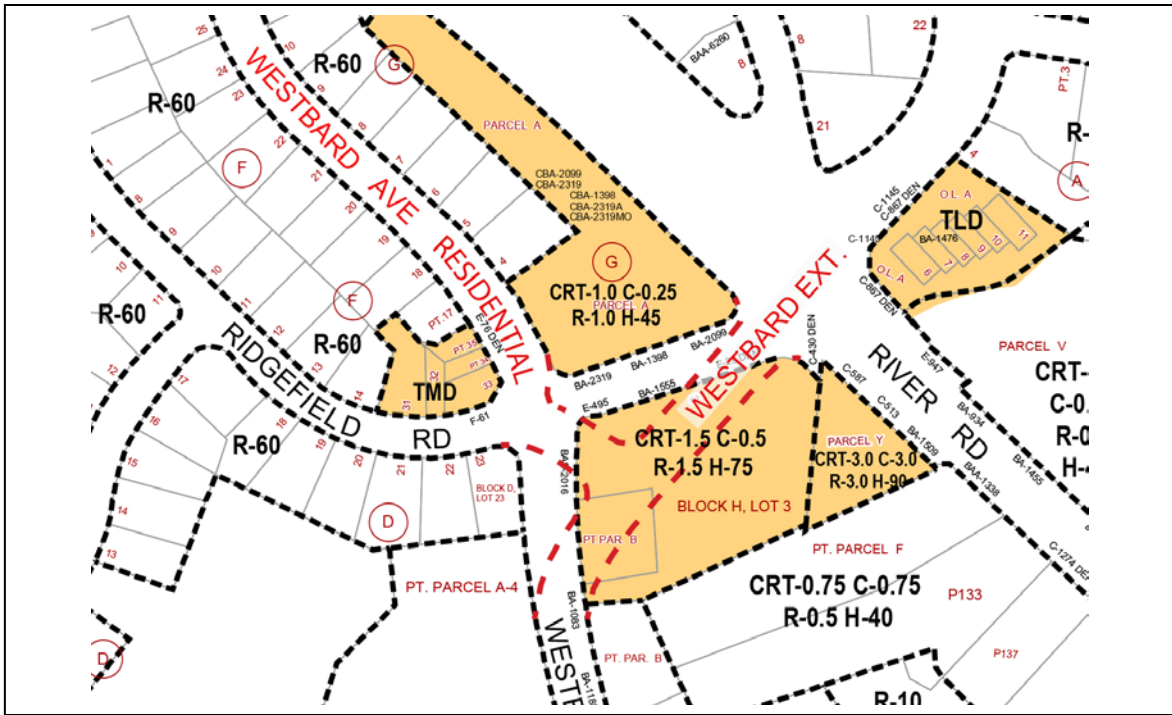


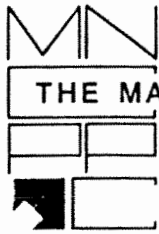
Figure 1

**Attachments:**

A. M-NCPPC Draft Resolution No. 16-07

B-1 through B-8. Sectional Map Amendment for Westbard Sector Plan Area Map and Individual Map Changes

# ATTACHMENT A



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

MCPB NO. 16-048

M-NCPPC NO. 16-07

## RESOLUTION

WHEREAS, under the Maryland Land Use Article, The Maryland-National Capital Park and Planning Commission is authorized to make, adopt, amend, extend and add to the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*; and

WHEREAS, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission held a duly advertised public hearing on Thursday, September 24, 2015, on the Public Hearing Draft *Westbard Sector Plan*, being also an amendment to the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*, as amended; *Bethesda Chevy Chase Master Plan*, as amended; *the Master Plan of Highways and Transitways* within Montgomery County, as amended and *the Countywide Bikeways Functional Master Plan*; and the *Legacy Open Space Functional Master Plan* as amended; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on December 17, 2015, approved the Planning Board Draft *Westbard Sector Plan*, recommended that it be approved by the District Council, and on December 21, 2015, forwarded it the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft *Westbard Sector Plan* and forwarded those recommendations and analysis to the District Council on March 11, 2016, and

WHEREAS, the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on February 2 and February 4, 2016, wherein testimony was received concerning the Planning Board Draft *Westbard Sector Plan*; and

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date 5/24/16

WHEREAS, the District Council, on May 3, 2016, approved the Planning Board Draft *Westbard Sector Plan* subject to the modifications and revisions set for the in Resolution No. 18-471

WHEREAS, the Montgomery County Planning Board; on May 26, 2016, recommended that The Maryland National Capital Park and Planning Commission adopt the *Westbard Sector Plan* as approved by the District Council.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and the Maryland-National Capital Park and Planning Commission do hereby adopt the said *Westbard Sector Plan*, together with the *General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*, as amended; *Bethesda-Chevy Chase Master Plan*, as amended; *the Master Plan of Highways*, as amended and *the Countywide Bikeways Functional Master Plan*, as amended, and as approved by the District Council in the attached Resolution No. 18-471 and

BE IF FURTHER RESOLVED, that copies of said Amendment must be certified by the Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

\*\*\*\*\*

**CERTIFICATION**

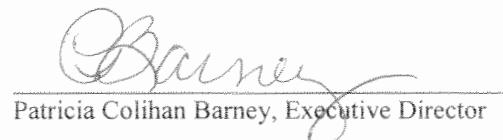
This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Fani-González, with Chair Anderson and Commissioners Presley and Fani-González voting in favor, and Vice Chair Wells-Harley and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, May 26, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair  
Montgomery County Planning Board

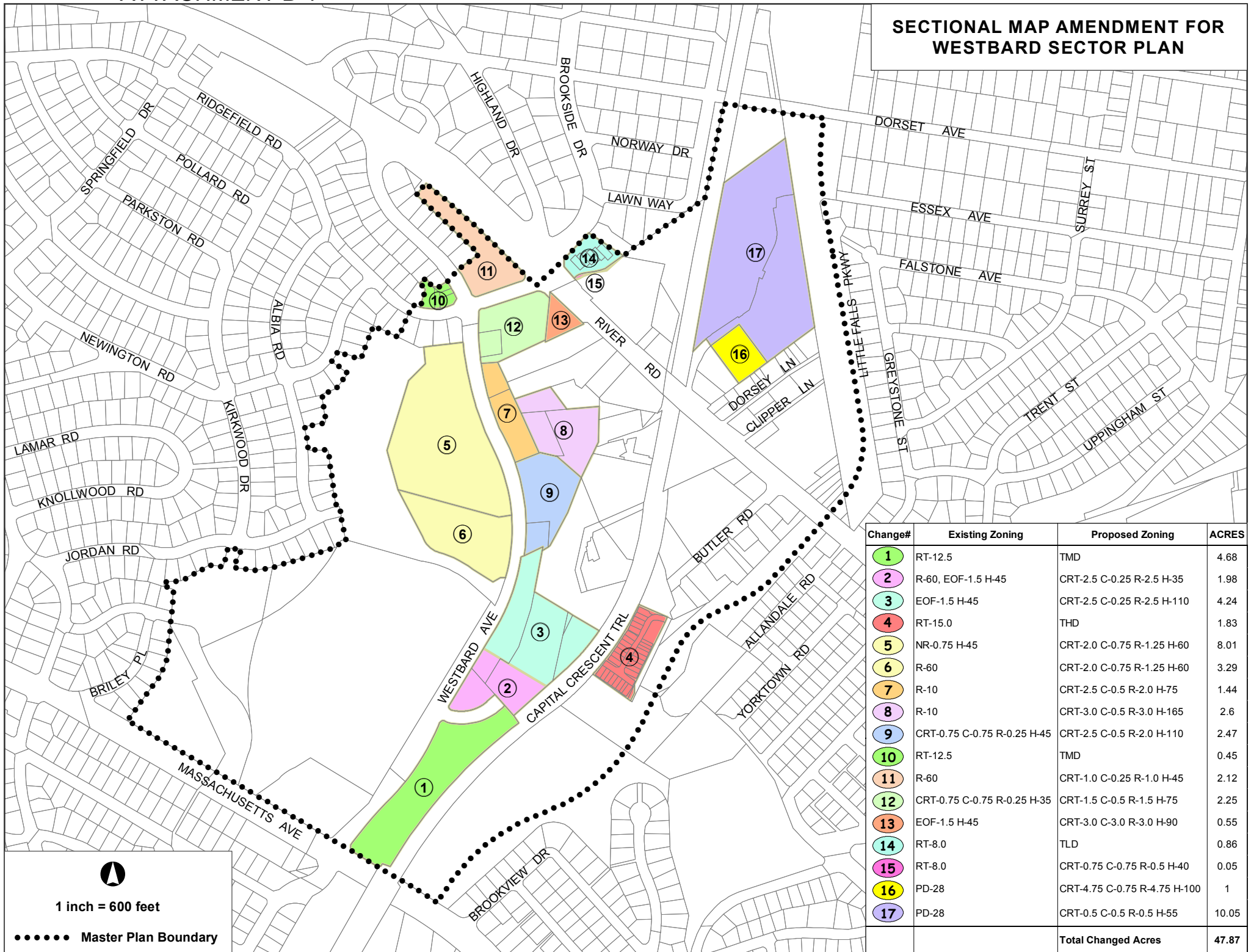
CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 16-07, adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Hewlett, seconded by Commissioner Geraldo, with Commissioners Anderson, Bailey, Dreyfuss, Fani-Gonzalez, and Wells-Harley, voting in favor of the motion, and Commissioners Presley, Shoaff, and Washington being absent from the meeting held on June 15, 2016, in the Parks and Recreation Auditorium in Riverdale, Maryland.



Patricia Colihan Barney, Executive Director

**SECTIONAL MAP AMENDMENT FOR WESTBARD SECTOR PLAN**



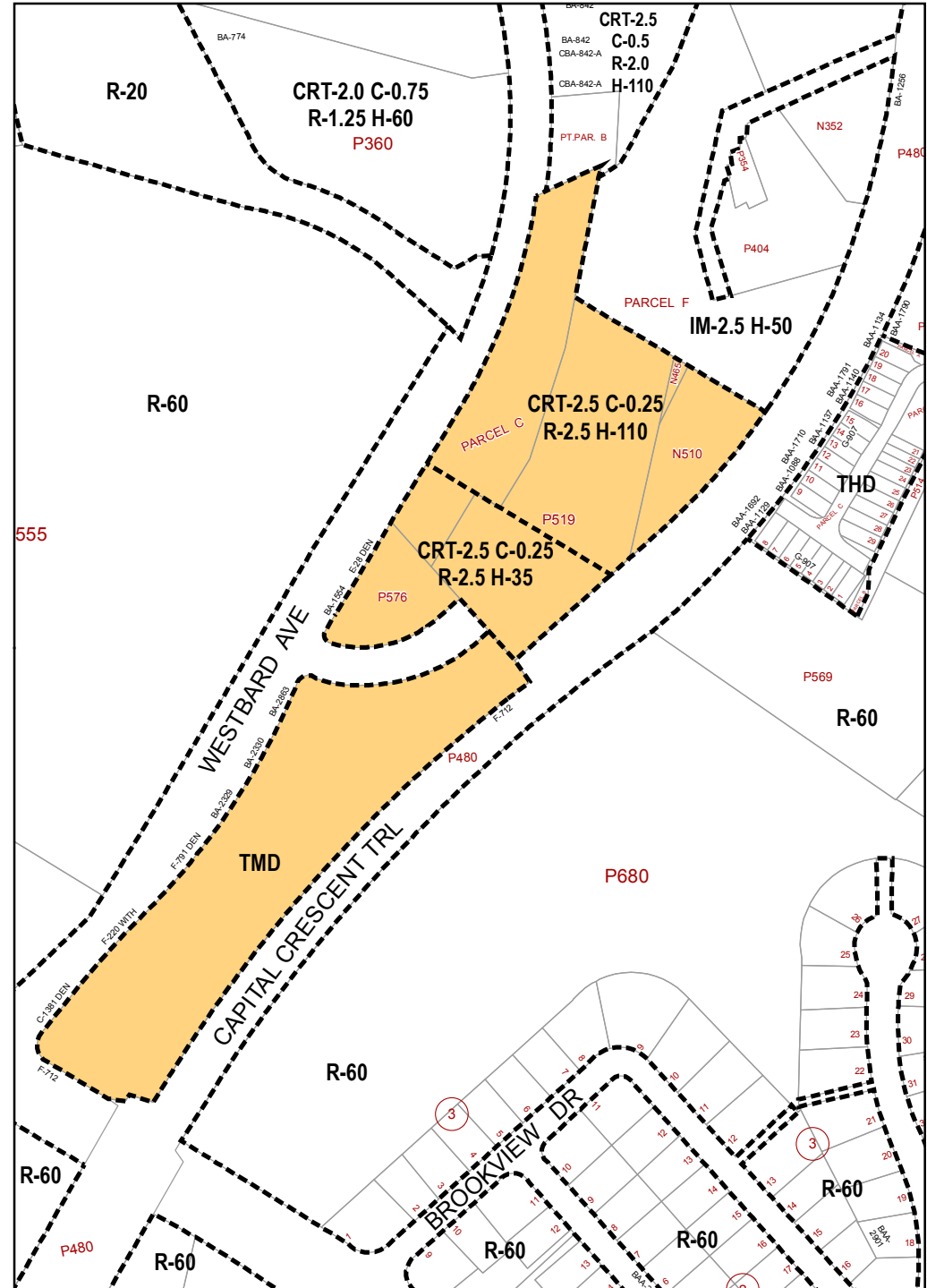
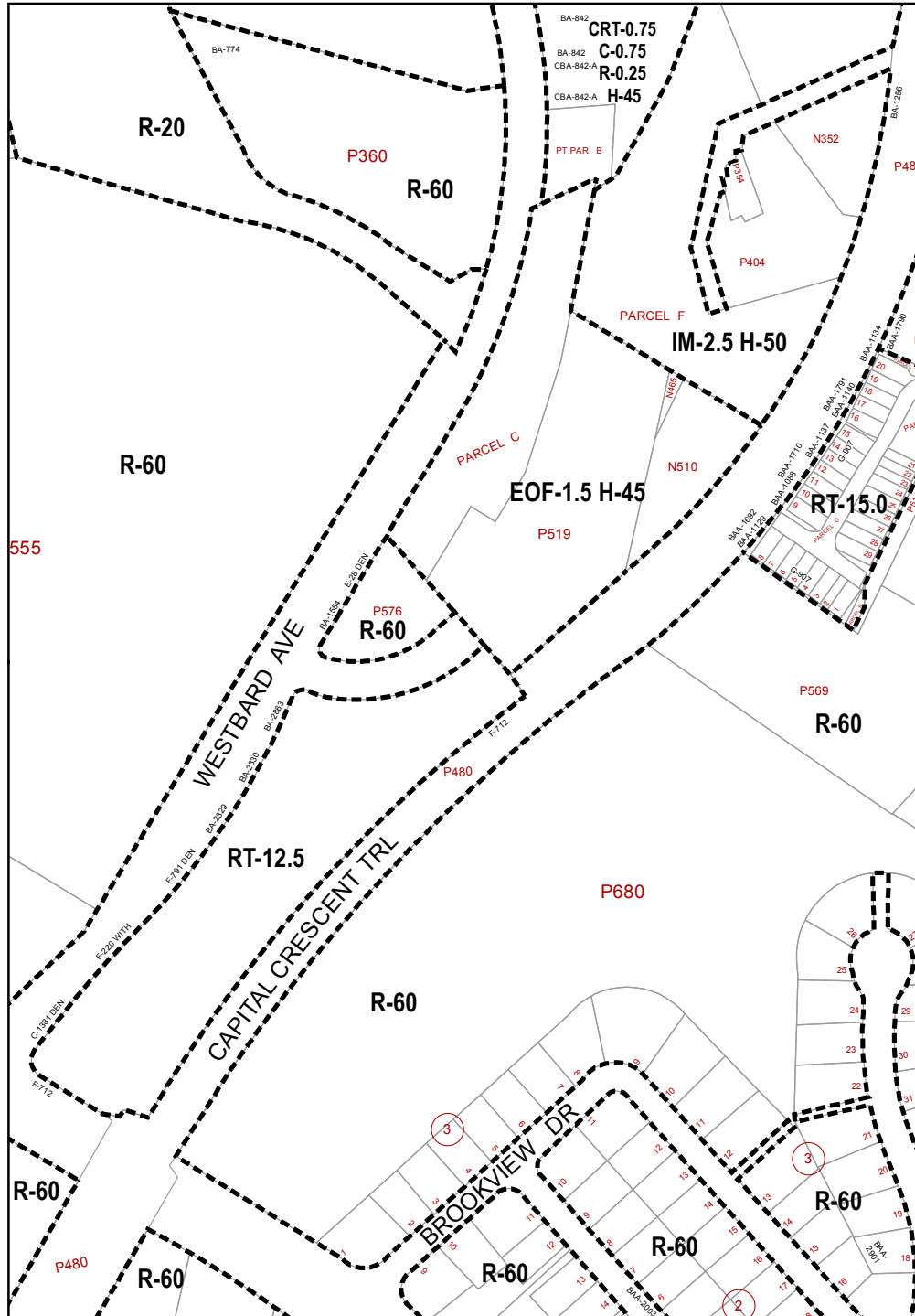
Change#	Existing Zoning	Proposed Zoning	ACRES
1	RT-12.5	TMD	4.68
2	R-60, EOF-1.5 H-45	CRT-2.5 C-0.25 R-2.5 H-35	1.98
3	EOF-1.5 H-45	CRT-2.5 C-0.25 R-2.5 H-110	4.24
4	RT-15.0	THD	1.83
5	NR-0.75 H-45	CRT-2.0 C-0.75 R-1.25 H-60	8.01
6	R-60	CRT-2.0 C-0.75 R-1.25 H-60	3.29
7	R-10	CRT-2.5 C-0.5 R-2.0 H-75	1.44
8	R-10	CRT-3.0 C-0.5 R-3.0 H-165	2.6
9	CRT-0.75 C-0.75 R-0.25 H-45	CRT-2.5 C-0.5 R-2.0 H-110	2.47
10	RT-12.5	TMD	0.45
11	R-60	CRT-1.0 C-0.25 R-1.0 H-45	2.12
12	CRT-0.75 C-0.75 R-0.25 H-35	CRT-1.5 C-0.5 R-1.5 H-75	2.25
13	EOF-1.5 H-45	CRT-3.0 C-3.0 R-3.0 H-90	0.55
14	RT-8.0	TLD	0.86
15	RT-8.0	CRT-0.75 C-0.75 R-0.5 H-40	0.05
16	PD-28	CRT-4.75 C-0.75 R-4.75 H-100	1
17	PD-28	CRT-0.5 C-0.5 R-0.5 H-55	10.05
<b>Total Changed Acres</b>			<b>47.87</b>



Existing Zoning

ATTACHMENT B-2

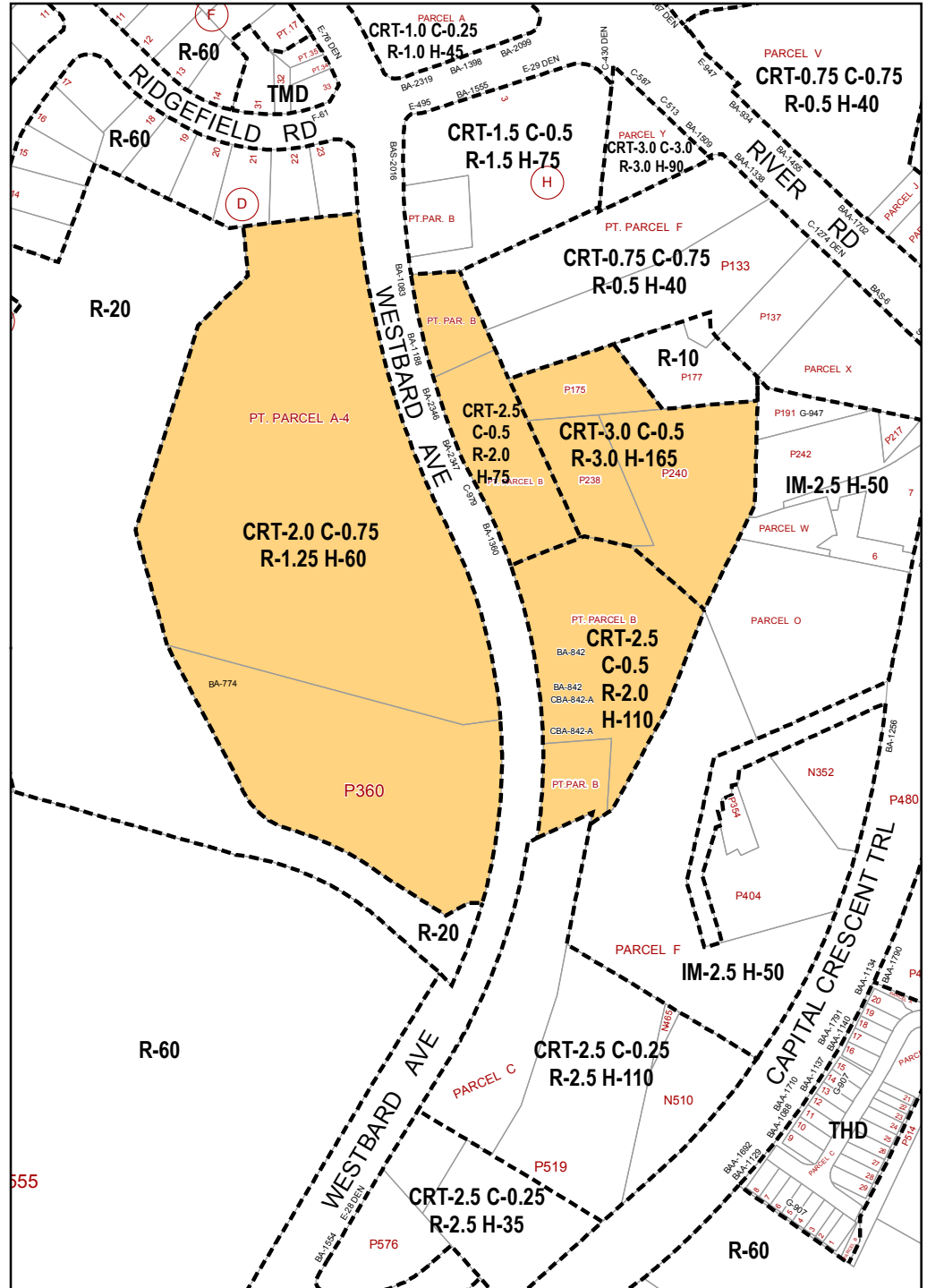
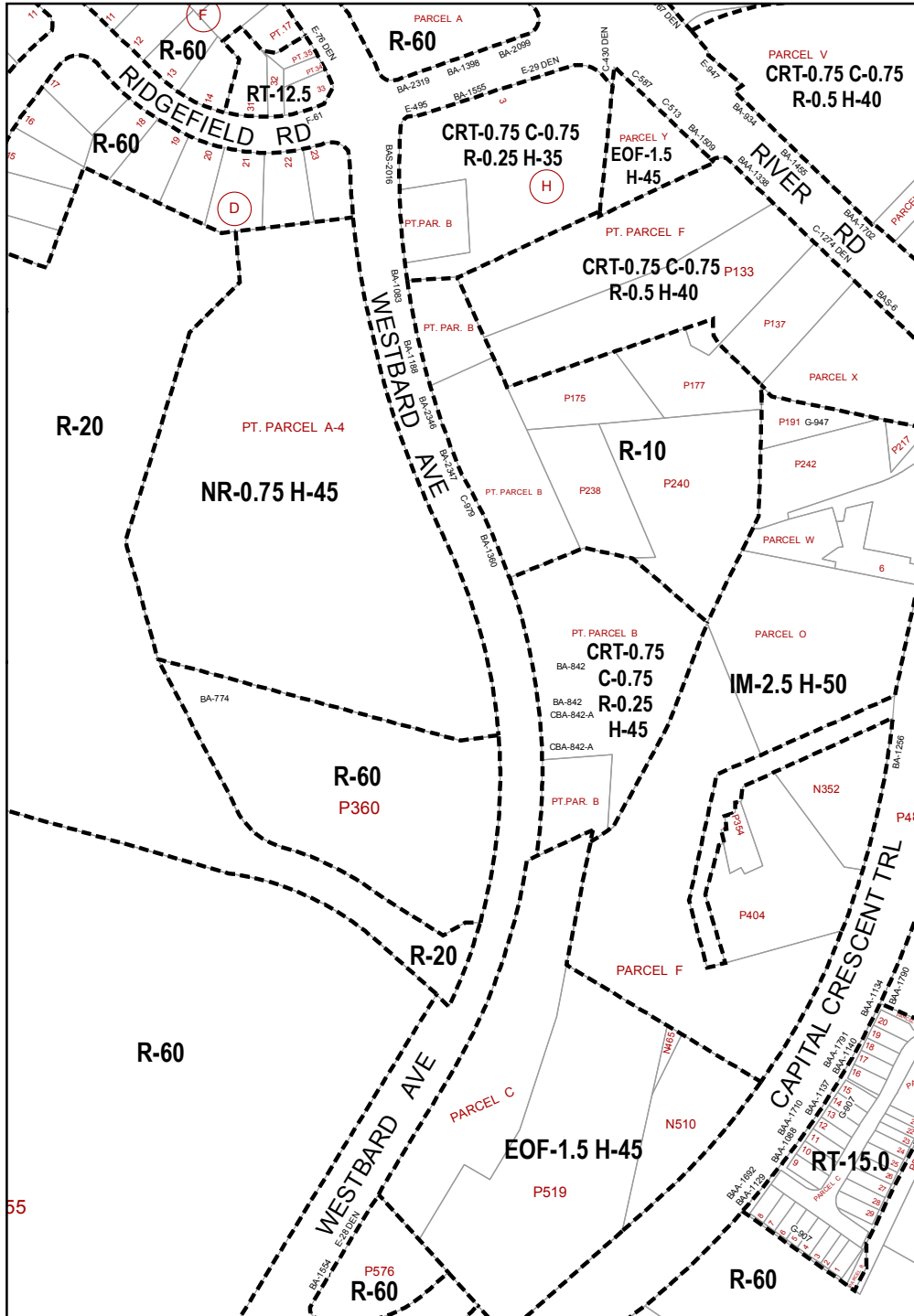
Proposed Zoning



# Existing Zoning

# ATTACHMENT B-3

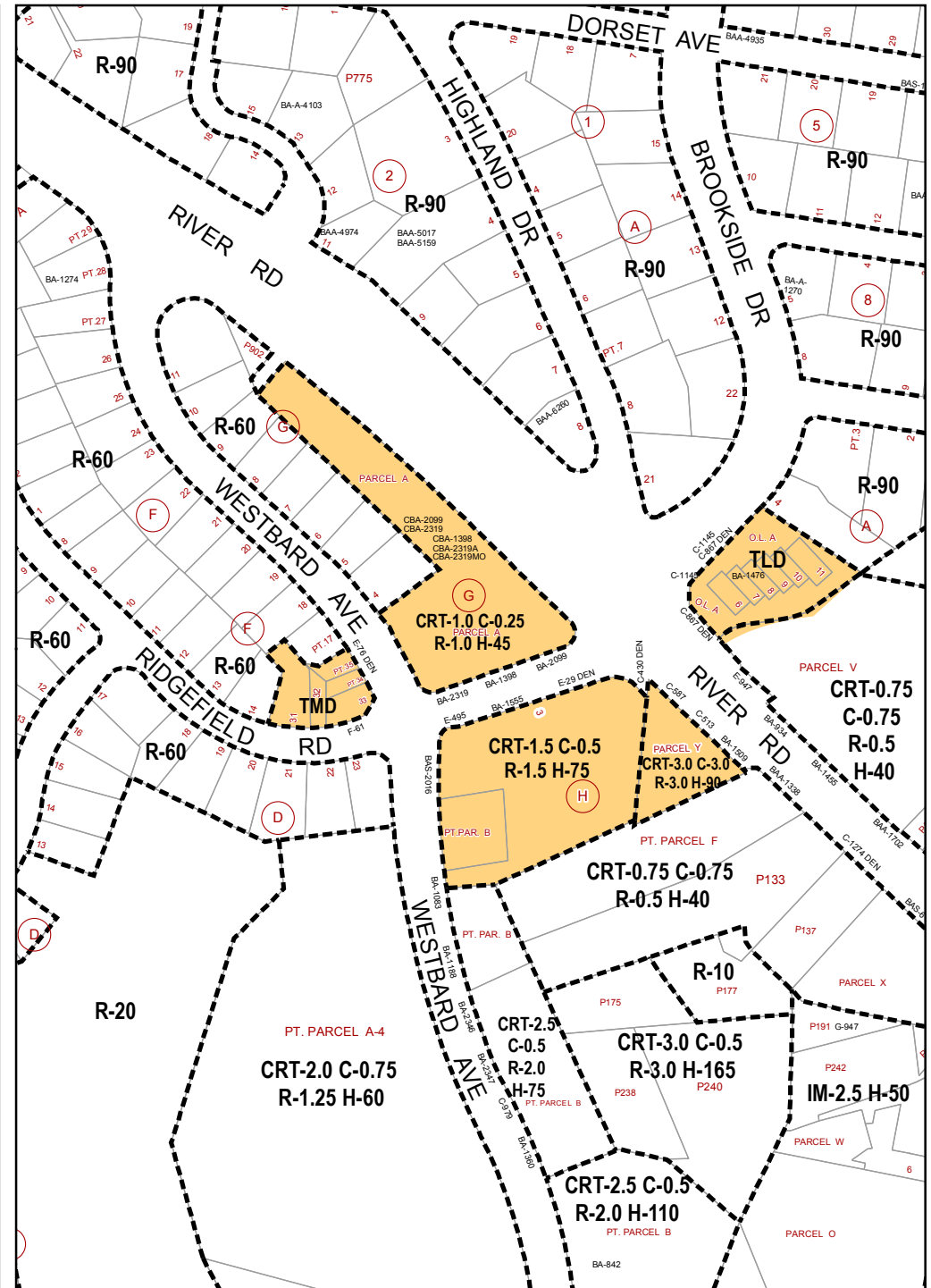
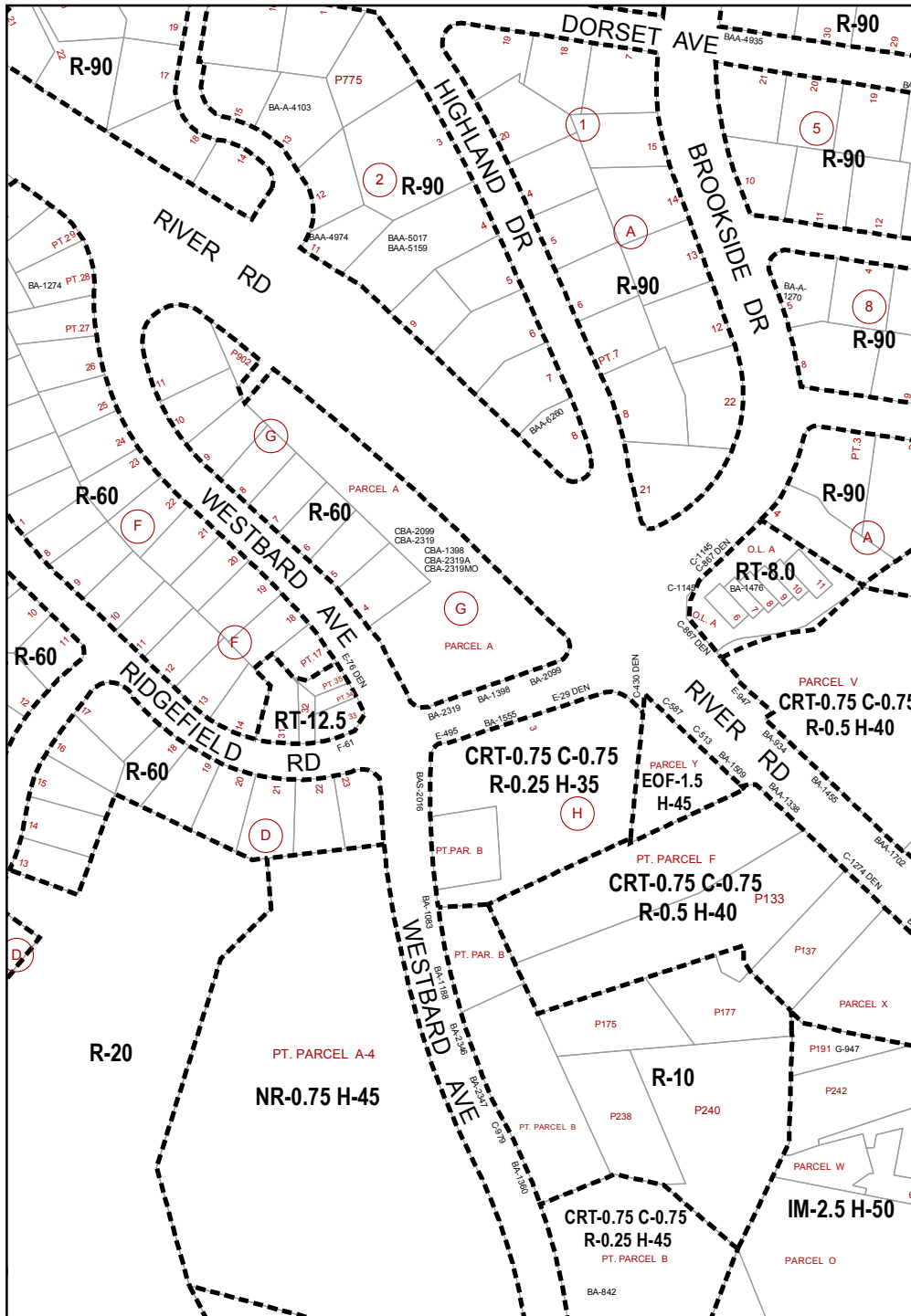
# Proposed Zoning



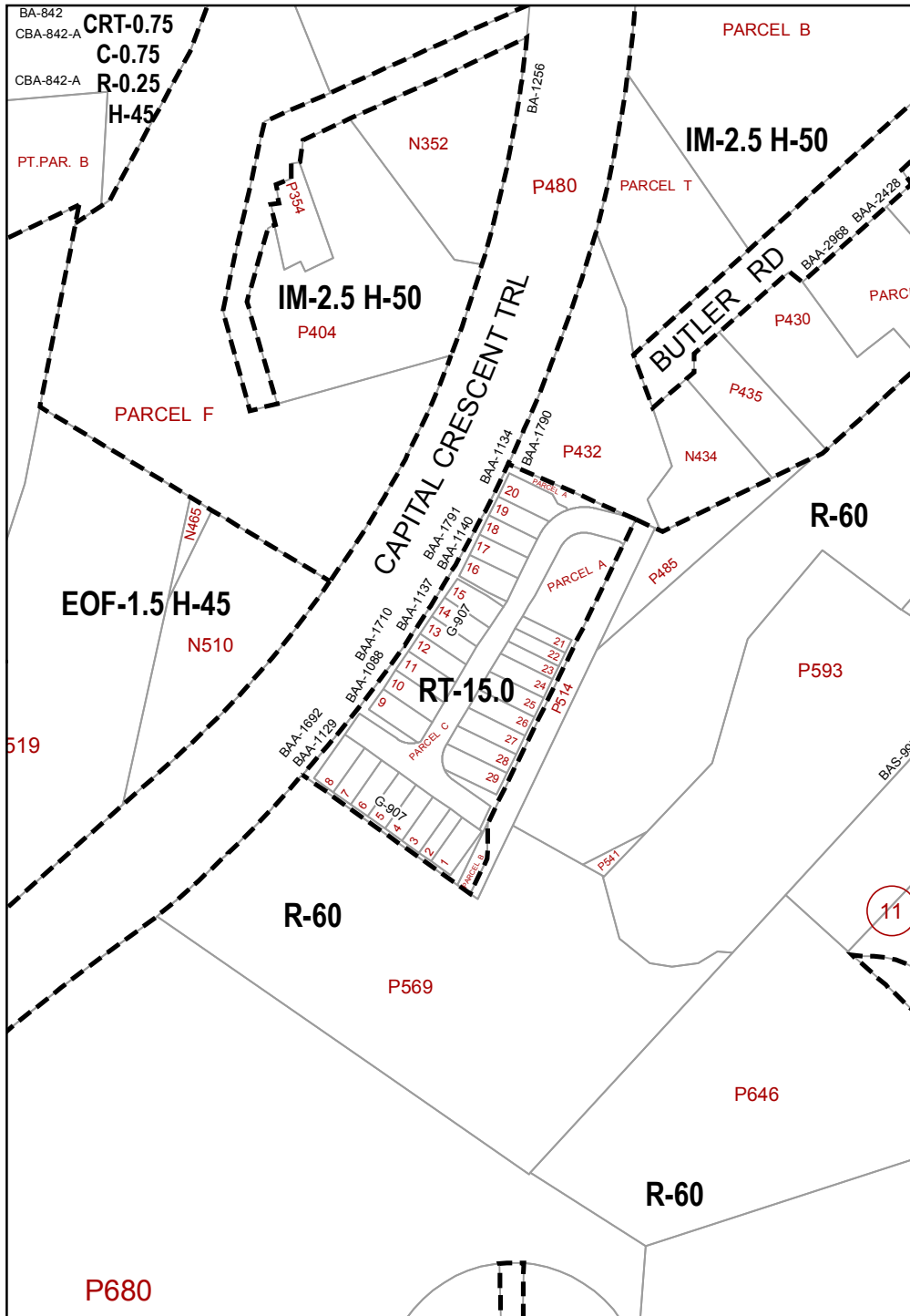
# Existing Zoning

## ATTACHMENT B-4

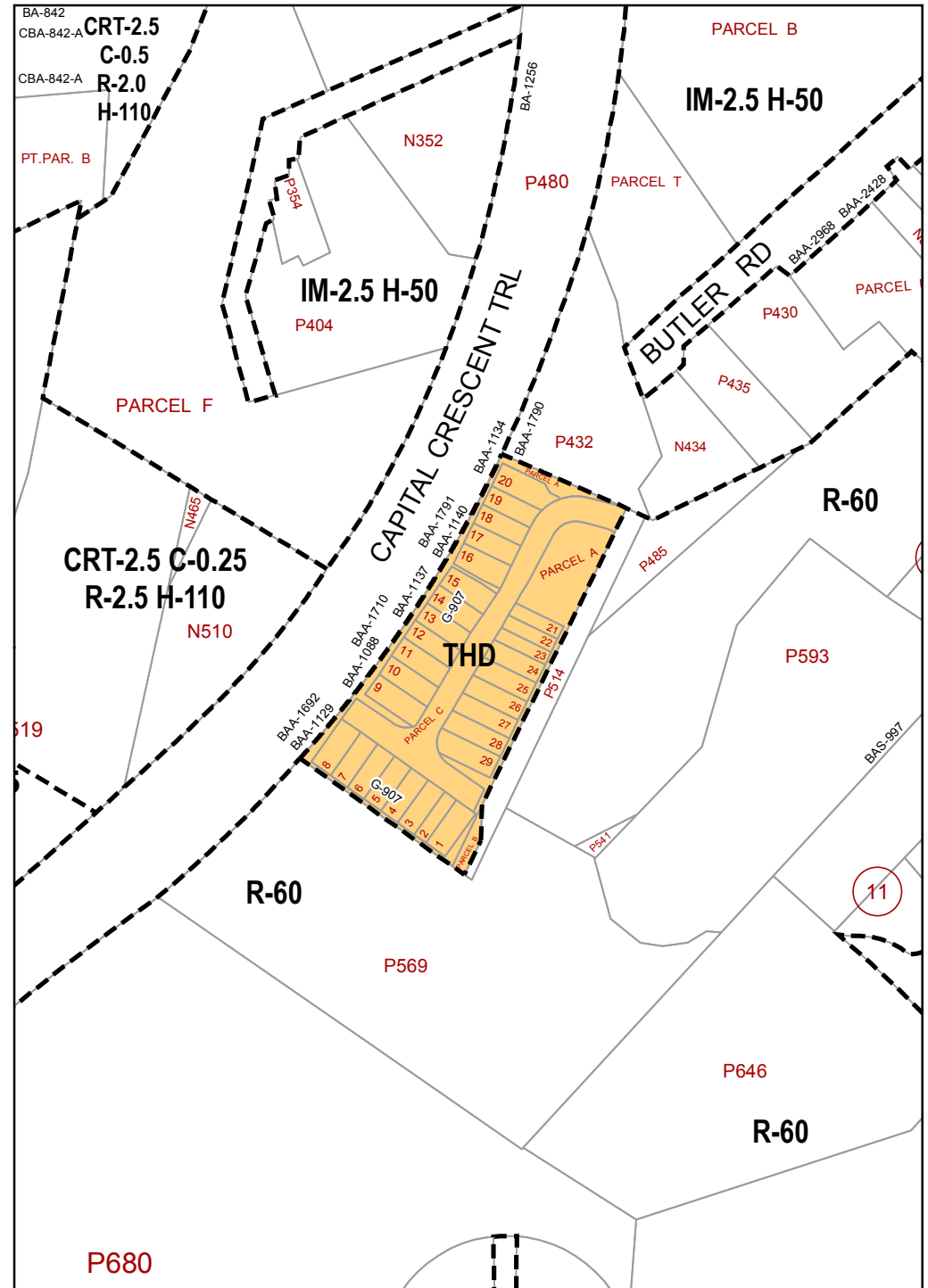
# Proposed Zoning



# Existing Zoning ATTACHMENT B-5



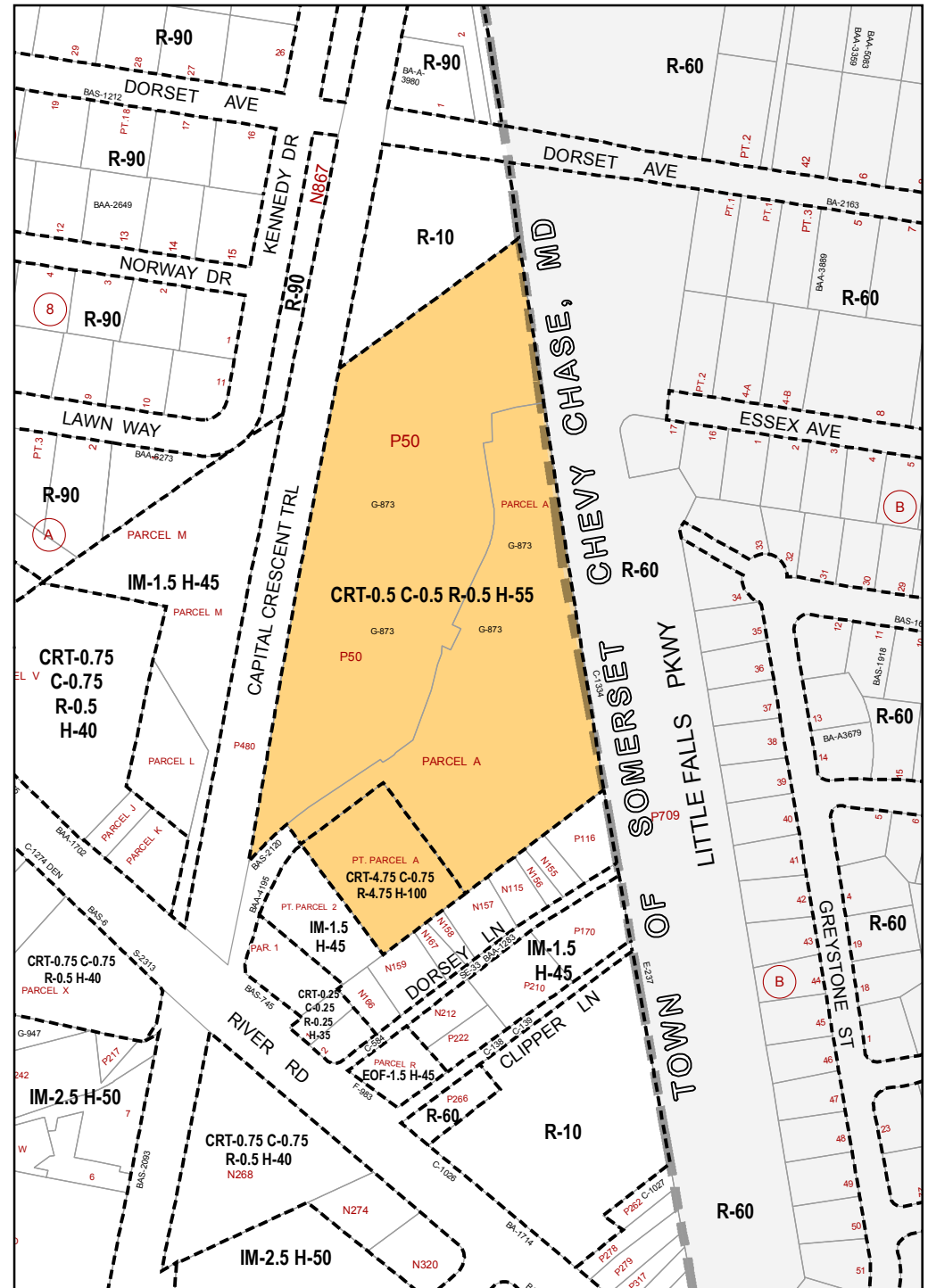
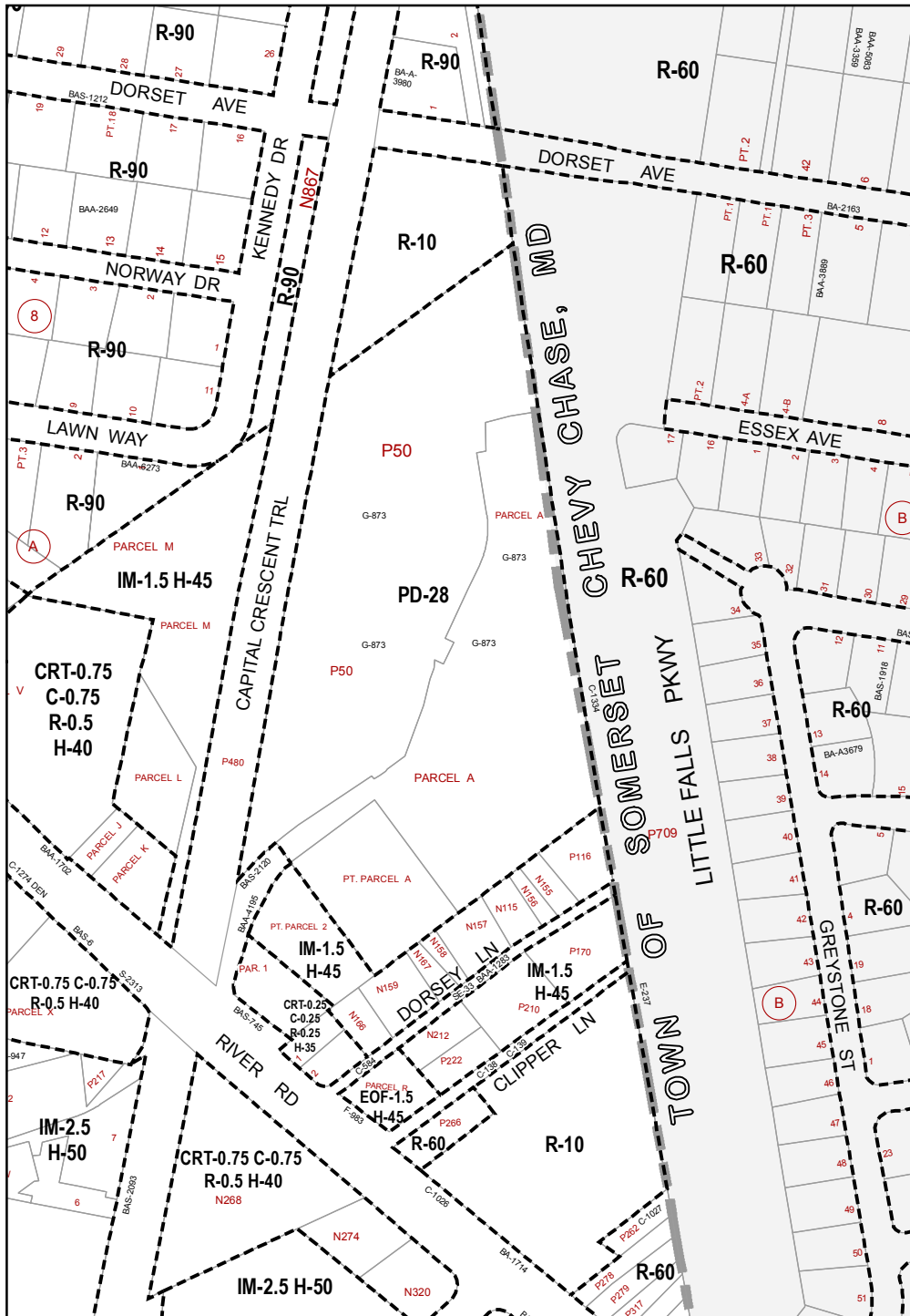
# Proposed Zoning



Existing Zoning

ATTACHMENT B-6

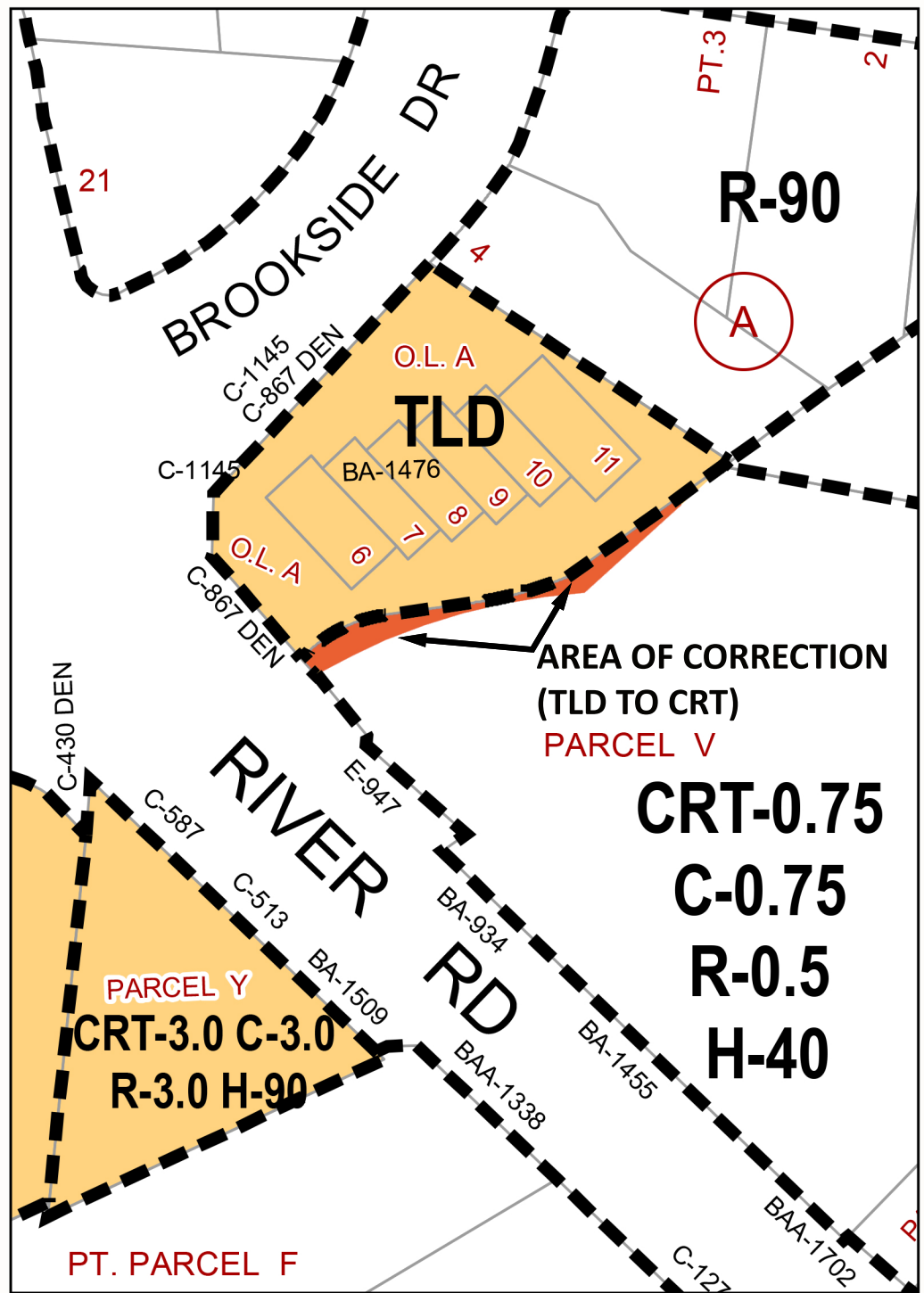
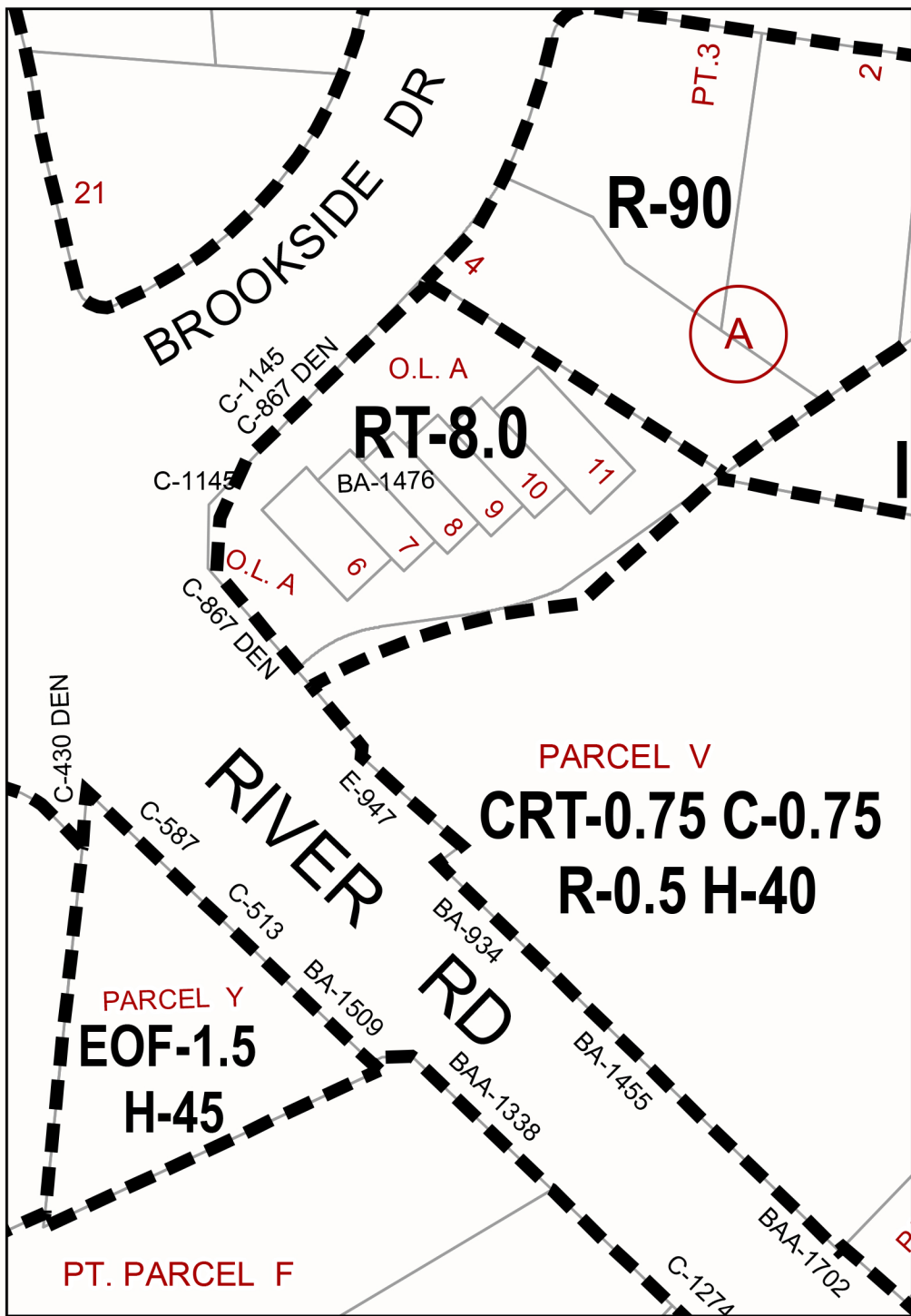
Proposed Zoning



Existing Zoning

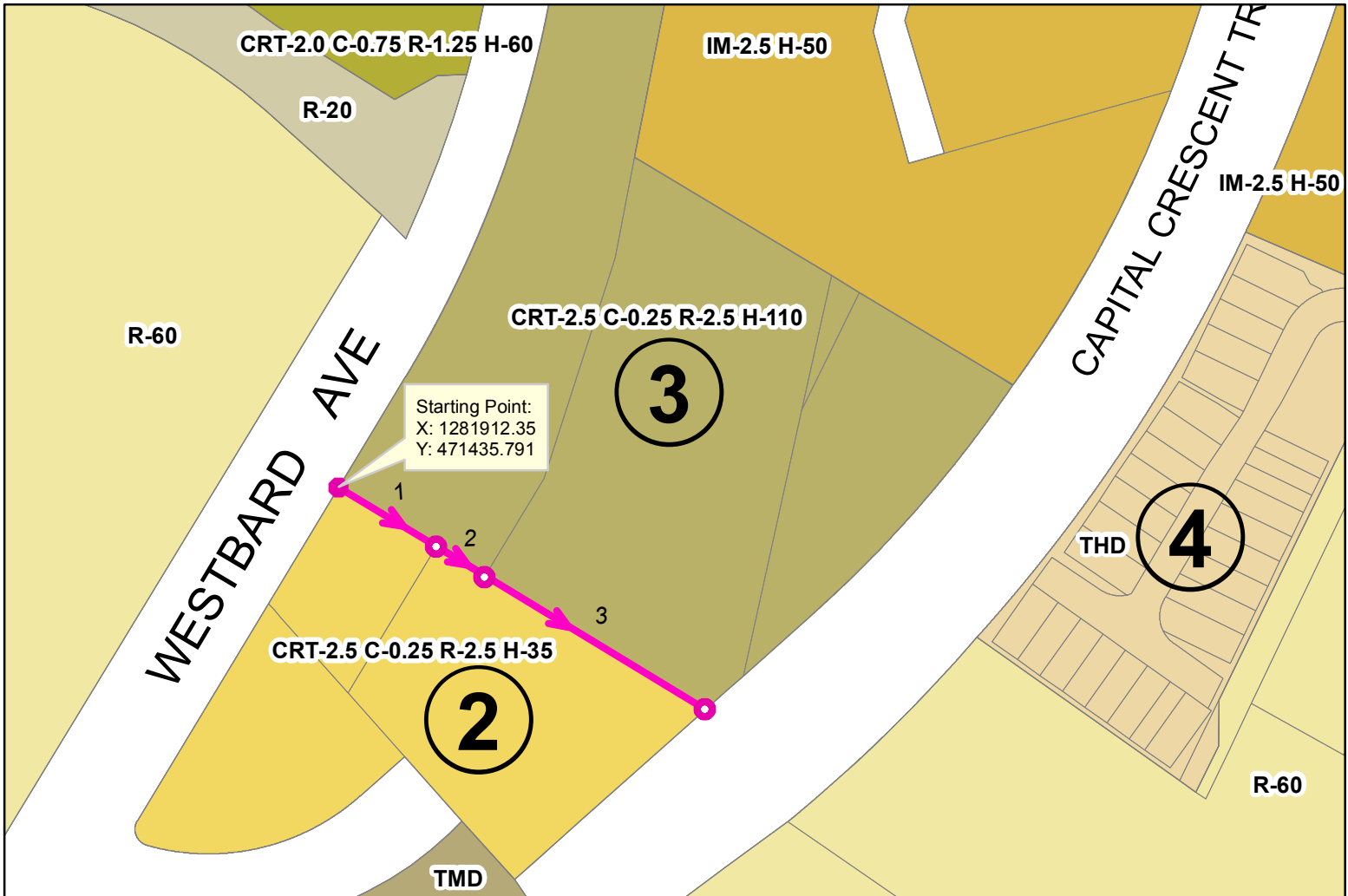
ATTACHMENT B-7

Proposed Zoning



Metes and Bounds description of parcel split zone boundary  
 between change block #2 and change block #3  
 for the Westbard 2016 SMA

ATTACHMENT B-8



Beginning for the same at a point on the easterly right of way line of Westbard Avenue, 70 foot wide, recorded as Plat No. 4456 among the land records of Montgomery County, Maryland; said also lying on the N 31° 09' 05" E, 232.00 foot plat line of Parcel C, Westwood, as shown on Plat book 71 - Plat 6745 recorded among the land records of Montgomery County, Maryland, being 119.2 feet northerly from the southerly end thereof; thence leaving said easterly right of way line of Westbard Avenue and said plat line of Parcel C and running to cross and include a portion of said Parcel C, Westwood

Starting point X: 1281912.35' Y: 471435.791' (NAD\_1983\_StatePlane\_Maryland\_FIPS\_1900\_Feet)

Thence segment#1 - Direction: S 58-51-07 E Distance: 100.00'

Thence segment#2 - Direction: S 58-51-07 E Distance: 50.00'

Thence segment#3 - Direction: S 58-51-07 E Distance: 226.17'