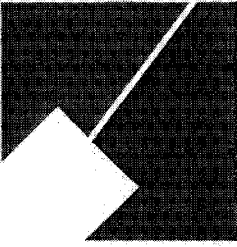


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

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MCPB
Item # C
July 21, 2005

MEMORANDUM

DATE: July 15, 2005
TO: Montgomery County Planning Board
FROM: Judy Daniel, AICP, Rural Area Team Leader
Community-Based Planning Division
SUBJECT: Proposed Agricultural Conservation Subdivision Design Review
Standards for the RDT Zone
MASTER PLAN: Master Plan for the Preservation of Agricultural and Rural Open
Space

Discussion

Attached is the proposal for the Agricultural Conservation Design Guidelines for the RDT Zone. They are adapted from the proposal approved by the Planning Board in 1999. These standards may result in a loss of density from time to time, but the primary basis of the standards is to preserve field, pasture, forest – and prime agricultural soils – by better regulation of building placement.

This is directly related to the intent of the zone and the Master Plan. And lot size is not as important as house placement. In this system, the areas to be preserved are determined first, then the roads, then the house location, and the lot sizes last. Lots can be big or small – but the big lots would have areas protected by easement. Protection could be via small lots and a large outparcel designated for agricultural or other rural uses; or as homeowners association governed open space (that could be for their use or leased to a farmer), or protected through various easement options. The primary goal is to designate what is to be protected first, and the house sites and lots last.

Guidelines for Review of Subdivisions in the Rural Density Transfer Zone

The Master Plan for the Preservation of Agricultural and Rural Open Space was adopted in 1980 with the specific intent to preserve both farmland and farming, especially in the Rural Density Transfer Zone. While the Plan states that intent, it does not provide specific language to guide the Planning Board as to what elements are most important in evaluating whether subdivisions submitted to the Board for review achieve that primary goal of the Master Plan and the intent of the RDT Zone. With that in mind, the following guidelines are to be used to guide the staff and Planning Board in their review of subdivisions in the RDT Zone. They are designed to conserve and protect the potential for agricultural production on land that is residentially developed in the RDT Zone, and so are named "Agricultural Conservation Development – Subdivision Design Guidelines." These standards for review are based in the twin philosophies that underlie the Master Plan of preserving land for use in agricultural production, and preserving a rural character in the landscape of the Agricultural Reserve.

Agricultural Conservation Development - Subdivision Design Guidelines

These guidelines are intended to preserve contiguous areas of prime and productive farm fields and rural open space character consistent with the recommendations of Master Plan for the Preservation of Agricultural and Rural Open Space, and the intent of the Rural Density Transfer Zone. These design methods provide substantial flexibility in lot layout without impacting the density permitted in the zone. The guidelines are in addition to those provided in section 50-39 of the subdivision regulations:

1. The submitted plan of development should locate and arrange the residential development areas such that they protect a substantial contiguous amount of any portion of the tract containing prime or productive soils appropriate for farming or pasture use, and forest area, as limited by the requirements of accommodating waste treatment.
2. The plan of development must reduce to the greatest possible extent, the potential for nuisance or conflict between residential and the agricultural uses within the tract and in relation to existing uses on adjoining or nearby tracts; by providing substantial setbacks or buffers between designated agricultural fields and residential building sites.
3. The maximum lot size on the plan of development should be either the smallest lot achievable that meets well and septic requirements (but no smaller than the minimum lot size allowed in the zone), or larger lots where an easement protects designated farmfield, pasture, environmental resources, or other open space areas.
4. Any area reserved for conservation as field, pasture, forest, or other open space may be recorded on the plan of development as either a separate parcel; an outlot, or protected through an easement on a residential lot or lots -- provided that the area is clearly delineated and the easement noted on the record plat in the land records of Montgomery County.

5. The plan of development, including location of building sites and roads, must consider the preservation of prime and productive farm fields, forest stands, and should take into account the preservation of rural character (especially along a rustic or exceptional rustic road).
6. In order to replicate the traditional character of a rural road any new roads planned for a subdivision should be designed to minimize physical impact on natural and historic environment resources. Wherever possible, roads should run with the contours of the land, rather than across slopes, and extensive cutting through wooded areas should be avoided. Existing hedgerows or trees along the road should be preserved whenever possible.
7. The following sequential design process should be used to guide site planning:
 - (A) Identify all the important resources and all buffer areas that need to be preserved, as located on the required NRI/FSD, including the location of prime and productive soils.
 - (B) Determine location of waste treatment field locations.
 - (C) Determine location of building sites, avoiding to the greatest possible extent the identified resources, as in "A" above. Homes sites should be separated from farm fields by a substantial buffer.
 - (D) Determine road routes to connect the building sites following the design guidelines in "6" above.
 - (E) Determine lot lines for the homes using criteria of "3" above.
 - (F) Identify the location and chosen method to protect or manage the conservation area, as discussed in "4" above.
 - (G) Development approval procedures.
 - (1) The plan of development must conform to the Subdivision Regulations, Chapter 50, except that for any application subdividing 100 acres or more into 5 lots or more, a pre-preliminary plan must be submitted to the Planning Board.
 - (2) Private roads are allowed as authorized in Chapter 50.
 - (3) The preliminary plan must include a description of the intended use and plan for maintenance of any common open space area, whether maintained by a homeowners association or protected by an easement.