



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

April 22, 2004

The Honorable Steven A. Silverman, President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 501
Rockville, Maryland 20850

Re: Planning Board Recommendation on Transmittal to County Council for Introduction of Zoning Text Amendment to limit impervious surface in the RDT, Rural, Rural Cluster, RE2 and RE1 zones and reduce maximum building coverage in the RE2 zone.

Dear Mr. Silverman and Council members:

On April 15, 2004, by a vote of 4-0, the Board recommended that a text amendment pertaining to total impervious surface in large lot residential and agricultural zones be transmitted to the County Council for introduction, as depicted in Appendix 1.

Background

Current Law

The current law does not have any impervious surface limit in the large lot residential or the agricultural zones. Under particular circumstances, the Comprehensive Water and Sewerage Plan permits the extension of water and sewerage service to these zones even when such extensions are not recommended by the approved and adopted Master Plan. The combination of these two factors leads to unanticipated high levels of impervious surfaces in the rural zones of the County.

Proposed Zoning Change

The proposed ZTA limits total impervious surface to 20% of the lot area in the Rural, Rural Cluster, RE2 and RE1 (excluding RE1 cluster) zones and 15% in the RDT zone. It would also limit the building coverage maximum in the RE2 zone to 15% (the maximum is currently 25%). The basis for the recommended limit is the median coverage of existing private institutional facilities, as depicted in the following table.

Zoning	Standard lot size in acres	Average % Existing Impervious (Built lots)	Median % Existing Impervious For Private Institutional Uses	Proposed % Impervious Limits	Example of proposed Impervious acreage limits using standard lot size
RDT	25	5%	14%	15%	3.75
Rural	5	6%	N/A	20%	1.0
RC	5	6%	19%	20%	1.0
RE2	2	9%	22%	20%	0.4
RE1	1	11%	21%	20%	0.2

Reason For Proposed Zoning Text Change

The proposed zoning text amendment was initiated to address issues raised with County Council at the adoption of the Comprehensive Water and Sewerage Plan in November of 2003. Development with high surface area coverage in the large lot residential and agricultural zones is contrary to the goal of protecting water quality. Some Council members expressed the idea that the environmental protection aspects of large lot residential and agricultural zones were best addressed in a zoning text amendment rather than changes to the then proposed Water and Sewerage Plan. Appendix 2 of this letter is the staff report reviewed by the Planning Board, which fully explains the development experience with these zones and options considered by staff. Appendix 3 illustrates how some existing development is both above and below the impervious limits proposed.

Members of the Planning Board and staff of the Department of Park and Planning are available to assist the Council in the review of the proposed text amendment necessary to implement our recommendations.

Sincerely,



Derick P. Berlage
Chairman

DB:JZ:ss
Attachments

cc: Planning Board
Charles R. Loehr