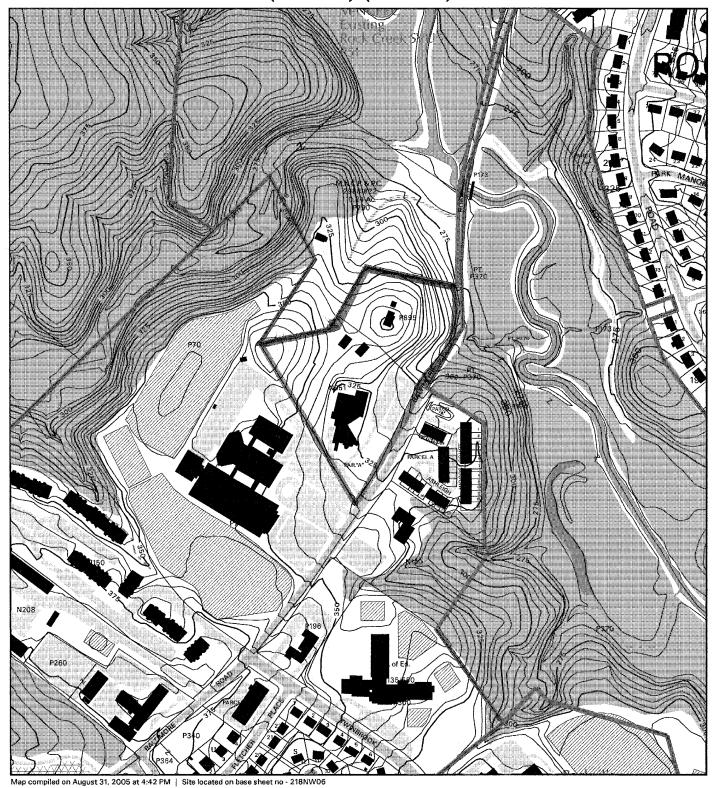
#### **ROCK CREEK WOODS (1-06010) (8-06007)**



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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

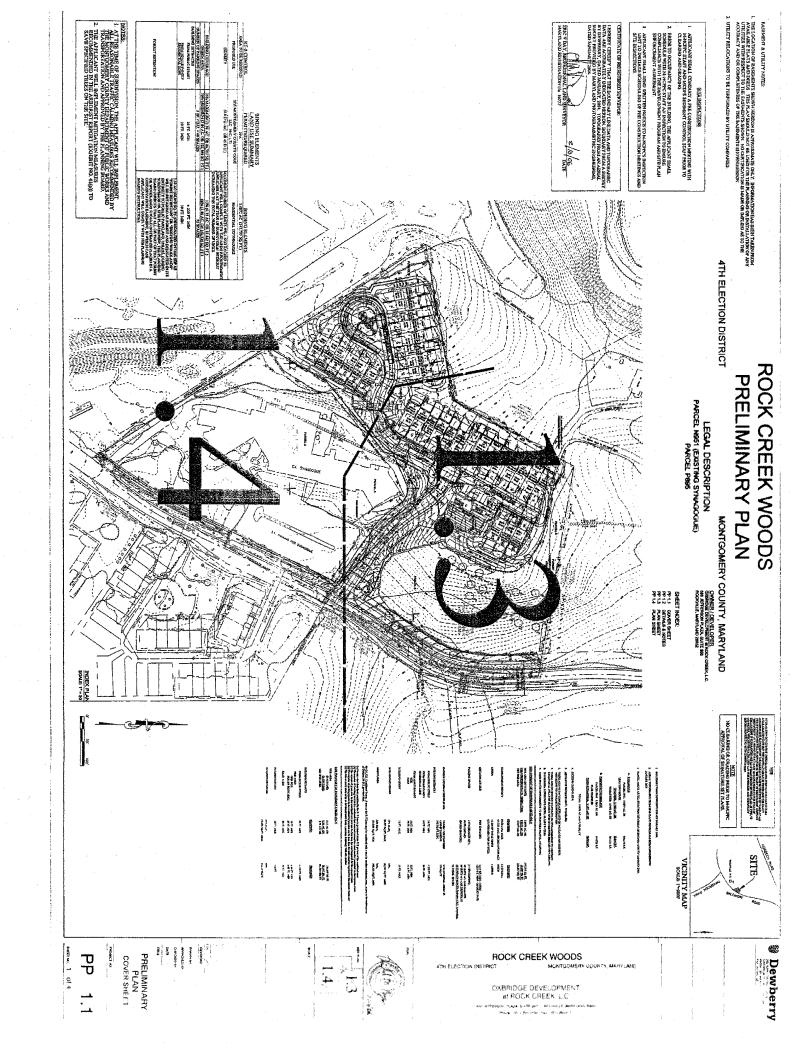
This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

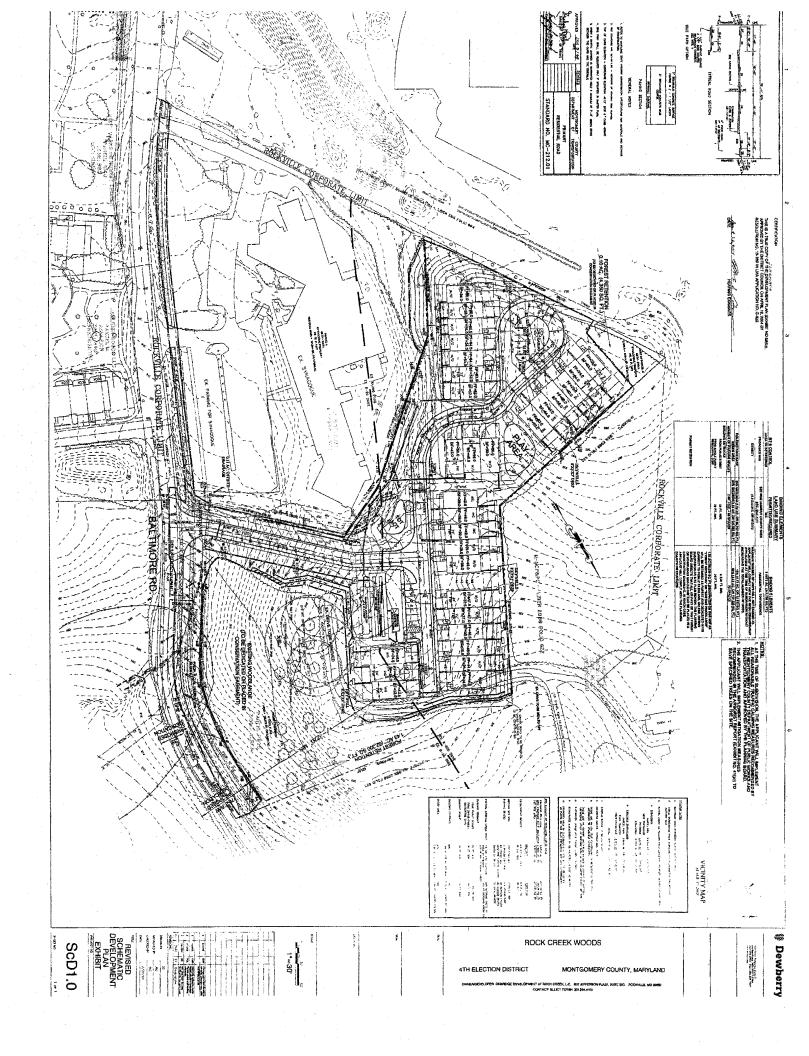






1 inch = 400 feet







City of Rockville
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Community Planning and
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240-314-8200
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Inspection Services Division 240-314-8240

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Division
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Planning Division 240-314-8220

Revitalization/Housing Division 240-314-8200

> MAYOR Larry Giammo

COUNCIL

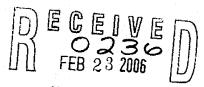
Robert E. Dorsey
Susan R. Hoffmann
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Anne M. Robbins

CITY MANAGER Scott Ullery

CITY CLERK Claire F. Funkhouser

CITY ATTORNEY
Paul T. Glasgow

Derick Berlage, Chair The Montgomery County Planning Board 8787 Georgia Avenue Silver Spring, MD 20910 February 22, 2006



OFFICE OF THE CHAIRMAN THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Dear Mr. Berlage:

This letter is to provide notice that the City of Rockville has recently adopted an Adequate Public Facilities Ordinance (APFO). The City has determined that the County's Annual Growth Policy process is not sufficient to meet the City's needs for better control of growth. The City is especially concerned about the impact of growth on school capacity. In order to address this concern, the City has adopted a test for schools that requires that schools be no more than 110% of program capacity (as opposed to AGP capacity) within two years or development will be either postponed or denied. Also, the City does not authorize "borrowing" within or between clusters. A copy of our APFO is enclosed.

In a memorandum from Karl Moritz to the Planning Board dated June 17, 2005, your staff provides an excerpt from County Council Resolution 15-375: 2003-5 Annual Growth Policy – Policy Element. Item S6 in this excerpt reads as follows:

"Clusters in municipalities

If public school capacity will be inadequate in any cluster that is wholly or partly located in Rockville, Gaithersburg, or Poolesville, the Planning Board may nevertheless approve residential subdivisions in that cluster unless the respective municipality restricts the approval of similar subdivisions in its part of the cluster because of inadequate school capacity."

Based upon our reading of that language appears that additional development cannot be approved by the County if it does not meet the City's test. A copy of a map showing which schools currently exceed the City's test of 110% percent of program capacity is also enclosed. Other areas included in the City's APFO (water, sewer, emergency service, etc.) are currently not over capacity.

According to your records, there is a currently pending preliminary subdivision request for 30 townhouses located on Old Baltimore Road near its intersection with Twinbrook Parkway, adjoining the City boundary (Preliminary Plan No. 1-2006-0100). Under the City's adopted APFO, this subdivision could not be approved, since the elementary school that serves this area (Meadow Hall) will be at 114% of program capacity within two years, and will increase to 124% of program capacity by the 2010-11 school year. In light of AGP Item S6, it appears the Planning Board is similarly restricted because this subdivision does not comply with the test that would be applied if the site were within the City. The

City is interested in the Planning Board's understanding of Item S6, and how the Board intends to apply it.

In the future, the City respectfully requests that any new subdivisions that are filed within any of the high school clusters that serve the City be forwarded to the City for review and comment. The City also has APFO tests for transportation, water and sewer service, and emergency service response, all of which might be affected by new developments near the City.

While the Planning Board staff has been provided with a copy of the City's new APFO, I am attaching a copy with this letter. If you or your staff has any questions regarding the City's APFO process, please contact Deane Mellander with our Community Planning and Development Services division at 240-314-8224.

Sincerely yours,

Scott Ullery, City Manager

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City of Rockville

Attachments: Adequate Public Facilities Ordinance - Rockville, Maryland

Map of Over-Capacity Elementary Schools

CC: Mayor and Council

Arthur D. Chambers, AICP, Director of Community Planning and

Development Services

Bruce Romer, County Administrative Officer

Deane Mellander, Planner III