



Planning Board Draft Plan- MDP Local Jurisdiction Annual Report; Measures and Indicators



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Completed: 6-06-2014

Staff Recommendation:

Approve the attached 2013 Annual Land Use Report for Montgomery County for transmittal to the County Council President, and to the Maryland State Department of Planning.

Summary:

As per the requirements established recently by SB 280/HB 295, SB 276/HB 295, SB 273/HB 294, this is the fourth such annual report prepared for approval by the Montgomery County Planning Board. The objective for this request is monitor growth statewide and to determine if State Smart Growth policies are having beneficial or unanticipated effects.

This year the State has refined and clarified the metrics desired of the planning jurisdictions by providing a new report submittal template. The requested data was compiled using various sources to include zoning and subdivision approval data from the department's Hansen plan tracking system, permitting records from our digital links to DPS systems, school CIP and APFO information from MCPS, and from other County GIS data layers.

The State requires this report to be filed with local jurisdiction's legislative body. With Board approval, the document will be transmitted to the County Council President and to the Maryland State Department of Planning.

Attachment

2013 ANNUAL LAND USE REPORT FOR MONTGOMERY COUNTY TO THE MARYLAND STATE DEPARTMENT OF PLANNING

Report was compiled and prepared by the Montgomery County Planning Department and submitted to the Maryland Department of Planning as required by the State of Maryland legislation. Results found within report are part of the State of Maryland's ongoing effort to monitor growth statewide and to determine the effectiveness of smart growth policies.

**Montgomery County Planning Department
Information, Technology & Innovation (ITI)**

June 12, 2014



ACKNOWLEDGEMENTS

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Annual Report Worksheet Reporting (Calendar) Year 2013

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Section I: Amendments and Growth Related Changes in Development Patterns

(A) Were any new comprehensive plan or plan elements adopted? Y ☒ N ☐

1. If no, go to (B).
2. If yes, briefly summarize what was adopted.

Adopted 2013:

Chevy Chase Lake Master Plan (2)
Glenmont Sector Plan (1)
Long Branch Sector Plan (3)

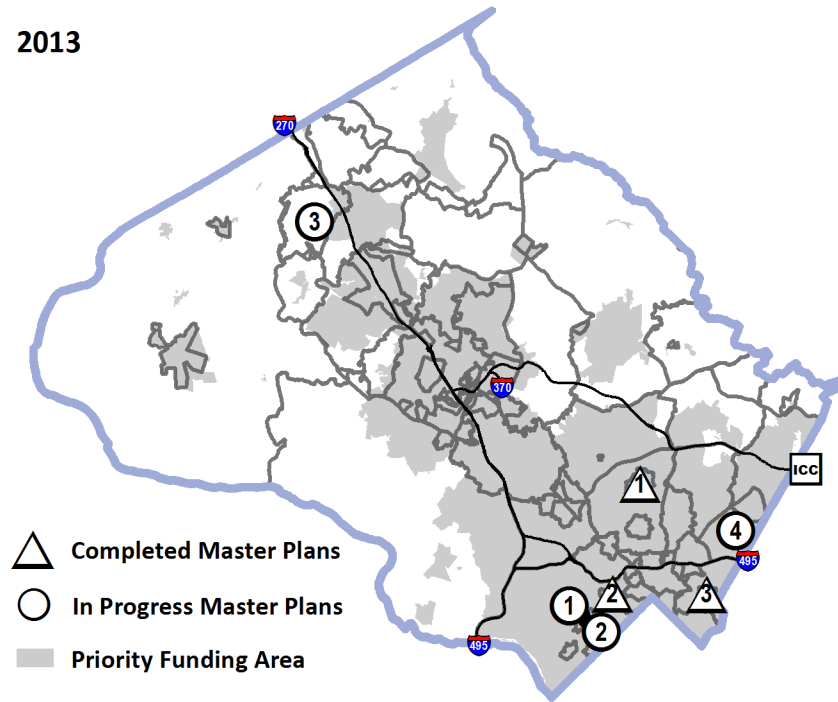
Plans in Progress 2013:

Bethesda Downtown Plan (1)
Bethesda Purple Line Station Minor MP Amendment (2)
Clarksburg Ten Mile Creek Limited Amendment (3)
White Oak Science Gateway (4)
Countywide Transit Corridors Functional Plan

Note: Numbers in parentheses correspond to numbers on map below

Annual Report Worksheet Reporting (Calendar) Year 2013

2013



(B) Were there any growth related changes in development patterns?

Y ☒ N ☐

(Note: Growth related changes in development patterns are changes in land use, zoning, transportation capacity improvements, new subdivisions, new schools or school additions, or changes to water and sewer service areas.)

1. If no, go to (C).
2. If yes, briefly summarize each growth related change(s).

Montgomery County, like many jurisdictions, is working on strategies to deal with the rapid and potentially permanent slowdown in demand for new office space. This is particularly evident in the areas farther from major transit, but even in urban areas, properties with mixed-use zoning are choosing to develop only with residential uses.

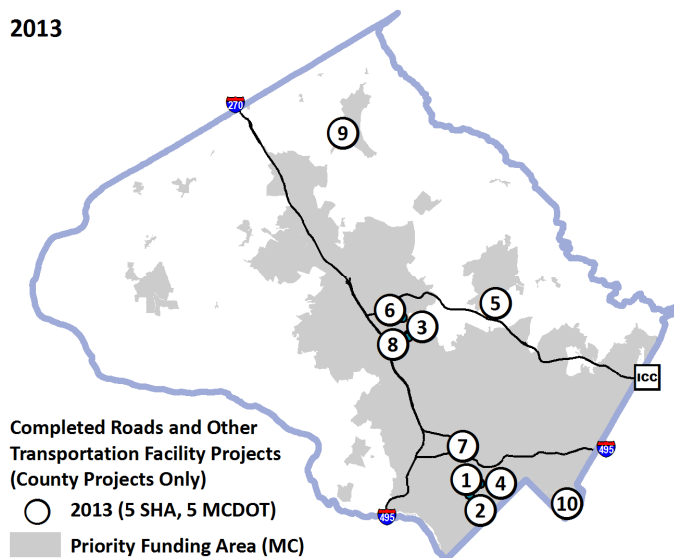
Annual Report Worksheet Reporting (Calendar) Year 2013

Transportation Capital Improvement Projects:

Project Name	Agency	Month Completed
Maple Avenue Storm Drain And Roadway Improvement (1)	MCDOT	January 2013
Old Georgetown Road Pedestrian Bridge (2)	MCDOT	January 2013
E. Gude Drive Bridge Over CSX And Metro Railroads (3)	MCDOT	February 2013
Town Of Chevy Chase Storm Drain Improvement - Phase 3 (4)	MCDOT	March 2013
MD 97 From Hillcroft Drive To Old Baltimore Road (5)	SHA	May 2013
Shady Grove Metro Access Bike Path (6)	MCDOT	June 2013
MD 355 From North Of Cedar Croft Drive To MD 547 (7)	SHA	July 2013
MD 355 From Mannakee Street To King Farm Boulevard (8)	SHA	July 2013
MD 27 At Sweepstakes/Marlboro Drive (9)	SHA	August 2013
MD 410 From Park Avenue To MD 650 (10)	SHA	August 2013

Note: Numbers in parentheses in chart correspond to numbers on map below

2013



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New Schools or Revitalization/Expansion to Schools

No new schools opened this year

Revitalization/Expansion:

Gaithersburg HS (10)
Herbert Hoover MS (9)
Glenallan ES (1)
Weller Road ES (2)

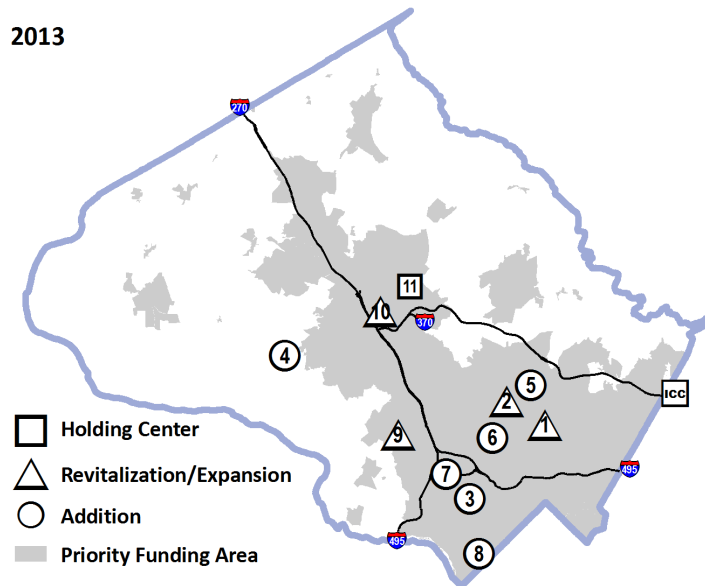
Addition:

Bradley Hills ES (3)
Darnestown ES (4)
Georgian Forest ES (5)
Viers Mill ES (6)
Westbrook ES (8)
Wyngate ES (7)

Holding Center (for Schools undergoing revitalization/expansion):

Emory Grove ES Holding Center (11)

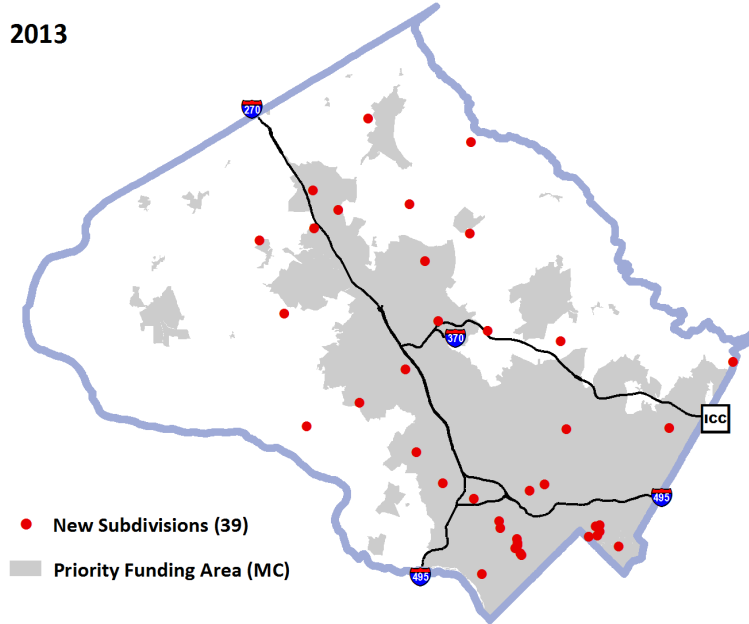
Note: Numbers in parenthesis correspond to the numbers on map below



Annual Report Worksheet Reporting (Calendar) Year 2013

New Subdivisions

39 new subdivisions approved



(C) Were any amendments made to the zoning regulations?

Y ☒ N ☐

1. If no, go to (D).
2. If yes, briefly summarize any amendments that resulted in changes in development patterns.

The following Zoning Text Amendments (ZTAs) and Subdivision Regulation Amendments (SRAs) were introduced by the County Council. The ones enacted by the Council are noted below. Most of the ZTAs involved changes to allowable land uses; a few are designed to modify development standards such as building height, and one ZTA establishes a definition and calculation of Impervious Area. The SRAs vary widely – one modifies the approval process, another provides an exemption, and the third extends the validity period for Adequate Public Facilities.

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The following are ZTAs and SRAs reviewed in 2013:

Zoning Text Amendment No. 13-01: Planned Development Zones – Procedures

An Amendment to the Montgomery County Zoning Ordinance to:

Allow fences under certain circumstances without a site plan or a site plan amendment in Planned Unit Development Zones; and generally amend the provisions concerning the application and approval procedures for Planned Unit Development Zones. Enacted – Ord. No. 17-35

Zoning Text Amendment No. 13-02: Central Business District Zones – Self Storage

An Amendment to the Montgomery County Zoning Ordinance to:

Allow a self-storage facility in certain CBD zones under certain circumstances. Enacted – Ord. No. 17-37

Zoning Text Amendment No. 13-03: Impervious Area – Calculation

An Amendment to the Montgomery County Zoning Ordinance to:

Define impervious area and permeable pavement; and regulate the calculation used to implement impervious surface area restrictions. Introduced, not enacted in 2013.

Zoning Text Amendment No. 13-04: Zoning Ordinance – Revised

An Amendment to the Montgomery County Zoning Ordinance to replace Chapter 59 with a new Code: Introduced, not enacted in 2013.

Zoning Text Amendment No. 13-05: US 29 Overlay Zone – Standards

An Amendment to the Montgomery County Zoning Ordinance to revise the provisions of US 29/Cherry Hill Road Employment Area Overlay Zone to:

Allow additional residential and retail uses where the underlying zone is I-1; establish development standards for the additional uses; and generally amend the text of the zone to make it more concise, precise, and decisive. Enacted – Ord. No. 17-38

Zoning Text Amendment No. 13-06: Fenton Village Overlay – Building Height

An Amendment to the Montgomery County Zoning Ordinance to:

Generally amend the provision for building heights in the Fenton Village Overlay zone. Enacted - Ord. No. 17-39

Zoning Text Amendment No. 13-07: US 29 Overlay Zone – Land Use

An Amendment to the Montgomery County Zoning Ordinance to revise the provisions of the US 29/Cherry Hill Road Employment Area Overlay Zone to:

Allow retail sales and services under certain circumstances; reflect the changes proposed in ZTA 13-05 to allow for a grocery store in the overlay zone under certain circumstances; generally amend the text of the zone to make it more concise, precise, and decisive. Enacted – Ord. No. 17-40

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Zoning Text Amendment No. 13-08: TMX – Land Uses

An Amendment to the Montgomery County Zoning Ordinance to:

Allow dry cleaning and laundry establishments in the TMX zone; allow a veterinary hospital without a special exception under certain circumstances; allow day care for seniors and disabled people with an unlimited number of people; and generally amend land uses in the TMX zone.

Enacted – Ord. No. 17-41

Zoning Text Amendment No.: 13-09: Noticing Signs - Local Map Amendments

An Amendment to the Montgomery County Zoning Ordinance to:

Generally amend the provision for signs required to notice residents of local map amendment applications. Enacted – Ord. No. 17-42

Subdivision Regulation Amendment No.: 13-01: Adequate Public Facilities – Preliminary Subdivision Plans – Validity Period

An Amendment to the Montgomery County Subdivision Regulations to:

Extend the validity period for a determination of adequate public facilities for certain developments; extend the validity period for certain preliminary subdivision plans; and otherwise revise the validity period for certain developments. Enacted – Ord. No. 17-31

Subdivision Regulation Amendment No.: 13-02: Platting Exemptions – Single Family Dwelling

An Amendment to the Montgomery County Subdivision Regulations to:

Exempt property that includes an involuntarily demolished single family dwelling for platting requirements; and generally clarify limitations on the issuance of building permits. Enacted – Ord. No. 17-36

Subdivision Regulation Amendment No.: 13-03: Record Plats – Approval

An Amendment to the Montgomery County Subdivision Regulations to:

Limit the number of agencies that are required to approve a record plat; and generally amend the provisions relating to the approval of record plats. Introduced, not enacted in 2013.

(D) Were any amendments made to the zoning map?

Y ☒ N ☐

1. If no, go to *Section II: Mapping and GIS Shapefiles*.
2. If yes, briefly summarize each amendment(s).

The following are LMAs and SMAs reviewed in 2013:

LMA G-829

Property ID: 06-03142681

From: RE-2 Zone To: Country Inn Zone

Dismissed per CC resolution 17-906

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SDPA 12-1 (which amends G-851)

Property ID: 07-03669303

From: general office building To: 5-story, 58- unit residential building to provide
“productivity housing”

Approved per CC resolution 17-653

LMA G-881

Property ID: 02-00030041

From: RE-25 To: PRC

Approved per CC resolution 17-780

LMA G-910

Property ID: 09-007712621

From: R-T 12.5 and R-30 Zones To: PD-35

Denied per CC resolution 17-801

LMA G-913

Property ID: 07-03457071

From: R-60 To: C-T

Approved per CC resolution 17-654

LMA G-954 and DPA 13-01 (which amends G-843)

Property ID: 07-00490821 and 07-00487286

From: R-60 To: TS-R

Approved per CC resolution 17-863

SMA G-955 (Burtonsville Crossroads Sector Plan)

Approved per CC resolution 17-695

Area	Existing Zones	Proposed Zone	Acres
1	C-1, O-M, RC	CRT 1.5 C 1.0 R 1.25 H 75	35.28
2	C-2, RC	CRT 1.5 C 1.0 R 1.25 H 70	17.83
3	C-2, 1-1, RC	CRT 1.5 C 1.0 R 1.25 H 70	11.07
4	C-2	CRN 1.5 C 1.0 R 0.5 H 45	15.35
5	RC	C-2	0.82

G-955 followed the approval and adoption of the Burtonsville crossroads Neighborhood Plan and will implement through the SMA process, the Plan's recommendations for creating a community at the crossroads. The SMA covered approximately 191 acres of the Sector Plan area; about 72.29 acres were reclassified (as described by the table below) and the remaining 119 acres were reconfirmed.

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The following CMA's were reviewed in 2013:

CMA G-915

Property ID: 01-00002486 and 01-00003253

From: R-200 To: C-1

Approved per CC resolution 17-655

CMA G-916

Property ID: 01-00007160

From: R-200 To: C-1

Approved per CC resolution 17-655

CMA G-917

Property ID: 11-00917033, 11-009186026, 11-00921310, 11-00917022 and 11-00914700

From: R-200 To: C-1

Approved per CC resolution 17-655

CMA G-918

Property ID: 02-00021365 and 02-00018642

From: R-200 To: C-2

Approved per CC resolution 17-655

CMA G-919

Property ID: 11-00918174, 11-00919577, 11-00915056 and 11-00919566

From: R-200 To: C-1

Approved per CC resolution 17-655

CMA G-920

Property ID: 03-0040927

From: R-200 To: C-1

Approved per CC resolution 17-655

CMA G-921

Property ID: 03-00040938

From: R-200 To: C-1

Approved per CC resolution 17-655

CMA G-922

Property ID: 03-00033864

From: R-200 To: C-1

Approved per CC resolution 17-655

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CMA G-923

Property ID: 11-00921002
From: R-200 To: C-1
Approved per CC resolution 17-655

CMA G-924

Property ID: 11-00914917
From: RDT To: C-1
Approved per CC resolution 17-655

CMA G-925

Property ID: 03-00034777 and 03-00041192
From: R-200 To: C-1
Approved per CC resolution 17-655

CMA G-926

Property ID: 08-00722694 and 08-02775033
From: R-200 To: C-1
Approved per CC resolution 17-655

CMA G-927

Property ID: 12-00941532, 12-00924687 and 12-00927715
From: RNC/TDR To: RC
Approved per CC resolution 17-655

CMA G-928

Property ID: 02-00018482
From: RMX-2 To: R-200
Approved per CC resolution 17-655

CMA G-929

Property ID: 09-02816748
From: RMX-2C/TDR To: R-90
Approved per CC resolution 17-655

CMA G-930

Property ID: 09-02164341, 09-02254976, 09-02255105, 09-02255116, 09-02615076, 09-02255231, 09-02255242, 09-02255355, 09-02255366, 09-02255377, 09-02255390, 09-02255402, 09-02255413, 09-02255424, 09-02164352, 09-02255537, 09-02255548, 09-02255550, 09-02615156, 09-02615167, 09-02615178, 09-02615180, 09-02871363, 09-02871443, 09-02871248 and 09-00771912
From: R-200/TDR To: R-90
Approved per CC resolution 17-655

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CMA G-931

Property ID: 09-02811852
From: RT-10 To: PN
Approved per CC resolution 17-655

CMA G-932

Property ID: 09-02362666
From: R-200/TDR To: PN
Approved per CC resolution 17-655

CMA G-933

Property ID: 08-03099278
From: RE-2 To: RE-1/TDR
Property ID: U330162
From: RE-1/TDR To: RE-2
Approved per CC resolution 17-655

CMA G-934

Property ID: 08-00715197
From: RC To: RE-2
Approved per CC resolution 17-655

CMA G-935

Property ID: 06-00411948; 06-00411937; 06-00411920, 06-02798318, 06-02798422,
06-02798433, 06-0279844, 06-02798455, and 06-2798466
From: R-200/TDR To: R-200
Approved per CC resolution 17-655

CMA G-936

Property ID: 04-02008201 and 04-02278824
From: I-1 To: PD-2
Approved per CC resolution 17-782

CMA G-938

Property ID: 05-01910345
From: R-200 To: R-90
Approved per CC resolution 17-782

CMA G-939

Property ID: 05-01590356
From: R-200 To: RE-2
Approved per CC resolution 17-782

CMA G-940

Property ID: 10-02676006

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From: R-12.5 To: R-90
Approved per CC resolution 17-782

CMA G-941

Property ID: 04-00045428
From: R-60 To: R-60 with the Town of Garrett Park Overlay Zone
Approved per CC resolution 17-782

CMA G-942

Property ID: 13-00983072
From: I-1 To: R-60
Approved per CC resolution 17-782

CMA G-943

Property ID: 13-01134441
From: R-30 To: R-40
Approved per CC resolution 17-782

CMA G-944

Property ID: 13-01080028
From: R-20 To: R-60
Approved per CC resolution 17-782

CMA G-945

Property ID: 13-03174777
From: RE-2 To: R-30
Approved per CC resolution 17-782

CMA G-946

Property ID: 07-00423718
From: R-60 To: R-60/TDR
Approved per CC resolution 17-782

CMA G-947

Property ID: 07-00419363
From: C-4 To: I-1
Approved per CC resolution 17-782

CMA G-948

Property ID: 05-0055068
From: RE-1 To: RC
Approved per CC resolution 17-782

CMA G-950

Property ID: 04-01817543

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From: None To: I-2

Approved per CC resolution 17-691

CMA G-951

Property ID: 04-00152546

From: None To: R-20

Approved per CC resolution 17-691

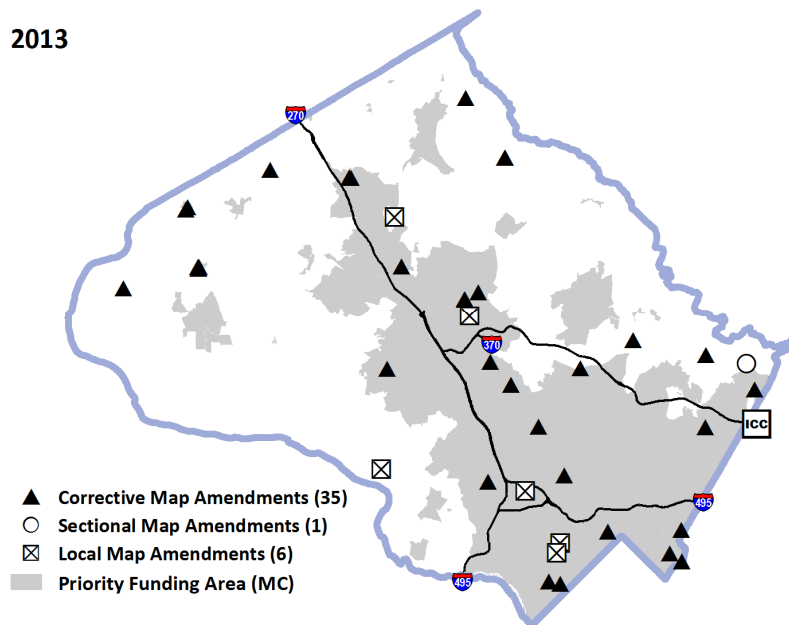
CMA G-952

Property ID: 11-00915284

From: R-200 To: C-1

Approved per CC resolution 17-782

2013



Section 59-H-10.1(b) of the Zoning Ordinance states that the purpose of a CMA is to “enable the District Council in lieu of a comprehensive sectional map amendment to correct technical errors or inaccurate depictions of zoning boundary lines on an adopted map that are known as a result of mapping, surveying or other technical information.”

In the spring of 2008, the District Council approved The Zoning Discovery document, which, among other recommendations, proposed to modernize Montgomery County’s zoning maps from the current hand-drawn and AutoCAD maps to ones generated through a GIS-based mapping tool. Before proceeding with this conversion, all of the zoning shown on the existing maps was checked for accuracy. Numerous issues were found and all of these were addressed through the corrective map amendment process. Should there be a need for a future comprehensive rezoning, the mapping process could be done quickly and accurately. Map Amendments G-915 to G-926 are considered “right-of-way withholding corrective

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amendments.” Right-of-way withholdings occurred through District Map Amendments, Sectional Map Amendments (SMA) and Local Map Amendments (LMA). The 1958 Zoning Ordinance stated that “any area reclassified by a local or sectional or District plan map amendment shall exclude and be held to exclude any portion of the area which lies in the bed of a road, street or alley, whether existing or proposed on a plan adopted by the Commission...” In 1969, the Maryland Court of Appeals found withholding future rights-of-way from rezoning to be unconstitutional. On July 7, 1986, the District Council adopted Ordinance 10-75 (§59-A-1.72 of the Zoning Ordinance), which required the zoning for any previously withheld rights-of-way to match the zoning of the property from which the zoning had been withheld.

Proposed CMAs G-915 through G-926 includes parcels where zoning designations were withheld for purposes of right-of-way expansions. The majority of these CMAs were a result of right-of-way withholdings that occurred with the Comprehensive District Map Amendment, adopted in June 1958 (County Council Ordinance # 3-206). Since there was no comprehensive rezoning action to correct all such areas, portions of these properties still show the withholding.

Map Amendment G-927 through G-936, G-938 to G-948 and G-952 are considered technical corrections. Section 59-H-10.1(b) of the Zoning Ordinance states that the purpose of a CMA is to “enable the District Council in lieu of a comprehensive sectional map amendment to correct technical errors or inaccurate depictions of zoning boundary lines on an adopted map that are known as a result of mapping, surveying or other technical information.” Mapping errors occur for a number of reasons, but usually involve discrepancies arising from placing the boundary for a rezoning request along a WSSC grid line rather than a property line, or drawing a line across two map pages. These errors are more apparent in a GIS-based map because there are no grids or page breaks.

Lastly, G-950 and G-951 involved areas adjacent to municipal annexations. The purposes of the two map amendments were to correct the boundary lines between the City of Rockville and Montgomery County, and to re-designate the parcels’ zoning.

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Section II: Mapping and GIS Shapefiles

(A) Does your jurisdiction utilize GIS to prepare planning related maps? Y ☒ N ☐

1. If no, include an address, parcel identification number or other means to identify the type and location of all new growth related changes or zoning map amendments listed in *Sections I(B)* and *I(D)*. Provide a paper map(s) that indexes the general location(s) of the growth related changes or zoning map amendment(s). *Contact MDP for mapping assistance.*

Maps and GIS data uploaded to MDP

2. If yes, include a map(s) of the location(s) of the amendment(s) and submit applicable GIS shapefiles for all new growth related changes and zoning map amendments listed in *Sections I(B)* and *I(D)*. GIS shapefiles may be uploaded on the online Annual Report Webtool or via email or cd/dvd disk.

Maps and GIS data uploaded to MDP

(B) Were there any growth related changes identified in *Sections I(B)* ? Y ☒ N ☐

1. If no, go to (C).
2. If yes, then include GIS shapefiles and map(s), that identify the location of each growth related change identified in *Section I(B)*. If your jurisdiction does not utilize GIS then clearly identify the growth related changes on a map(s).

Maps and GIS data uploaded to MDP

(C) Were there any zoning map amendments identified in *Section I(D)*. Y ☒ N ☐

1. If no to (A) and (B), skip to *Section III: Consistency of Development Changes.*
2. If yes, then include GIS shapefiles and map(s), that identify the location of each zoning map amendment identified in *Section I(D)*. If your jurisdiction does not utilize GIS then clearly identify the growth related changes on a map(s). *Contact MDP for mapping assistance.*

Maps and GIS data uploaded to MDP

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Section III: Consistency of Development Changes

(A) Were there any growth related changes identified in *Sections I(B) through (D)*? Y ☒ N ☐

1. If no, skip to *Section IV: Planning and Development Process*.
2. If yes, go to (B).

(B) For each growth related change listed in in *Sections I(B) through (D)*, state how the development changes were determined to be consistent with:

1. Each other;

The changes in development patterns for Montgomery County in 2013 are consistent with one another, guided by the General Plan and the specific community and functional plans adopted by the County Council. Subdivision approvals, Septic tiers and zoning changes all point to reserving agricultural areas and directing development to existing areas. All zoning density increases that were adopted in 2013 direct development to existing areas within our PFA.

2. Any recommendations of the last annual report;

N/A

3. The adopted plans of the local jurisdiction;

Each legislative change referenced in items 1c, 1d and 1e in this report is in accordance with Montgomery County Planning Department procedural standards for reviewing Master Plans, ZTAs, and other land use policies for conformity with the General Plan.

4. The adopted plans of all adjoining jurisdictions;

As part of the Maryland National Capital Park and Planning Commission (MNCPPC), Montgomery County coordinates its planning initiatives with Prince George's County via regular meetings of the MNCPPC Planning Commission. The Commission consists of ten members, five from Montgomery County and five from Prince George's County. The Commission acts on matters of interest to both counties, and meets at least once a month. The members of the full Commission also serve on their respective Planning Board to facilitate, review and administer matters affecting their respective counties.

Montgomery County actively participates in the Patuxent Reservoir watershed protection efforts with Howard and Prince Georges Counties. This rural watershed, which drains to one of our drinking water reservoirs, is protected by low mandated densities, special environmental guidelines, and efforts to enlarge the areas of public parkland.

Montgomery and Prince George's County are the second and third largest counties in

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the State. Planning decisions by the Commission affect roughly 32% of Maryland's population.

Montgomery County actively participates in joint planning analysis efforts with the Washington Councils of Governments (MWCOC). A primary effort with MWCOC is the development of the region's demographic forecast of housing, jobs, and population. The process offers a forum for member jurisdictions to anticipate the collective impacts of local land use change on the metro region's economy and population. This forecasting effort also serves as a primary input into the regional transportation modeling process.

5. Any adopted plans of the State and local jurisdictions that have responsibility for financing or constructing improvements necessary to implement the jurisdiction's plan.

NA

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Section IV: Plan Implementation and Development Process

(A) Is the adoption date of your comprehensive plan prior to January 1, 2010? Y ☒ N ☐

1. If no, then skip to (B). Identify adoption month and year: **December 1993**

2. If yes, has your jurisdiction submitted a five-year implementation update? Y ☒ N ☐

a. If yes, skip to (B).

The General Plan is amended with each functional plan, community master or sector plan that is approved and adopted by the County Council and the MNCPPC. Three to six such plans are completed every year and in this way most of the County is revisited every 15-20 years. Zoning map amendments accompany each plan as appropriate. In addition, a few zoning map amendments are proposed each year outside of the planning process by individual property owners who are seeking specific changes that would apply to that property only. Such proposals are addressed on a case-by-case basis with recommendations from the Planning Board and final action by the District Council.

The County is currently working with the State Highway Administration to adapt state road standards to achieve the goals of bicycle/pedestrian priority areas and smart growth.

Master and sector plans that are in our work program for the short term include Sandy Spring Rural Village, Aspen Hill Property (Vitro), Bethesda CBD, Greater Lyttonsville, Westbard, and Montgomery Village.

b. If no, include a summary of the following:

(i). Development trends contained in the previous annual reports filed during the period covered by the narrative;

(ii). The status of comprehensive plan implementation tools such as comprehensive rezoning to carry out the provisions of the comprehensive plan;

(iii). Identification of any significant changes to existing programs, zoning ordinances, regulations, financing programs, or State requirements necessary to achieve the visions and goals of the comprehensive plan during the remaining planning timeframe;

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- (iv). Identification of any State or federal laws, regulations, or requirements that have impeded local implementation of the comprehensive plan and recommendations to remove any impediments;

State highway road standards.

- (v). Future land use challenges and issues; and

- (vi). A summary of any potential updates to the comprehensive plan.

(B) In the current reporting year, did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction?

1. If no, go to (C).

Y ☒ N ☐

2. If yes, what were those recommendations?

The County continues to work on streamlining the process to improve the turnaround time on development proposals. The approved but not yet effective new zoning ordinance establishes time frames for several review processes, and directs the Planning Director to publish an annual calendar setting out specific time periods for each phase of a project review.

(C) In the current reporting year, did your jurisdiction adopt any ordinances or regulations needed to implement the 12 planning visions under §1-201 of the Land Use Article?

Y ☐ N ☒

1. If no, go to *Section V: Measures and Indicators*.

2. If yes, what were those changes?

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Section V: Measures and Indicators

(Note: The Measures and Indicators Sections (D) – (G) are only required for jurisdictions issuing more than 50 new residential building permits in the reporting year).

- (A) In the **Total** column in *Table 1, New Residential Permits Issued (Inside and Outside the PFA)* in (C) below, enter the total number of new residential building permits issued in 2013. Enter 0 if no new residential building permits were issued in 2013.

(Note: For annual reporting purposes, tabulate the amount of new residential building permits issued at time your jurisdiction has granted the ability for a new residential unit to be constructed. It does not mean that the unit has been constructed, will be constructed, or is occupied. If your local definition of building permit varies, please indicate the definition used to tabulate new residential building permits. Reconstruction or replacement permits should be included as new residential permits. Additionally, tracking the amount of reconstruction, replacement or demolition of residential units in Table 2A may be beneficial when conducting the Development Capacity Analysis in Section VIII.)

- (B) In the **PFA** column in *Table 1*, enter the total number of permits issued inside the Priority Funding Area (PFA). Enter 0 if no new residential building permits issued inside the PFA in 2013.
- (C) In the **Non-PFA** column in *Table 1*, enter the total number of permits issued outside the PFA. Enter 0 if no new residential building permits issued outside the PFA in 2013.

Table 1: New Residential Permits Issued (Inside and Outside the PFA)

Residential	PFA	Non - PFA	Total
# New Residential Permits Issued	1,215	224	1,439

(Note: At a minimum, each jurisdiction should submit the information requested in Table 1: New Residential Permits Issued (Inside and Outside the PFA) as part of their Annual Report. If no residential permits were issued, then indicate 0 in each column.)

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(D) If the **Total** number of new residential permits in *Table 1* is less than 50, then *Tables 2A and 2B* are optional and can be used to locally monitor changes less than 50 permits. Skip to (E) if the **Total** number of new residential permits in *Table 1* is 50 or more.

Table 2A: Amount of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non - PFA	Total
# Units Approved	7,041	83	7,124
# Units Constructed	3,094	239	3,333
# Subdivisions Approved	29	10	39
Total Approved Subdivision Area (Gross Acres)	241.47	296.68	538.15
# Lots Approved	692	90	782
Total Approved Lot Area (Net Acres)	266.4	256.6	523
# Units Demolished*	N/A	N/A	N/A
# Units Reconstructed/Replaced*	N/A	N/A	N/A

*Not required.

Table 2B: Amount of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non - PFA	Total
# New Permits Issued	109	16	125
# New Lots Approved	20	1	21
Total Square Feet Approved (Gross)	2,805,869	18,376	2,824,245
Total Square Feet Constructed (Gross)	1,378,940	191,579	1,570,520

(E) Were more than **50** new residential building permits issued in 2013? Y ☒ N ☐

1. If no, then the remainder of this Section is optional. Skip to *Section VI: Locally Funded Agricultural Land Preservation*.
2. If yes, then complete *Tables 3 through 5* for Residential Growth and *Tables 6 through 8* for Commercial Growth in (F) and (G) below.

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(F) Amount, Net Density and Share of Residential Growth:

(Note: To calculate the amount, net density and share of residential growth, jurisdictions must identify the total number of new residential building permits issued; the total number of new residential units approved; the total number of new residential lots approved; the total approved gross acreage of new residential subdivisions; and net lot area. A number of values are repeated in Tables 1 through 5. Be sure to enter consistent values for each similar category used in these tables.)

Table 3: Amount of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non - PFA	Total
# Permits Issued	1,215	224	1,439
# Units Approved	7,041	83	7,124
# Units Constructed	3,094	239	3,333
Total Approved Subdivision Area (Gross Acres)	241.5	296.7	538.2
# Lots Approved	692	90	782

Table 4: Net Density of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non – PFA	Total
# Units Approved	7,041	83	7,124
Total Approved Lot Size (Net Acres)	241.5	296.7	538.2

Table 5: Share of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non – PFA	Total
# Units Approved	7,041	83	7,124
% of Total Units (# Units/Total Units)	98.2%	1.8%	100%

(G) Amount, Net Density and Share of Commercial Growth:

(Note: To calculate the amount, net density and share of commercial growth, jurisdictions must identify the total number of new commercial permits issued; the total square footage of the commercial building approved; the total number of new commercial lots approved; the total new commercial subdivision area (gross acres); and the total approved subdivision net lot area, in acres for all new commercial subdivisions. The total building square footage (gross) and total lot size values (net acres) should be the same for Tables 6 through 8. For annual report purposes, all

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approved square footage (gross) should be tabulated, with the understanding that not all building square footage reported may be used for commercial or retail related activities. Commercial growth should include retail, office, hotel, industrial uses and may include other uses, such as, mixed-use, institutional and agricultural structures, if approved for commercial use.)

Table 6: Amount of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non - PFA	Total
# Permits Issued	109	16	125
Building Square Feet Approved (Gross)	2,805,869	18,376	2,824,245
# Lots Approved	20	1	21
Total Subdivision Area (Gross Acres)	113.3	2.2	115.5

Table 7: Net Density of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non – PFA	Total
Building Square Feet (Gross)	2,805,869	18,376	2,824,245
Total Lot Size (Net Acres)	131.3	2.2	133.5

Table 8: Share of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non – PFA	Total
Building Square Feet (Gross)	2,805,869	18,376	2,824,245
% of Total Building Sq. Ft. (Bldg. Sq. Ft./Total Sq. Ft.)	99.3%	0.7%	100%

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Section VI: Locally Funded Agricultural Land Preservation

(A) How many acres were preserved using local agricultural land preservation funding? Enter 0 if no acres were preserved using local funds.

337.4 Acres preserved via the County's Transferable Development Rights (TDR) program

Tax ID	Number of TDR	Serial Numbers	Acres
00003003 (1)	2	23-9321 and 23-9322	160.8
00937292 (2)	5	10-9323 through 10-9327	70.6
00924596 (3)	9	12-9328 through 12-9336	106.1

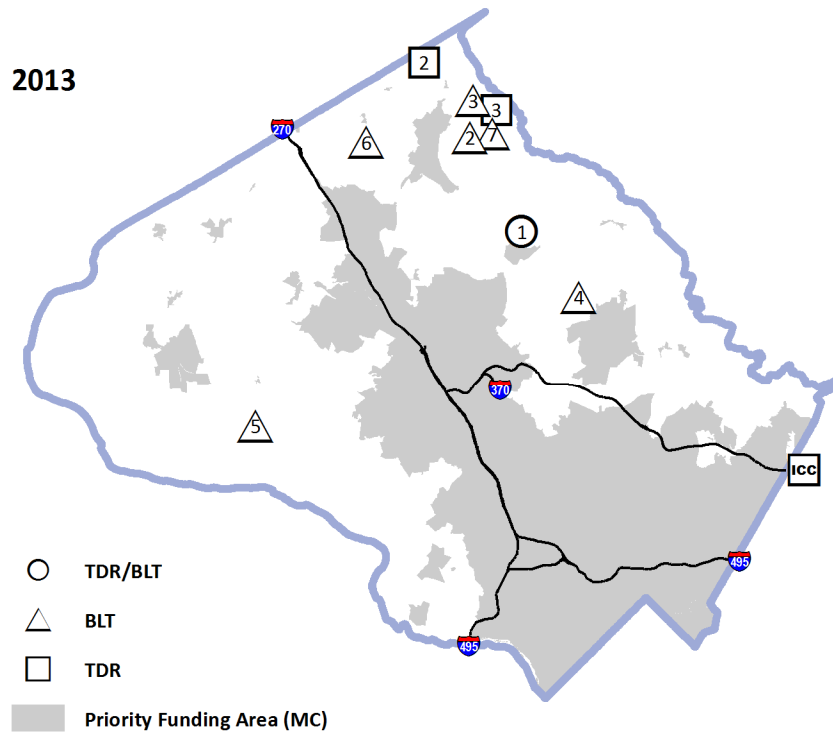
707.4 Acres preserved via the County's Building Lot Termination (BLT) program

Tax ID	Number of BLT	Serial Numbers	Acres
03327737 (2)	2	BLT-013, BLT-014	101.7
00924585, 01728630 (3)	1	BLT-015	82.5
00003003 (1)	4	BLT-016 - BLT-019	160.8
03497407 (4)	3	BLT-020 - BLT-022	98.9
03683851 (5)	1	BLT-023	48.9
00016541 (6)	2	BLT-024, BLT- 025	108.8
00009168 (7)	3	BLT-026 - BLT-028	105.7

Note: Numbers in parenthesis correspond to the numbers on map below

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2013



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Section VII: Local Land Use Percentage Goal

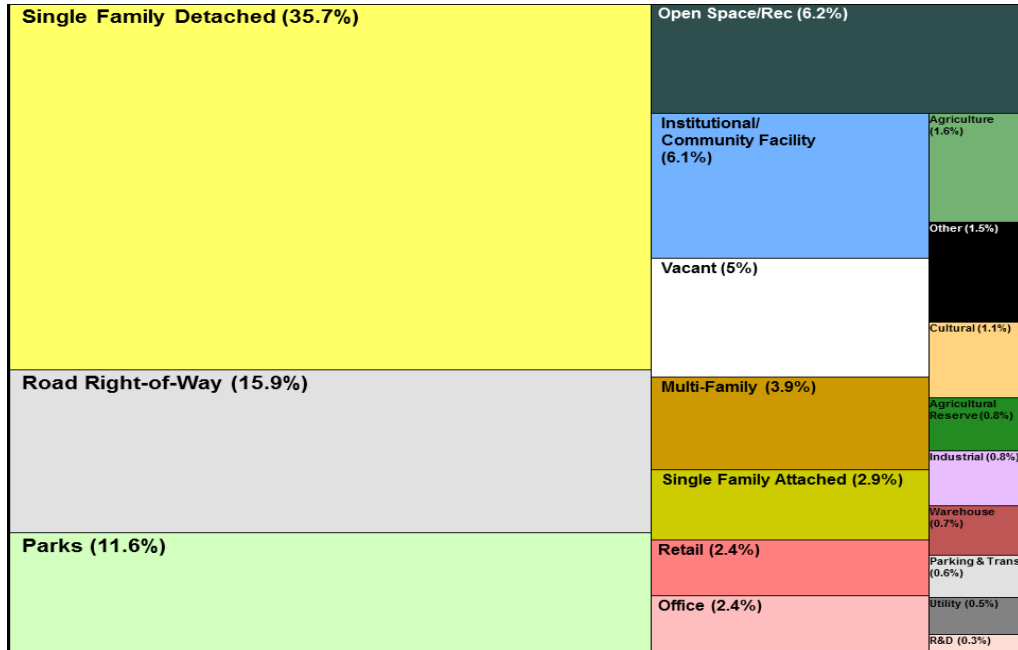
Is all land within the boundaries of the jurisdiction in the PFA?

Y ☐

N ☒

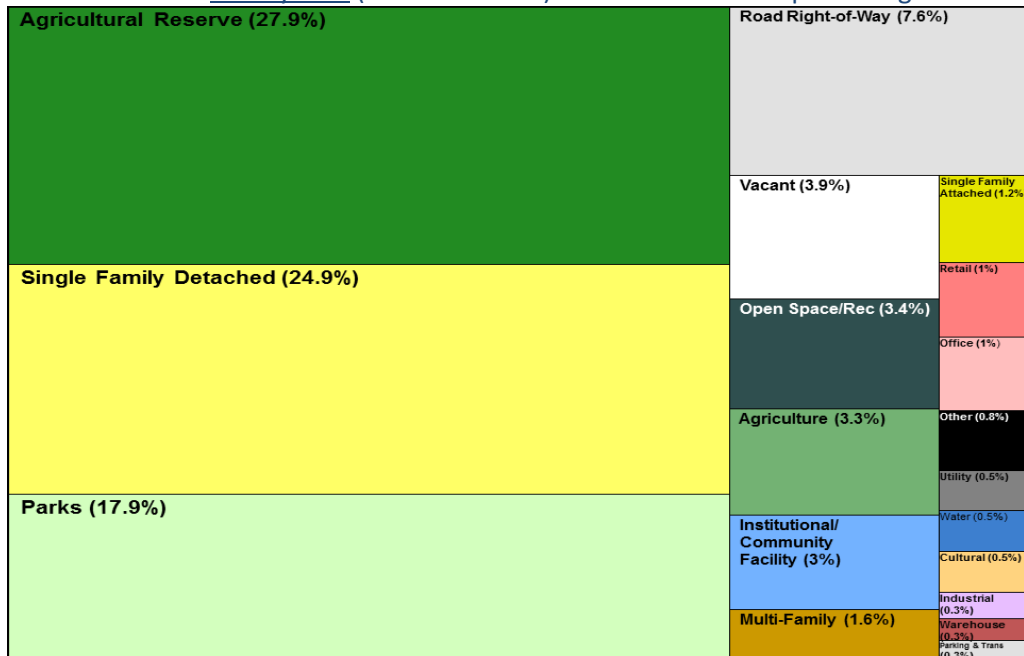
Montgomery County PFA is 125,177 acres.

Share of estimated land use percentages within PFA only :



Montgomery County totals 318,743 acres.

Share of current countywide (PFA + Non-PFA) estimated land use percentages:



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1. If yes, then the local land use percentage goal does not need to be established. Skip to *Section VIII: Development Capacity Analysis*.
2. If no, then the jurisdiction must establish a local percentage goal to achieve the statewide land use goal to increase the current percentage of growth located inside the PFAs and decrease the percentage of growth (new lots and new residential units) located outside the PFAs. Go to (B).

(B) What is the jurisdiction's established local land use percentage goal? **80%**

Montgomery County Planning has been operating in a largely infill and transit oriented pattern for a sizable period of time. The agricultural preserve reinforces this. As our previous annual land use reports have shown, our development approvals occur almost entirely within the PFA for the County. There is very little developable land outside the PFA. Almost all the significant development in terms of new population and employment is within the PFA. Additionally, over the last 5 years, on average of 90% of residential units and 98% of commercially built square footage has occurred within the PFA.

In light of this we feel comfortable in establishing a goal of 80% of approved growth to be in the county PFA.

(C) What is the timeframe for achieving the local land use percentage goal? **Ongoing**

The local land use percentage goal has been consistently exceeded. Our agricultural preserve and planning principles ensure we are in a sustain mode on this goal.

(D) Has there been any progress in achieving the local land use percentage goal?

With the exception of part of the Ten Mile Creek Amendment to the Clarksburg Master Plan, all current planning and increases in zoning capacity are within the PFA. Even in the Ten Mile Creek amendment, significant reductions in potential density were made in the area outside the PFA.

(E) What are the resources necessary for infrastructure inside the PFAs?

Significant investment is underway and planned to serve growth within the PFA. Transportation projects are often built outside the PFA, but serve to make the larger network function better

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for development in the PFA. State assistance will be sought for many of these projects, consistent with state funding guidance. The following facility improvements are planned:

CIP Projects by PFA			
Type	PFA	Number of Projects	(%)
Community Facilities	IN	19	76%
	OUT	6	24%
Parks	IN	48	64%
	OUT	27	36%
Schools	IN	34	63%
	OUT	20	37%
Transportation	IN	254	75%
	OUT	86	25%
Water & Sewer	IN	5	45%
	OUT	6	55%

Total Number of CIP Projects	Within PFA	Outside of PFA
505	360 (71%)	145 (28%)

(F) What are the resources necessary for land preservation outside the PFAs?

The County relies on Program Open Space funding for a significant portion of our parks budget, especially for land acquisition. Rural Legacy and Agricultural Easement Programs are essential for land preservation in the Agricultural Reserve.

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Section VIII: Development Capacity Analysis (DCA)

- (A) Has an updated DCA been submitted with your Annual Report or to MDP within the last three years?

(Note: A DCA is required every 3-years and whenever there is a significant change in zoning or land use pattern. See §1-208(c)(1)(iii) of the Land Use Article. A DCA may be submitted independently from the Annual Report, such as, part of a comprehensive plan update.)

Y ☒ N ☐

1. If no, explain why an updated DCA has not been submitted, such as, no substantial growth changes, etc.
2. If yes, then skip to (C):

(Note: For additional guidance on how to conduct a Development Capacity Analysis, see the Estimating Residential Development Capacity Analysis Guidebook, August 2005, located in the Planning Guide section of the MPD website:

<http://planning.maryland.gov/OurProducts/publications.shtml#ModelsGuidelines>

MDP provides technical assistance to local governments in completing development capacity analyses. Please contact your MDP regional planner for more information.)

- (B) When was the last DCA submitted? Identify Month and Year: **July 2013**

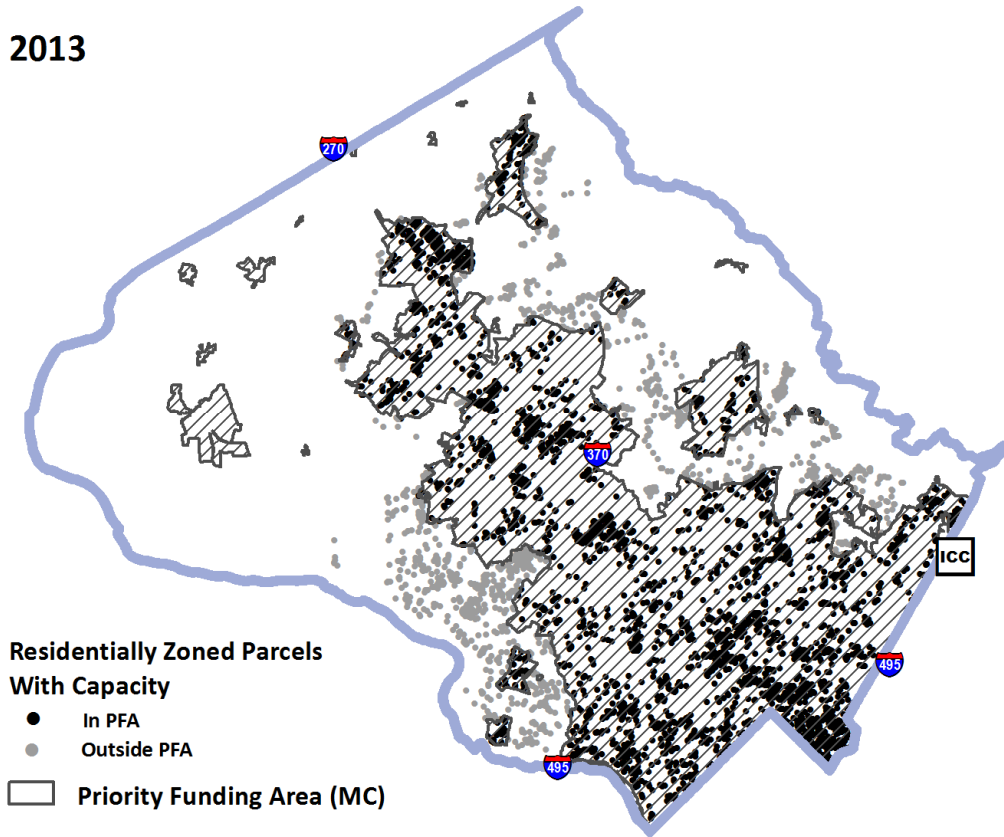
- (C) After completing the DCA, provide the following data on capacity inside and outside the PFA in Table 9, Residential Development Capacity (Inside and Outside the PFA):

Table 9: Residential Development Capacity (Inside and Outside the PFA)

Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
Residentially Zoned Acres	94,325	52,510	146,835
Total Acres	105,026	188,264	293,293
Total Lots	238,369	31,588	269,957
Acres with Capacity	2,384	1,901	4,285
Parcels with Capacity	4,454	1,250	5,704

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Total Number of Residential Parcels with Capacity	Within PFA	Outside of PFA
5,704	4,454 (78%)	1,250 (22%)

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Section XI: Adequate Public Facility Ordinance (APFO) Restrictions (Section XI is only required by jurisdictions with adopted APFOs)

(A) Does your jurisdiction have any adopted APFOs? Y ☒ N ☐

1. If no, skip this Section.
2. If yes, go to (B).

(B) Has any APFO resulted in a restriction within the Priority Funding Area? Y ☒ N ☐

1. If no, skip this Section.
2. If yes, then complete (C) through (I) below for each restriction.

(C) What is the type of infrastructure affected? (List each for Schools, Roads, Water, Sewer, Stormwater, Health Care, Fire, Police or Solid Waste.)

Montgomery County's 2012 Subdivision Staging Policy is a growth management instrument that guides the timing of development and the provision of adequate public services. This policy implements a 1973 law, the Adequate Public Facilities Ordinance, which directs development to areas where public services are in place. The policy presents guidelines that govern where new development takes place, matching growth to the availability of public services, like transportation and schools. The policy emphasizes two types of APFO restrictions for new development: restrictions based on school capacity and restrictions based on transportation capacity.

(D) Where is each restriction located? (Identify on a map if possible).

Schools:

School adequacy is determined for each school level (e.g., elementary, middle and high school). At any level, if projected school enrollment exceeds 105% of projected school capacity then residential development within the affected school cluster will be required to make a School Facility Payment (SFP). The SFP is based on the number of students generated by the proposed development and the cost of additional infrastructure needed to support it, which varies by school type. If projected enrollment exceeds 120% of projected capacity then the entire school cluster is in moratorium for residential development approvals. Residential development projects in the following PFA restricted school districts require fees for the purpose of expanding school capacity under the FY2012 Schools Test.

Source: 2013 Annual School Test, MCPS

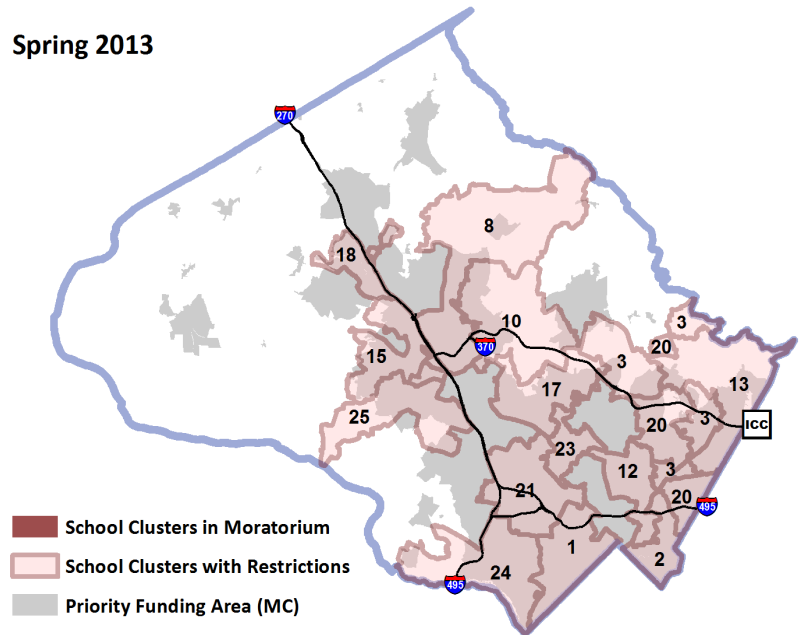
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Spring 2013 Restrictions (School Level):

- 1 Bethesda-Chevy Chase HS
- 2 Blair HS
- 3 Blake HS
- 8 Gaithersburg HS
- 10 Magruder HS
- 12 Northwood HS
- 13 Paint Branch HS
- 15 Quince Orchard HS
- 17 Rockville HS
- 18 Seneca Valley HS
- 20 Springbrook HS
- 21 Walter Johnson HS
- 23 Wheaton HS
- 24 Whitman HS
- 25 Wootton HS

Moratorium: None

Spring 2013



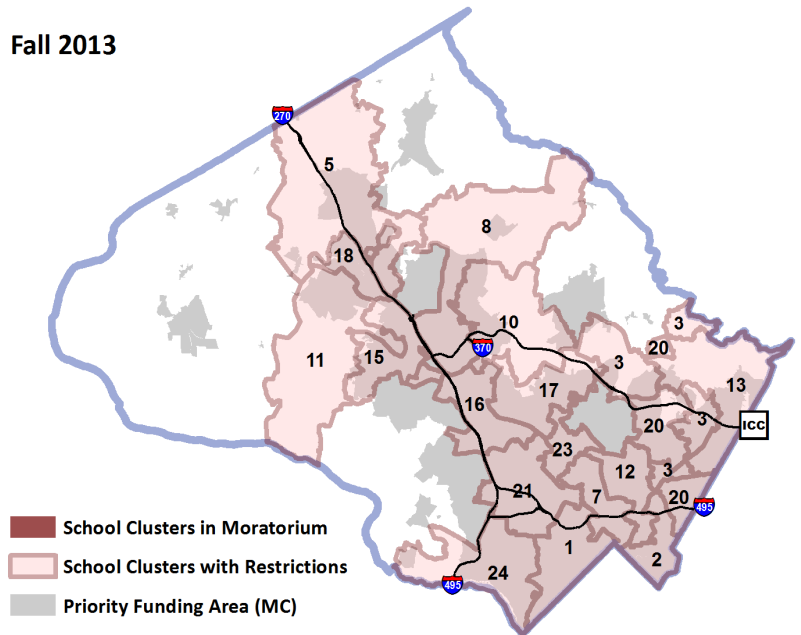
Fall 2013 Restrictions (School Level):

- 1 Bethesda-Chevy Chase HS
- 2 Blair HS
- 3 Blake HS
- 5 Clarksburg HS
- 7 Einstein HS
- 8 Gaithersburg HS
- 10 Magruder HS
- 11 Northwest HS
- 12 Northwood HS
- 13 Paint Branch HS
- 15 Quince Orchard HS
- 16 Richard Montgomery HS
- 17 Rockville HS
- 18 Seneca Valley HS
- 20 Springbrook HS
- 21 Walter Johnson HS
- 23 Wheaton HS
- 24 Whitman HS

Moratorium: None

Transportation:

Fall 2013



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The 2012 Subdivision Staging Policy introduced a new area-wide transportation test to balance the number of trips against the transportation infrastructure – transit, roads and pedestrian/cycling routes. This new test called Transportation Policy Area Review (TPAR) measures the impacts of development on traffic flow and transit capacity in each of the county's 30 traffic policy areas. TPAR establishes standards for roadway and transit adequacy and determines which policy areas meet those standards.

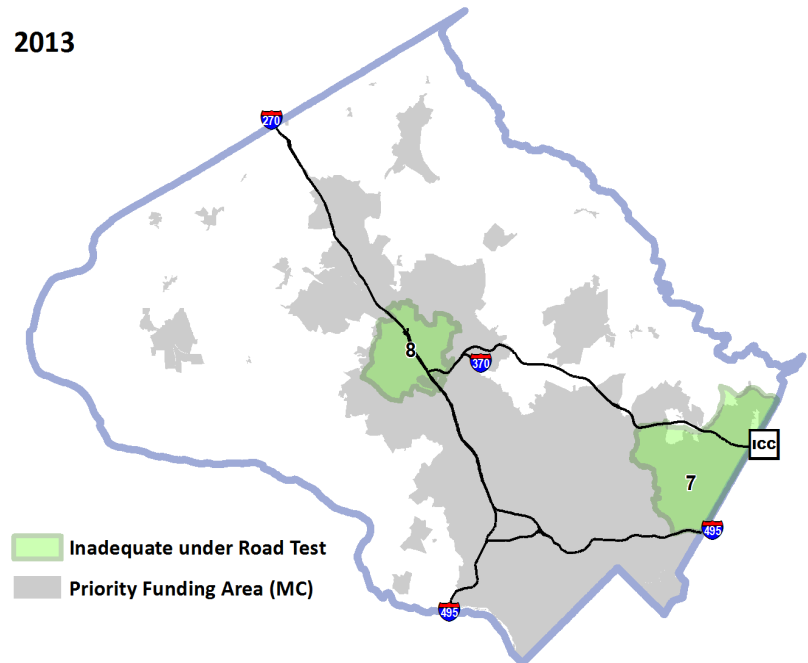
TPAR sets different standards for transportation adequacy in urban, suburban and rural areas. If development is proposed in a policy area that does not meet the roadway or transit standards, the development must provide the needed capacity or make a TPAR payment.

The **TPAR roadway analysis** uses a regional travel demand model to assess the adequacy of main roads in the peak direction of travel during the PM peak hour

Policy Area

- 7 Fairland/White Oak
- 8 Gaithersburg City

2013



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The **TPAR transit analysis** considers three facets of existing local bus transit service: Service Coverage, Peak Headways, and Span of Service.

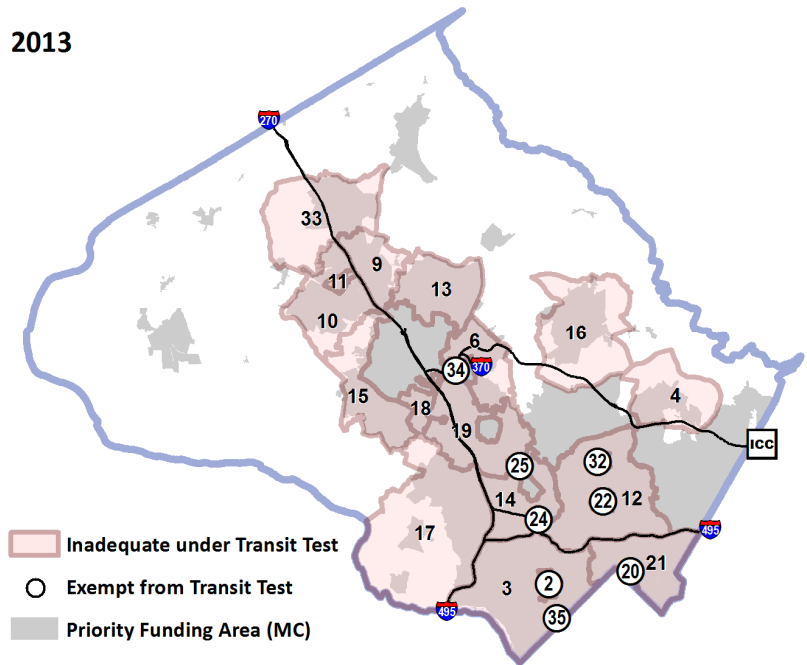
Policy Area

- 3 Bethesda/Chevy Chase
- 4 Cloverly
- 6 Derwood
- 9 Germantown East
- 10 Germantown West
- 11 Germantown Town Center
- 12 Kensington/Wheaton
- 13 Montgomery Village/Airpark
- 14 North Bethesda
- 15 North Potomac
- 16 Olney
- 17 Potomac
- 18 R&D Village
- 19 Rockville City
- 21 Silver Spring/Takoma Park
- 33 Clarksburg

Policy Areas EXEMPT from Transit Test

- 2 Bethesda CBD
- 20 Silver Spring CBD
- 22 Wheaton CBD
- 24 Grosvenor
- 25 Twinbrook
- 32 Glenmont
- 34 Shady Grove Metro Station
- 35 Friendship Heights

2013



(E) Describe the nature of what is causing each restriction.

School capacity restrictions are evaluated annually by Montgomery County Public Schools using estimated enrollment and capacity figures for Elementary, Middle and High school levels within each school cluster. For school levels over 105% utilization by school cluster, a school facility payment is imposed on new residential development,

Similarly, road and transit capacities are evaluated for County Policy Areas. The test for these evaluations is now made by a "Transportation Policy Area Review" (TPAR) test as an element of the Planning Department's four year "Subdivision Staging Policy." The latest of these was adopted in 2012 and it identified a mitigation fee for many of the County's Policy Areas.

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(F) What is the proposed resolution of each restriction (if available)?

In all cases, the restrictions result in mitigation fees to be collected prior to any plan approvals in the affected areas. In the case of road and transit facilities, the fees go to the County Department of Transportation where they are put towards the County's CIP for road and bus route improvements, which factor into the next TPAR test. With respect to schools, the school facility payment is placed in an account to be used in the applicable school cluster and the school level deemed inadequate.

(G) What is the estimated date for the resolution of each restriction (if available)?

The annual test of school adequacy is based on projected enrollment and projected capacity. Funding included in the six year CIP can be counted toward capacity and can, therefore, result in a restriction being removed from a school cluster area.

(H) What is the resolution that lifted each restriction (if applicable)?

In the case of schools, additional funding of capacity or estimated decrease in enrollment can result in the restriction being removed.

(I) When was each restriction lifted (if applicable)?

The adequacy of school facilities is tested annually; therefore, any restriction imposed in one year can be removed in the next.

(J) Has your jurisdiction reported the restrictions reported in (C) through (I) above as part of the required biennial APFO annual reporting requirements?

Y ☒ N ☐

(Note: Jurisdictions with adopted APFOs must submit a biennial APFO report when a restriction within the PFA occurs within the reporting period. The APFO report is due by July 1 of each even year and covers the reporting period for the previous two calendar years, currently 2013 and 2012.)

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Section X: Submitting Annual Reports and Technical Assistance

- (A) Annual Reports may be submitted via email or hyperlink to david.dahlstrom@maryland.gov (preferred) or one copy may be mailed to:

Office of the Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Attn: David Dahlstrom, AICP

- (B) Annual Reports should include a cover letter indicating that the Planning Commission has approved the Annual Report and acknowledging that a copy of the Annual Report has been filed with the local legislative body. The cover letter should indicate a point of contact(s) if there are technical questions about your Annual Report.

1. Was this Annual Report approved by the planning commission/board? Y ☒ N ☐
2. Was this Annual Report filed with the local legislative body? Y ☒ N ☐
3. Does the cover letter:
 - a. Acknowledge that the planning commission/board has approved the Annual Report. Y ☒ N ☐
 - b. Acknowledge that the Annual Report has been filed with the local legislative body? Y ☒ N ☐
 - c. Indicate a point of contact(s)? Y ☒ N ☐

- (C) You may wish to send an additional copy of your Annual Report directly to your MDP Regional Office via email or hyperlink (preferred) or hardcopy.

- (D) If you need any technical assistance in preparing or submitting your reports, our Regional Planners are available to assist you. Regional Planner contact information can be found at:

- (E) Copies of this Annual Report worksheet and links to legislation creating these Annual Report requirements can be found on the Maryland Department of Planning website:

- (F) If you have any suggestions to improve this worksheet or any of the annual report materials, please list or contact David Dahlstrom at david.dahlstrom@maryland.gov.