

THE PLAN

PLANNING FRAMEWORK

Several planning policies have been identified for the purpose of developing this Plan, and for the basis of the recommendations contained in this document. These policies have been developed by the planning staff and are based upon:

- the recommendations contained in The General Plan, the Kensington-Wheaton Master Plan and other adopted documents which are statements of public policy;
- the concepts put forth in the various reports for County Growth Policy, which identify potential impacts on communities in the mid-County area and discuss approaches to future County policy to deal with them;
- the advice and comment of the various members of the Capitol View and Forest Glen communities at and following meetings held with them; and
- the staffs' best professional judgment in providing a framework within which the future of the Capitol View area can best be directed in the context of existing public policy, locally expressed preferences and concerns, and the natural and man-made environment which currently exists.

GOALS AND OBJECTIVES

While the starting point for developing a statement of planning policies for the Capitol View Sector Plan was in adopted statements of public policy, this starting point needs to be examined in a setting which reflects the concerns and attitudes of the people most directly affected by what happens in Capitol View. The goals of local residents, institutions, and property owners, therefore, need to be ascertained. At the same time, the Plan must assure that persons in Montgomery County as a whole--future as well as current residents--are well served by the recommendations contained in the Plan. This Plan attempts to balance these wide ranging and often diverse interests and concerns.

What is desired for an area is expressed through the goals and objectives--stated, implied or inferred--of those who live, work, play, attend religious institutions, or school, or share some other concern for and interest in the Capitol View area. The task of identification of goals and objectives was approached in a number of ways.

Planning goals were developed from statements of "issues," "desires," or "aims" of a number of separate community and interest groups, all of whom share some common concern for the area.

These generalized planning goals include:

- To preserve and protect the Capitol View "community" as a stable, predominantly single-family residential community. The Plan should reflect a recognition of the permanence of the existing residential character.
- To preserve the historic nature of the Capitol View community.
- To assure a high degree of public safety to residents and users of the area.
- To assure that future development is sensitive to the physical environment.
- To assure that existing and future residents of the community are protected from intrusions of traffic, noise, flooding, and pressures to redevelop existing low-density uses.

Over three-quarters of the Capitol View Sector Plan area is developed with single-family detached homes, townhouses, or large institutional or public uses. While a number of undeveloped or underdeveloped parcels will eventually be developed, the basic land use framework of the area is already established.

What can "planning" achieve in such a setting? The staffs' view has been to point out the major concerns of which the community should be aware in already built-up areas-but to concentrate on the areas where potential development is likely to take place in the immediate future. Scattered throughout the area are a number of vacant, previously subdivided lots, which should, and can generally be expected to be developed with the character of the immediate community. In the central and western portions of the area, there are a number of larger vacant or underdeveloped parcels that, in spite of their currently being zoned for development with one-family, detached houses, have been the subject of pressure for higher density development.

Left to usual forces, these sensitive land resources could be developed to the detriment of the surrounding community. Trees could be indiscriminately cut, natural beauty destroyed, historical perspectives altered, and the physical environment of the whole area irretrievably damaged. This type of future is not pre-ordained, however, and it is the

basis of the Sector Plan that imaginatively conceived land development controls, reinforced by support from the community, can control development pressures, preserve open space and key natural features, and preserve the history of the Capitol View area.

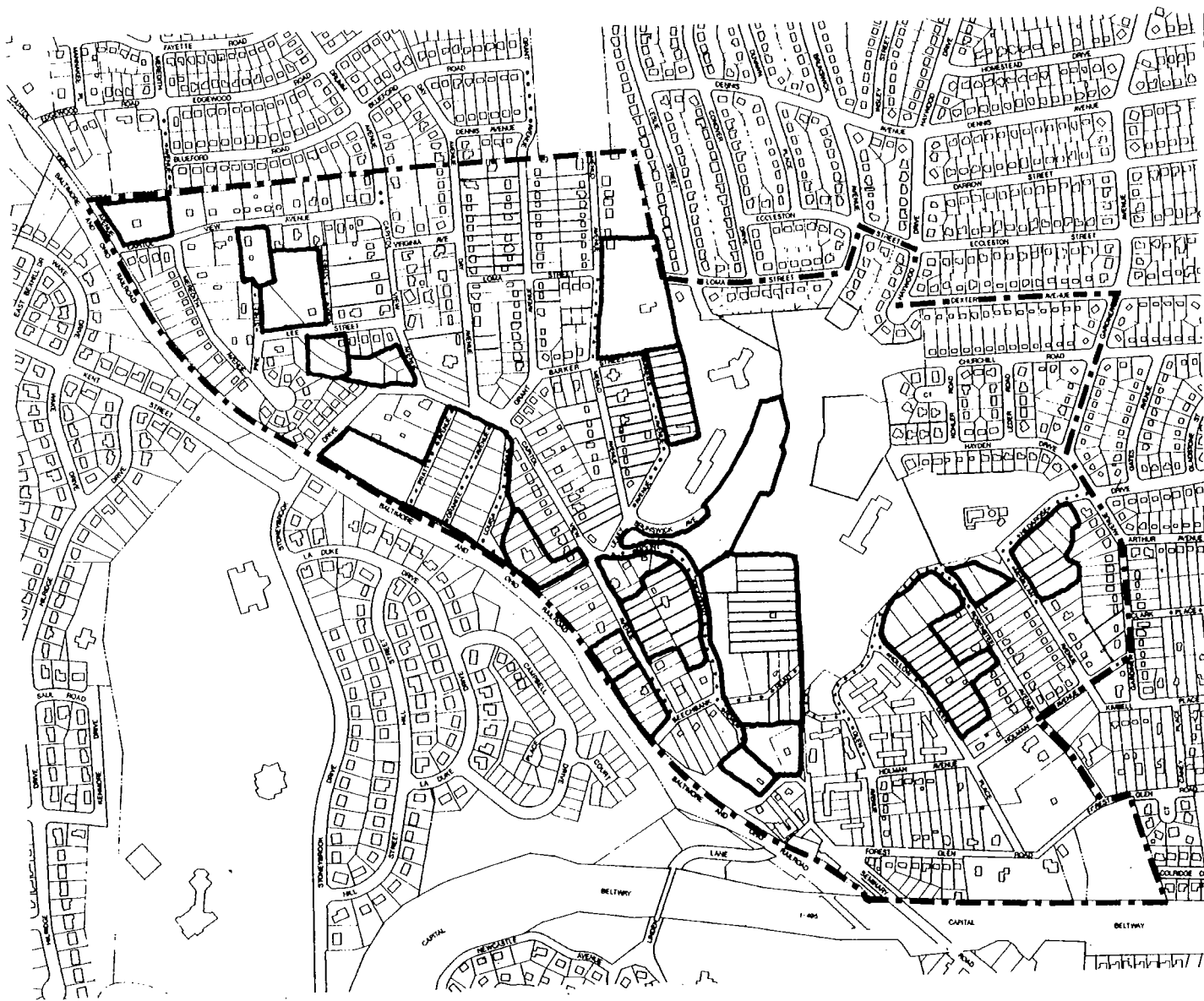
The following concepts are the framework upon which the Plan itself is built:

- The predominantly low-density residential character of the Capitol View area should be maintained. Recommendations for land use and zoning should support the existing character of the residential community and prevent the intrusion of disruptive land uses.
- Any future development must be integrated into the historic fabric of the Capitol View and Forest Glen communities. New development must take into consideration the visual and physical environment that has been established over the years.
- Traffic and circulation improvements should facilitate smooth, safe traffic flow for both local and "through" travel. Such improvements should be directed mainly toward assuring safe and orderly circulation. Improvements should not encourage new through traffic to enter the Capitol View area. Moreover, circulation improvements should facilitate local pedestrian and bicycle movement and discourage penetration of traffic onto local streets.
- Environmentally sensitive areas should be protected and preserved. The land use and zoning recommendation should prevent building in undesirable locations and protect existing natural resources.
- Existing open space in a number of areas should be protected and preserved. Conservation easements or public acquisition would add to existing recreation opportunities, protect areas of natural and historic resources, and prevent development in undesirable locations.

The foregoing represents the basic "framework" which guided the development of the Sector Plan. Detailed studies and discussions of the basic concepts culminated in the formulation of specific recommendations.

OPPORTUNITIES AND CONSTRAINTS

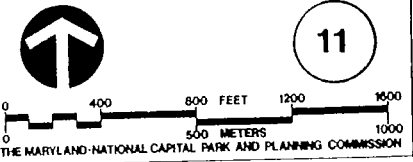
In the developed areas of Capitol View and Forest Glen, the many existing conditions--both natural and man-made--have, of necessity, limited planning options. The locations and character of existing residential and commercial development, for example, are



**MAJOR
UNDEVELOPED /
UNDERDEVELOPED
PARCELS**

Capitol View Special Study Area

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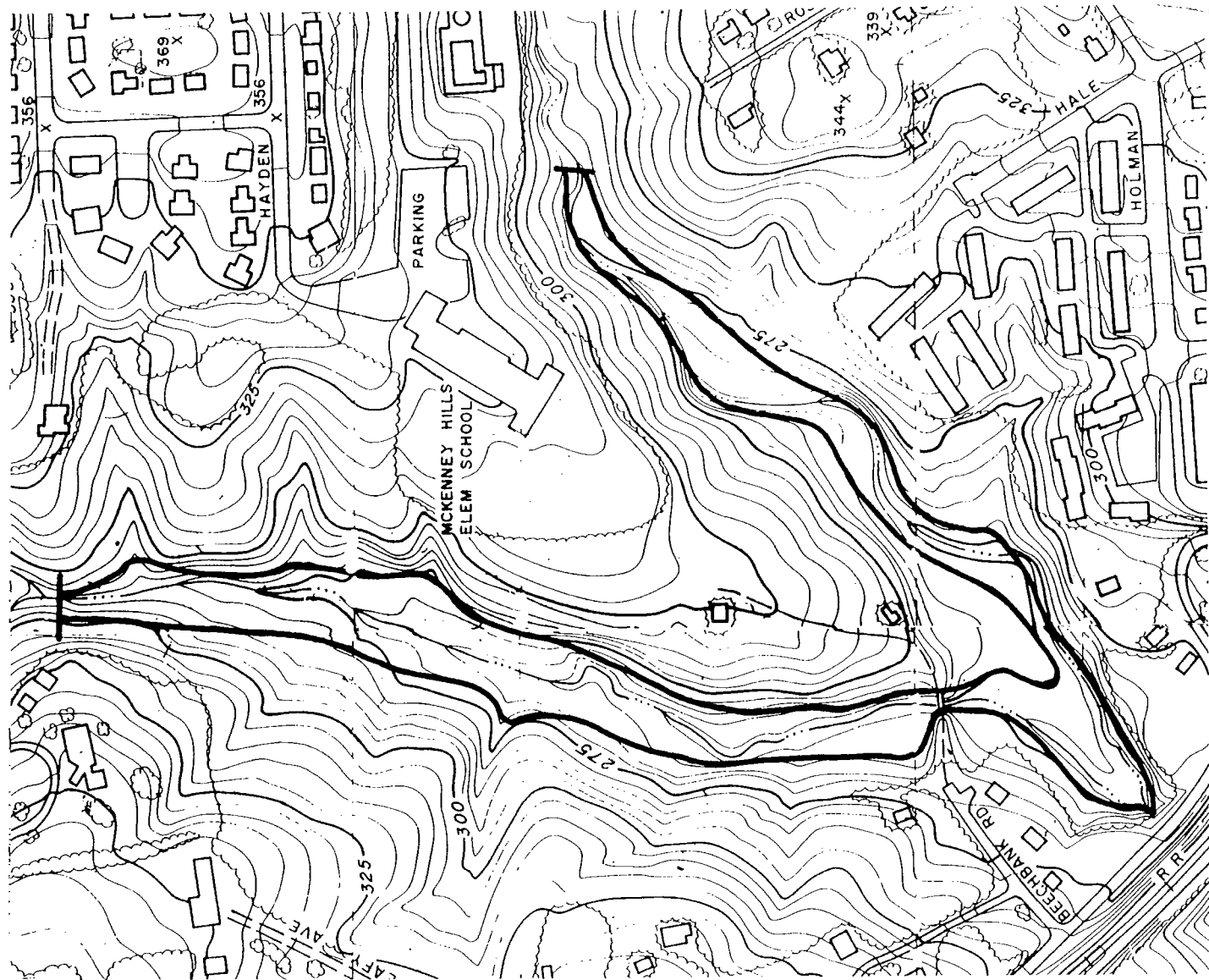


established facts subject only to changes in specific details, such as landscaping, and improvements to existing physical appearance. Future development potential and alternatives were thus considered only for the areas remaining undeveloped or underdeveloped---areas whose future can be shaped by direct public action or by public regulation of private action. These areas are shown on Figure 11 and include vacant land, existing homes on large lots that have additional subdivision potential, and existing uses that staff has determined may be subject to change in the future.

In the initial stages of the planning project, the staff examined soils, slopes, bedrock, vegetation, hydrologic conditions (drainage problems, stream conditions, etc.) and other environmental factors in the planning area. This initial analysis indicated that many of the undeveloped or underdeveloped parcels contained sensitive land conditions (steep slopes, poor soils, erosion, shallow bedrock, etc.). These conditions were especially true of those parcels that were adjacent to the two streams which flow into Rock Creek. These streams were found to have erosion and sedimentation problems as well as poor water quality. In addition, several developed parcels at the confluence of these streams have experienced considerable erosion and stream meander.

Because of the sensitive environmental conditions that were identified in these studies, the staff and their consultants, CH2M Hill, conducted a more detailed analysis of the potential impact that a number of development alternatives might have on the natural systems in this area and on the existing community. The study analyzed not only land conditions but water quality and quantity, drainage, and potential flooding problems for the two streams previously identified. The end result was to determine what, if any, limits or constraints should be placed on future development in these areas, in order to strike a balance between future development and the preservation of the natural and man-made environments.

The study, which was an extension of the Rock Creek Stormwater and Water Quality Management Study completed in 1977 by CH2M Hill, developed additional stormwater runoff information and analyzed water quality conditions in the drainage basin. In order to meet these objectives, hydrologic and hydraulic modeling were performed to determine the extent of flooding along streams in the area and to analyze the impact of various land use alternatives on this flooding. In addition, sedimentation and erosion were studied and the impacts on water quality associated with different alternatives were determined based on generalized pollutant build-up rates. The residential development alternatives used for this study ranged from 0.5 dwelling units per acre to 12.5 dwelling units per acre.



100 YEAR ULTIMATE FLOODPLAIN

LEGEND

-  Stream
-  100 Year Ultimate Floodplain



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which will occur in any stream in response to large storms. New development without stormwater management will compound these problems, but even with adequate attenuation of the new peaks, channel erosion may continue with the stream adjusting to the upstream development.

If the magnitude of the 2-year peak flood is to be kept from growing larger, storage ponds will be necessary to attenuate the higher runoff from new development. The study basically found that the erosion potential increased with the denser land use alternatives. Without stormwater management controls, the magnitude of the 2-year flood under a density of 12.5 units per acre be about 50 percent larger than the magnitude under a density of 0.5 units per acre. A moderate stream channel erosion problem was shown with development at 12.5 dwelling units per acre, while a potential problem exists at 4 to 5 dwelling units per acre. No significant channel erosion problems were foreseen with alternatives from 0.5 dwelling units per acre to 2 dwelling units per acre.

Water Quality

The analysis of pollutant loadings to the Right and Left Forks indicates that while loads would be somewhat higher for the higher density land use alternatives, differences in instream water quality would be negligible. Under all land use alternatives fecal coliform bacteria levels would frequently exceed the Maryland State standard. This is not a unique problem as almost all the streams in Montgomery County for which data exist experience frequent or continual violations in the fecal coliform standard. Turbidity, nitrate nitrogen, and phosphate phosphorus would not reach high enough levels to adversely affect water quality. Temperature and dissolved oxygen levels are highly dependent on the degree to which the stream is shaded. Therefore, land use was found to be a secondary importance in evaluating these parameters as long as development does not occur too close to the stream.

The above water quality analysis addressed the long-term affects of land use after development. Erosion loadings that occur during the construction phase can have significant short-term effects on streams. Sediment contributions to streams can result in deposition of silt and sand in streambeds, which can cover over and destroy more desirable habitat. Sediment may also contribute to higher turbidity, suspended solids, and nutrient levels in streams. Because the travel time for water in the Right and Left Forks is less than one hour, the significant effects of erosion during construction would not greatly affect these streams, but would instead be felt further downstream in Rock Creek.

The study produced the following findings:

- Flooding

In the context of the study, flood problems were considered to be the inundation of man-made structures by the 100-year flood. On both the Left Fork and Right Fork, there are no roads, bridges, or buildings in the floodplain under any of the land use alternatives. Higher water-surface elevations are indicated under the more dense land uses but no flood problems for existing structures were identified.

- Erosion

Land-surface erosion during and after development could be a significant problem in the Capitol View Study area. According to the Soil Conservation Service soil classifications, soil could be lost very easily if land is clear-cut and left exposed for any length of time. This length of time would vary according to the season and weather conditions. In addition, improper grading of the final landscape could result in costly property damage from erosion. This problem is more severe with higher densities. A density where natural vegetation and trees can be retained to hold the soil would help alleviate land-surface erosion problems.

Channel erosion problems associated with high flows or stream meanders have occurred in the lower reaches of the Left Fork to properties on Beechbank Road. Septic systems were damaged to the point where they could no longer be used and connections to the sanitary sewer system were required. This type of erosion problem is an existing condition caused by the development of the headwaters of the basin.

Another potential erosion problem in the basin exists around the sanitary sewer line crossings. Where these pipes cross the streams, erosion is exposing more and more of the structures. If conditions get bad enough, cracks or breaks could develop, spilling raw sewage into the stream.

The size and shape of a stream channel is closely tied to the magnitude of the 2-year flood. When urbanization increased the 2-year peak flow in the basin, erosion problems began as the channel grew to accommodate the higher flows. Since no stormwater management measures were employed to attenuate the higher 2-year peak, channel enlargement has proceeded unchecked. The current erosion along the Capitol View streams may be the result of the channels adjusting to the existing development; or it may be the periodic erosion and deposition (or meandering)

The "opportunities and constraints" on future development in the Capitol View Sector Plan area were developed within the context of the foregoing analysis and other studies conducted by the staff during the planning program. The "opportunities" for new development were examined in terms of these constraints and in terms of public policies and of local and areawide goals and objectives. These, together with the "planning framework" and the community's input in the planning process, form the basis for the specific land use, transportation, community facilities, and zoning recommendations which are expanded upon in the text which follows.

LAND USE PLAN

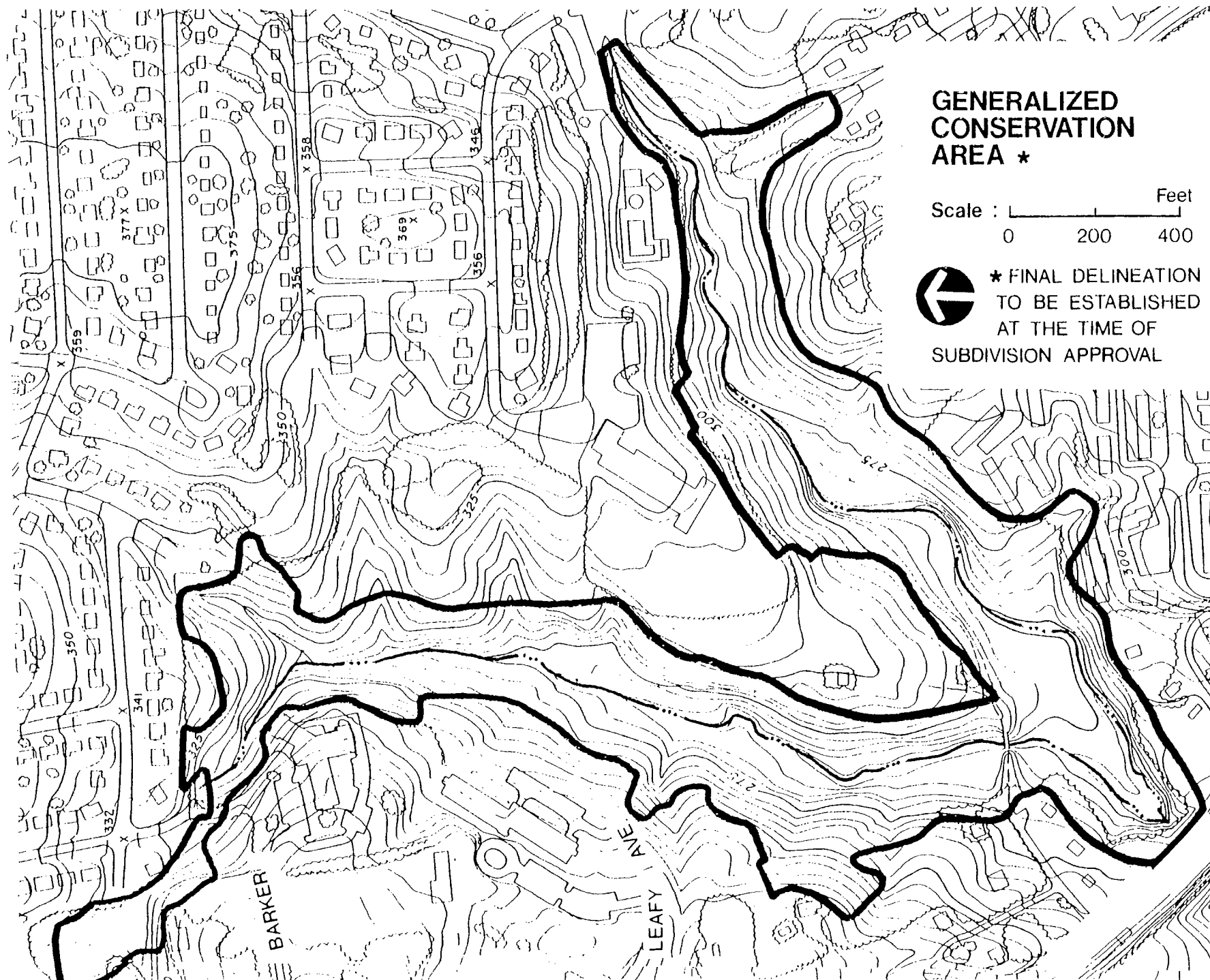
Residential land uses account for the majority of land occupied by private development. Within the Sector Plan area there is a variety of housing types from detached homes on both large and small lots to townhouse and garden apartments. Both the staff and the community recognize the need for, and the desirability of, maintaining a range of housing, both in type and price. The Plan also recognizes the established low-density character of Capitol View, and the desire of the community to maintain this character and to preserve the many physical attributes that set Capitol View apart from other areas.

The Plan recommends that existing single-family residential areas should be retained in their current use and density (between 2 and 5 dwelling units per acre). Scattered throughout the Sector Plan area are several small vacant parcels and oversized single-family lots. It is possible that a number of these parcels may be subdivided or developed in the near future. The Plan recommends that any infill residential development should be similar in character and compatible in density with the immediate low-density, single-family neighborhood.

The majority of the larger undeveloped or underdeveloped parcels lie adjacent to either the Right Fork or the Left Fork tributaries to Rock Creek (see Figure 11). Staff and consultant analysis of these parcels has indicated a number of potential problems associated with any future development of these sites (see "Environment" and "Opportunities and Constraints"). Generally, these problems include poor soils, steep slopes, potential erosion problems due to grading and removal of vegetative cover, and hydrologic conditions (floodplains, drainage, water quality, etc.). The Sector Plan recommends that, in order to maintain a balance between future residential development and the sensitivity of the natural environment, a Conservation Area be established when land bordering the Right and Left Fork tributaries to Rock Creek is subdivided.

Unlike parks, Conservation Areas are private land. Generalized locations are indicated in the Sector Plan and are implemented through the subdivision process. Conservation Areas usually follow natural drainage channels and floodplains. Wet soils, slopes in excess of 25 percent, and certain areas adjacent to floodplains, may also be included in the Conservation Area. These areas are used in the Plan to protect the natural environment.

Conservation Areas are unsuited for building purposes and should be left in their natural state. To encourage their use as open space, the sections of the zoning ordinance which are based upon density regulations generally permit these areas to be used in calculating the permitted number of units or percent of coverage, and the averaging of lot sizes. This



**GENERALIZED
CONSERVATION
AREA ***

Scale : Feet
0 200 400

* FINAL DELINEATION
TO BE ESTABLISHED
AT THE TIME OF
SUBDIVISION APPROVAL

Capitol View Special Study Area

allows the area designated for conservation to be used for private recreational purposes or the rear yards of single-family dwellings. Only in rare cases are such Conservation Areas purchased with public funds.

A generalized Conservation Area is shown on Figure 13. Final delineation on individual properties would be established during the subdivision process.

As residential development occurs adjacent to the Conservation Areas, the following actions are recommended during the review and construction process:

- . Flooding
 - If any stream crossings are constructed, the hydraulic capacity of the structure should be adequate to pass the 100-year flood without significant backwater effects which could cause upstream flooding.
 - All bridges and culverts should be kept free of debris and siltation so they will accommodate their design flows to avoid floodwater backups.
- . Stream Channel Erosion
 - Higher density development (4 to 7 dwelling units per acre) should provide on-site stormwater management facilities to control runoff.
 - Sanitary sewer line crossings in the area should be checked periodically to ensure that channel erosion or meandering does not lead to pipe cracks or breaks.
- . Construction Site Erosion
 - The areal extent and time of exposure of cleared land should be minimized.
 - Spoil piles should be covered.
 - Hay bales should be placed around the site.
 - Ground cover should be re-established as soon as possible after construction.

- Water Quality

- Natural vegetation along the Right and Left Forks should be preserved to the greatest extent possible. This shading would result in lower temperatures and higher dissolved oxygen levels in the stream water.
- On-site detention basins would be beneficial in reducing pollutant loadings to Rock Creek.

- Off-Site Drainage

- Safe conveyance and off-site discharge of stormwater should be provided.
- Stormwater flows to adjacent properties and off-site drainage structures should be properly controlled.

A number of parcels of undeveloped or underdeveloped land along Capitol View Avenue and the Baltimore and Ohio Railroad are affected by noise (see Figure 6).

Truck and train noise prevail during the daytime. However, extremely loud freight train noise, including "warning whistle blow," is experienced during sleeping hours. Use of noise descriptors that average noise over long time periods may not totally reflect the annoyance of occasional, short-term excessive peak levels, such as those from railroad passbys. Therefore, the Plan recommends that new residential construction should attempt to meet the following noise level performance criteria.

- Noise levels in excess of 60 dBA L_{dn} may be detrimental to the enjoyment of interior and exterior residential space and should be avoided, where possible. In cases where this criteria cannot be achieved due to size or configuration of a parcel, or other reasons, a level of 65 dBA L_{dn} may be used as a guide.
- Peak noise levels from train passbys in excess of 75 dBA should be reduced below this level, where feasible.
- When abatement measures will not result in the attainment of exterior criteria, an interior noise criteria of 45 dBA L_{dn} may be acceptable. Interior noise levels above 45 dBA may be detrimental to nighttime sleep conditions and should be avoided, where feasible.

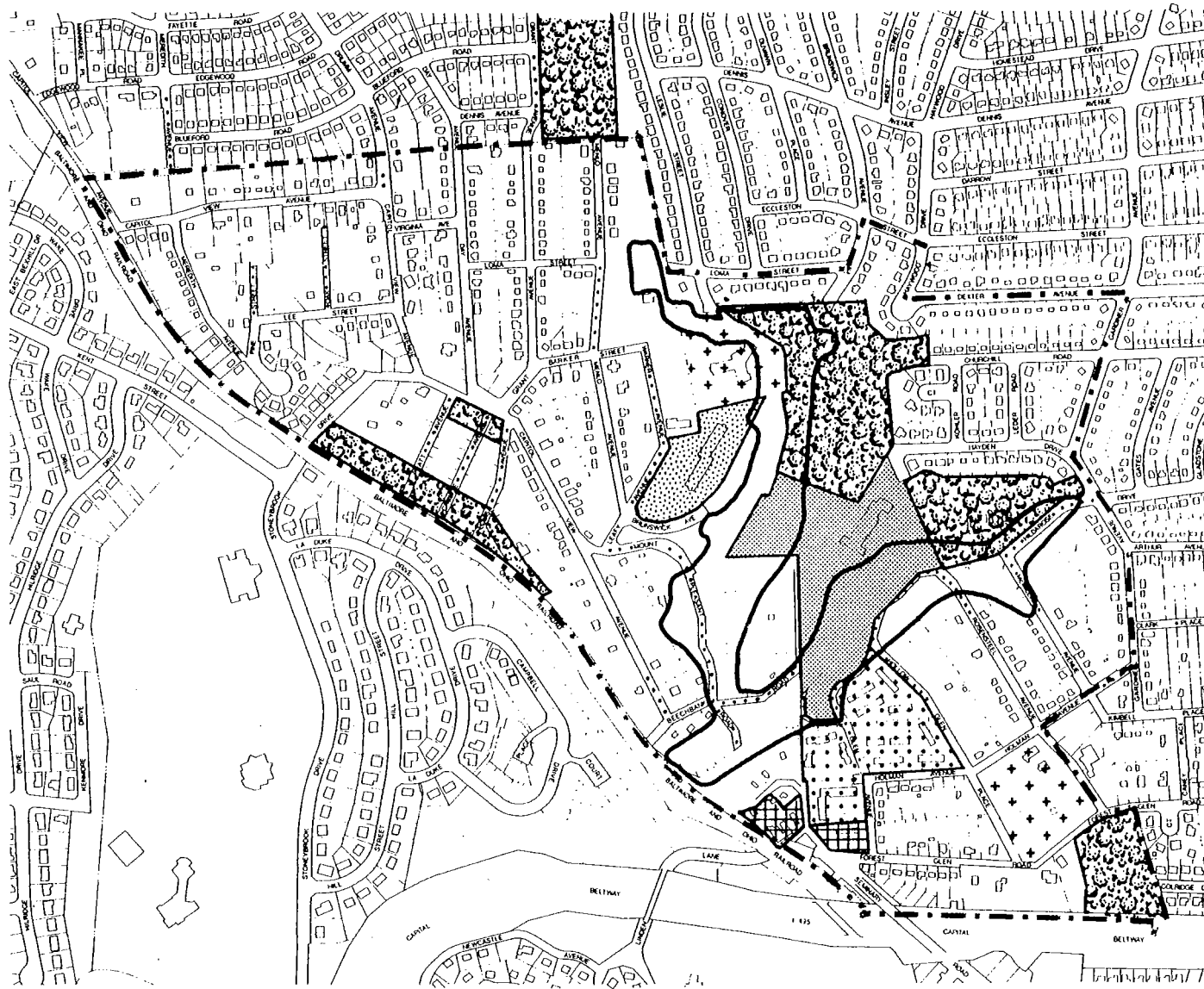
- . Where feasible, structures should not be located within 100 feet from railroad tracks. This distance is intended to prevent excessive exposure to vibration.

One of the largest parcels of undeveloped land in Capitol View lies between the Baltimore and Ohio Railroad and Capitol View Avenue. Staff analyses indicate that this property has a number of problems associated with any future development on the site. This site, the so-called "Pratt Property," between Stoneybrook Drive and Louisa Avenue, is affected by noise from both the railroad and the road, is the site of a former rock quarry, has steep slopes on part of the site, has drainage and utility problems, is heavily wooded, and is adjacent to three historic houses. In addition, access to the property is at one of the most hazardous intersections on Capitol View Avenue.










In order to encourage a more creative solution, and a more flexible approach, which will address the environmental constraints, traffic safety problems, historical concerns, and wooded character of the site and surrounding area, the Plan recommends the cluster option for the 8.1+ acres of the "Pratt Property." The development plan should address the following conditions and standards at the time of preliminary application for subdivision:

- . The frontage of the property should retain the visually wooded character that currently exists. The vegetation along this frontage should not be disturbed, except for an access driveway opposite Day Avenue and improvements to the sight distance along Capitol View Avenue.
- . A treed buffer should be established between new development and the two historic sites adjacent to the property on the northwest (the "Shaw" and "McCulloch" houses).
- . Future development of the site must address traffic safety problems associated with Capitol View Avenue between the intersection with Stoneybrook Drive and Grant Avenue. Solutions should include improvements to the sight distance at the Stoneybrook Drive intersection and improvements to the sight distance and curve along the Capitol View frontage. The development plan should indicate how, when, and by whom these improvements would be made.
- . The proposed development plan should address the environmental problems associated with:

¹ Source: Noise Assessment Guidelines, 1980.



LAND USE PLAN

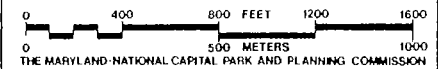
-  Low Density Res.
-  Medium Density Res.
-  Housing for The Elderly
-  Commercial
-  Park, Recreation & Open Space
-  Conservation Area
-  Public
-  Quasi-Public
-  Sector Plan Boundary

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- railroad noise and vibration (see preceding noise level performance criteria);
 - the former stone quarry;
 - slopes along the railroad; and
 - drainage and stormwater management.
- The development plan should maximize the vegetative cover to be retained and minimize grading of the property. The development plan should indicate where grading and clearing will occur and what existing vegetation will be retained.
 - The location and architecture of the new dwelling units should be approved by the Montgomery County Historic Preservation Commission prior to Preliminary Plan approval by the Planning Board.

If the "Pratt Property" is not developed under the cluster option, the problems should be addressed when a subdivision plan is reviewed.

The Plan also recommends the cluster option for the 8.7+ acre "Milton Property," in view of the site topographic conditions and environmental constraints.

The Plan recommends Medium Density Residential Use (10 to 20 dwelling units per acre) for the existing townhouse and garden apartment developments along Holman Avenue, Glen Avenue, and Hollow Glen Place.

A number of other land uses which are currently in existence in the area are shown on the Land Use Plan (Figure 14). Such uses include Leafy House for the elderly, a nursing home, public parks and schools, a church and cemetery, and the commercial uses at the intersection of Forest Glen and Seminary Roads (the gas station, "Forest Glen Country Store," and the "Castle" Office Building, and "Rental Tools").

TRANSPORTATION PLAN

The generalized goal of the transportation plan is a balanced and coordinated network of transport facilities which will improve mobility and safety within the Capitol View and Forest Glen communities, while providing accessibility to and from regional activity centers. In conjunction with this goal are a series of specific objectives, which form the basis for the recommendations which follow. These objectives include:

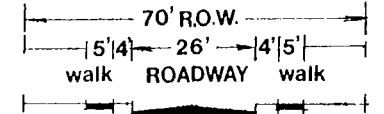
- . improving major roadways where necessary and feasible, to assure adequate and safe traffic flow and level of service;
- . modifying the street network, where necessary and feasible, to maintain the existing character and stability of the community and to discourage non-local traffic from using local streets;
- . improving existing transit service to satisfy a wide range of local community needs;
- . providing neighborhood access to the Forest Glen METRO rapid rail facilities without disrupting the residential fabric of the existing community; and
- . developing a pedestrian and bicycle circulation network for recreation and to encourage alternatives to the auto for short local trips.

PROPOSED HIGHWAY SYSTEM

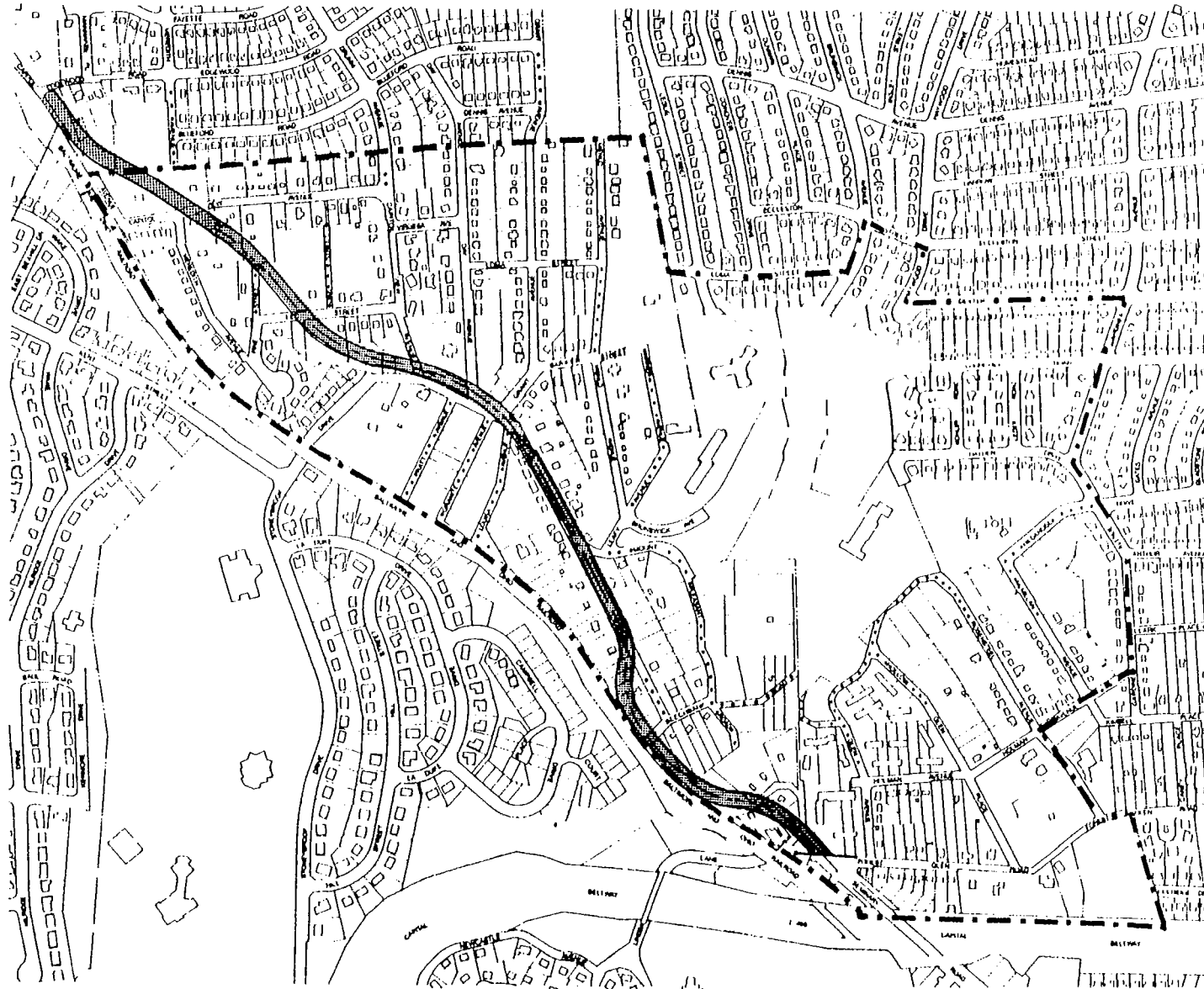
During the Capitol View sector planning process, staff investigated a number of alternatives designed to improve the operational and safety problems associated with Capitol View Avenue (MD 192). The analysis evaluated roadway geometrics, traffic accidents and safety, level of service implications, and the potential community impacts resulting from the various alternatives designed to eliminate the identified deficiencies and problems. These alternatives and their principal implications were discussed, in detail, with the Capitol View community and affected property owners. Based upon the staff analysis, the community comments, and the previously cited transportation objectives of the Sector Plan, the following recommendations are made:

- . The current realignment for Capitol View Avenue, contained in The Kensington-Wheaton Master Plan, recommends an Arterial Highway with an 80 foot right-of-way and a 48 foot pavement width. Staff analysis indicated that this right-of-way, together with necessary grading and slope easements, would affect between 17-19

CAPITOL VIEW AVE. REALIGNMENT



TYPICAL SECTION

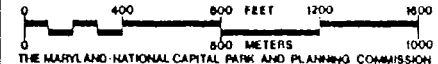


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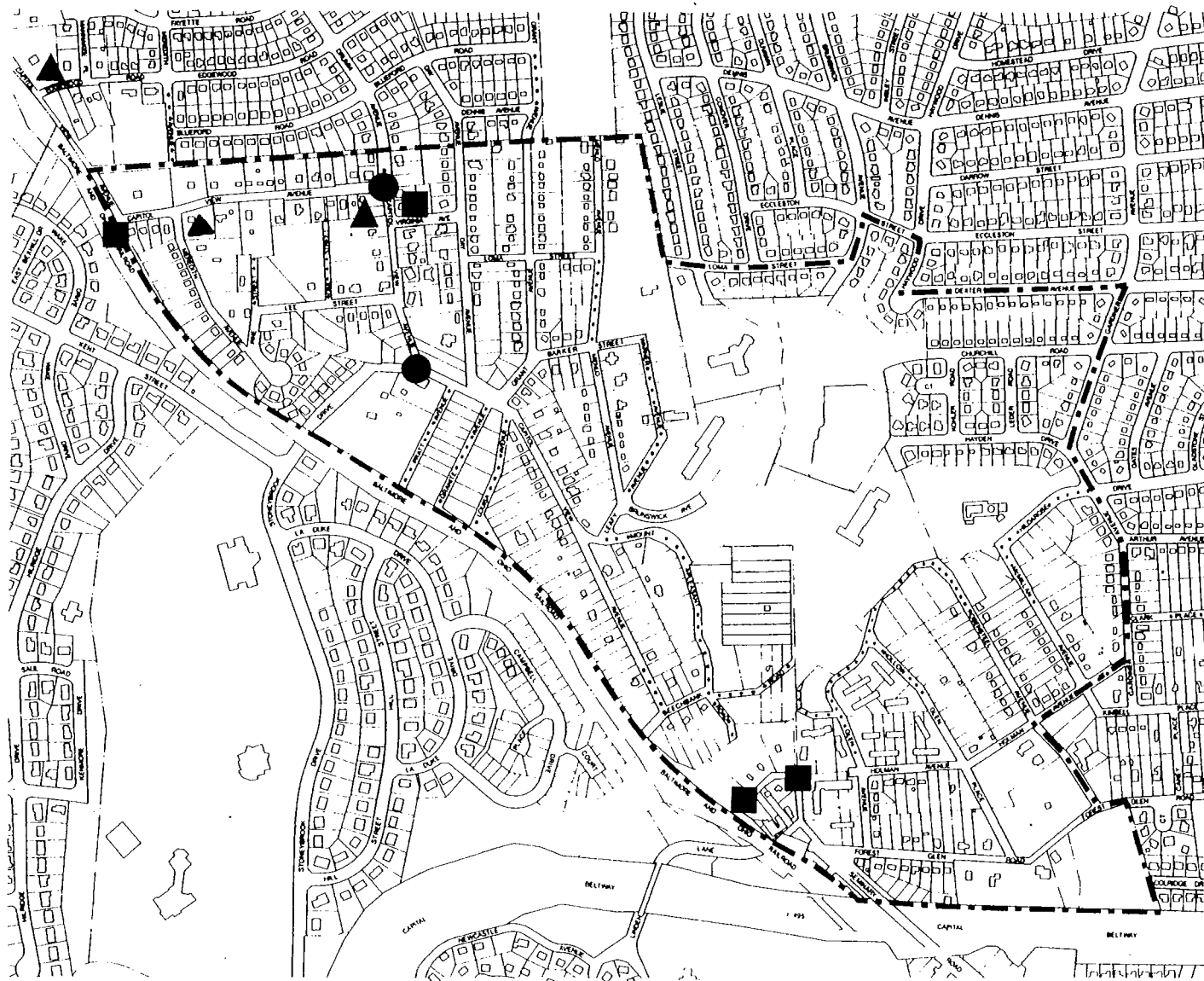
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homes and commercial structures in the Capitol View community. Based upon discussion with the Maryland State Highway Administration and the community, the staff recommends that any future realignment of Capitol View Avenue be classified as a Primary Street with a 70 foot right-of-way and a 26 foot pavement. A typical cross section is shown in Figure 15. The Sector Plan also recommends that Capitol View Avenue (MD 192) be retained in the State Road System.

- . Staff investigated a number of alternatives to the 1959 Master Plan realignment of Capitol View Avenue. These alternatives included possible improvements to the existing roadway such as reconstruction of substandard curve radius and banking, regrading, and widening of pavement and shoulder widths. After extensive meetings with the community, both staff and residents agreed that a realignment of the existing roadway was necessary to overcome many of the safety problems associated with the existing road. The modified realignment, ultimately developed by the staff, would have less of an impact on the community as a whole than any of the other alternatives investigated--short of doing nothing. The Plan, therefore, recommends the modifications to the current realignment of Capitol View Avenue, as shown on Figure 15. The proposed realignment of Capitol View Avenue will improve most of the substandard design feature of the existing roadway including hazardous horizontal curves and unsafe intersections. The proposed reconstruction would affect only three structures in the community.
- . During the planning process staff investigated a number of "short-term" improvements to the existing roadway of Capitol View Avenue. Staff recommends that these improvements be implemented as a "special project" by the State Highway Administration at the earliest feasible date. These roadway improvements are shown on Figure 16 and include:
 - Curve warning signs (either large arrow or Chevron alignment sign) should be placed at several locations along Capitol View Avenue (see Figure 16).
 - Sight distances should be improved at locations shown on Figure 16 by removing undergrowth, bushes, trees, banks and walls.
 - The Capitol View/Drumm Avenue intersection should be improved by extending the existing guardrail to block the Drumm Avenue right-of-way. Clearance should be left for a pedestrian walkway. Paving on the east corner shoulder should be expanded to increase the southern approach turning radius.

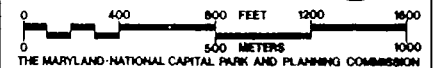


PROPOSED ROAD IMPROVEMENTS

- CURVE WARNING SIGN LOCATION
- SIGHT DISTANCE IMPROVEMENT LOCATION
- ▲ INTERSECTION IMPROVEMENT



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- The Capitol View Avenue/Stoneybrook Drive intersection should be improved by providing better sight distances on both approaches of Capitol View Avenue, widening Capitol Avenue to provide a left-hand turn lane on the southern approach, and removing utilities, utility poles and retaining walls adjacent to the existing roadway. The improvements to this intersection require a detailed engineering study, and their implementation should be the SHA's highest priority.

In addition to these improvements, the Plan recommends various measures to minimize neighborhood traffic intrusion and to assure proper access by residents of the neighborhood and visitors. These measures could include the following:

- . A barricade should be constructed on Day Avenue between the unimproved gravel roadway and the newly constructed street.
- . The section of Menlo Avenue between Barker Street and Loma Street should not be constructed as a vehicular roadway. This "paper street" could be abandoned by petition of adjacent property owners.
- . Mount Pleasant Avenue should be realigned into Brunswick Avenue--rather than an intersection with Leafy Avenue.
- . The unconstructed portion of Drumm Avenue at its intersection with Capitol View Avenue should remain a pedestrian pathway. Those portions of the currently dedicated right-of-way not needed for the pedestrianway could be abandoned by petition of the adjacent property owners.
- . Montgomery County maintenance of Barker Avenue should be extended between Menlo and Warner Avenues, to the access driveway of the Sylvan Manor Nursing Home. The public maintenance of this segment of Barker Avenue is desirable to insure access by emergency vehicles for the safety of residents of the nursing home.

PROPOSED TRANSIT SYSTEM

The primary service area of the Forest Glen METRO Station, which is adjacent to the Sector Plan boundary, extends from the Capital Beltway on the south to Plyers Mill Road on the north and from Connecticut Avenue on the west to Colesville Road on the east. Ridership projections indicate that about 12,000 persons per day will enter the Metrorail

system at this station, with about 2,100 persons boarding during the morning peak hour. It is estimated that 13 percent of the peak hour boarding passengers will walk to the station, 45 percent will use the feeder bus system, 25 percent will drive and park, and 17 percent will use the "kiss-'n'-ride" facilities. Kiss-'n'-ride trips to the station will primarily use Georgia Avenue from the north and Forest Glen Road from both the east and west. The "park-'n'-ride" facilities at the station, due to the projected demand, and the number of spaces provided, are expected to be filled prior to the morning peak hour.

In conjunction with the opening of each phase of Metrorail, the bus system will be restructured to complement and supplement the service provided by the rapid rail system. This reorganization is being designed to result in two distinct classes of bus service within the County. The first class, neighborhood bus service, will primarily operate on residential streets with "Ride-On" buses. This class will provide feeder service from nearby residential communities to transit stations and to other local activity centers. The second class, regional bus service, will primarily operate on major highways with standard Metro buses. This class will mainly serve non-Metrorail corridors, provide continuous links among major County activity centers, or serve circumferential movements.

Over the next few years, Washington Metropolitan Area Transit Authority, Montgomery County Department of Transportation and The Maryland-National Capital Park and Planning Commission will employ this three-class concept in the development of specific route proposals. Staff recommend that the following guidelines be incorporated in the particular service proposals for the Forest Glen area:

- . Regional bus service should be limited to Georgia Avenue and the Capital Beltway;
- . Neighborhood bus service should be established to provide service to community focal points such as recreational centers, schools, churches, and shopping areas, in addition to the METRO Station;
- . Bus shelters should be constructed at heavily utilized stops along all routes.

The Forest Glen Commuter Rail Station represents the final transit element of the Sector Plan. Because of the superior service to be provided by the Forest Glen METRO Station, Maryland Department of Transportation has proposed discontinuation of train service south of Silver Spring (where the railroad and METRO follow identical paths). Therefore, this Plan contemplates that the Commuter Station may be phased out of operation.

PROPOSED PEDESTRIAN/BICYCLE SYSTEM

Walking and bicycling have long been recognized as desirable travel modes. Unfortunately, in the Capitol View community, walking and biking are very difficult due to the lack of sidewalks and shoulders on Capitol View Avenue and the lack of east-west roads which lead outside the community. Staff, together with members of the community and Leafy House residents, have developed a network of bike and pedestrian ways to meet many of the varied needs of the area.

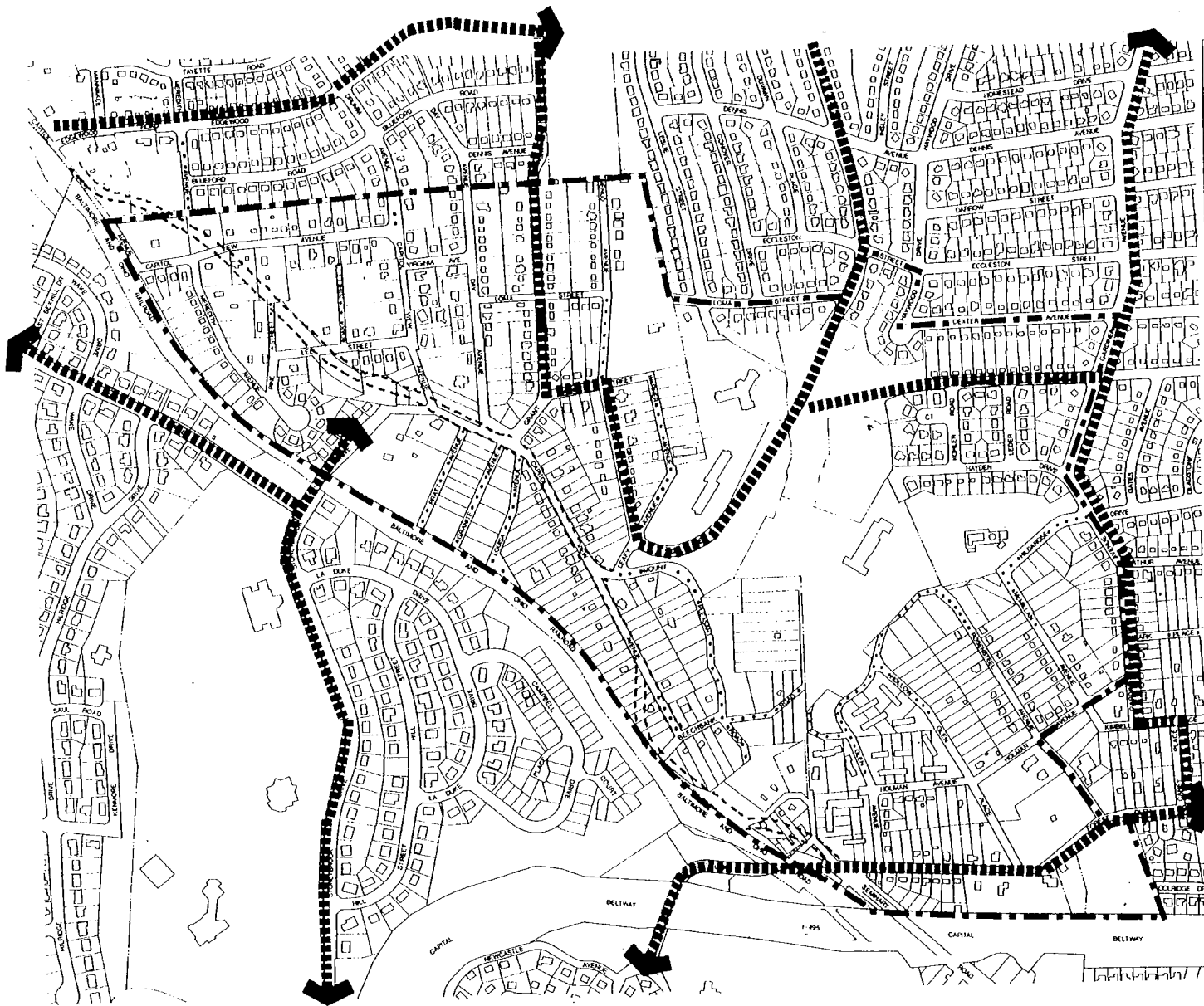
These bicycle network proposals incorporate both the existing bicycle system and proposed network identified by the Commission's Master Plan of Bikeways, July, 1978 and the suggested network identified by the Montgomery County Department of Transportation's Bicycling Routes in Lower Montgomery County, Spring, 1980.

The proposed pedestrian/bicycle circulation network is shown on Figure 17 and contains the following recommendations:

- . At the time that segments of Capitol View Avenue are improved, reconstructed or realigned, the Plan recommends that sidewalks be provided on both sides of the road.
- . A major east-west pedestrian/bicycle link should be developed from Brunswick Avenue, across the Left Fork into McKinney Hills Park, and over to Gardiner Avenue. This pedestrian/bicycle path will provide local access to McKinney Hills Park, the Forest Glen METRO Station, and in a northerly direction to Wheaton. (For a detailed description of this link, see Section in "Parks.")

Other elements of the bicycle system are recommended on the following routes:

- . A route to Kensington using Stoneybrook Drive and Kent Street.
- . A route using Grant Avenue, Barker Street, Menlo Avenue, Leafy Avenue and Mount Pleasant Road.
- . A route using Gardiner Avenue, Kimball Place and Caney Place.
- . A route using Forest Glen Road, Linden Lane and Seminary Place.

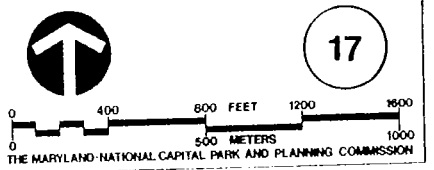


PROPOSED PEDESTRIAN / BICYCLE NETWORK

- SIDEWALKS
- BIKEWAYS

Capitol View Special Study Area

KENSINGTON-WHEATON PLANNING AREA



COMMUNITY FACILITIES PLAN

A necessary part of the land use in the Capitol View Sector Plan area is the array of community facilities provided to the residents of the area. Community facilities, such as parks, recreation, schools, fire and police stations, libraries, and other government buildings, are a major element in a community's ability to provide its residents with a desirable "quality of life."

In an area such as Capitol View, which is predominantly built-up and which already has a range of community services, the Sector Plan is primarily concerned with:

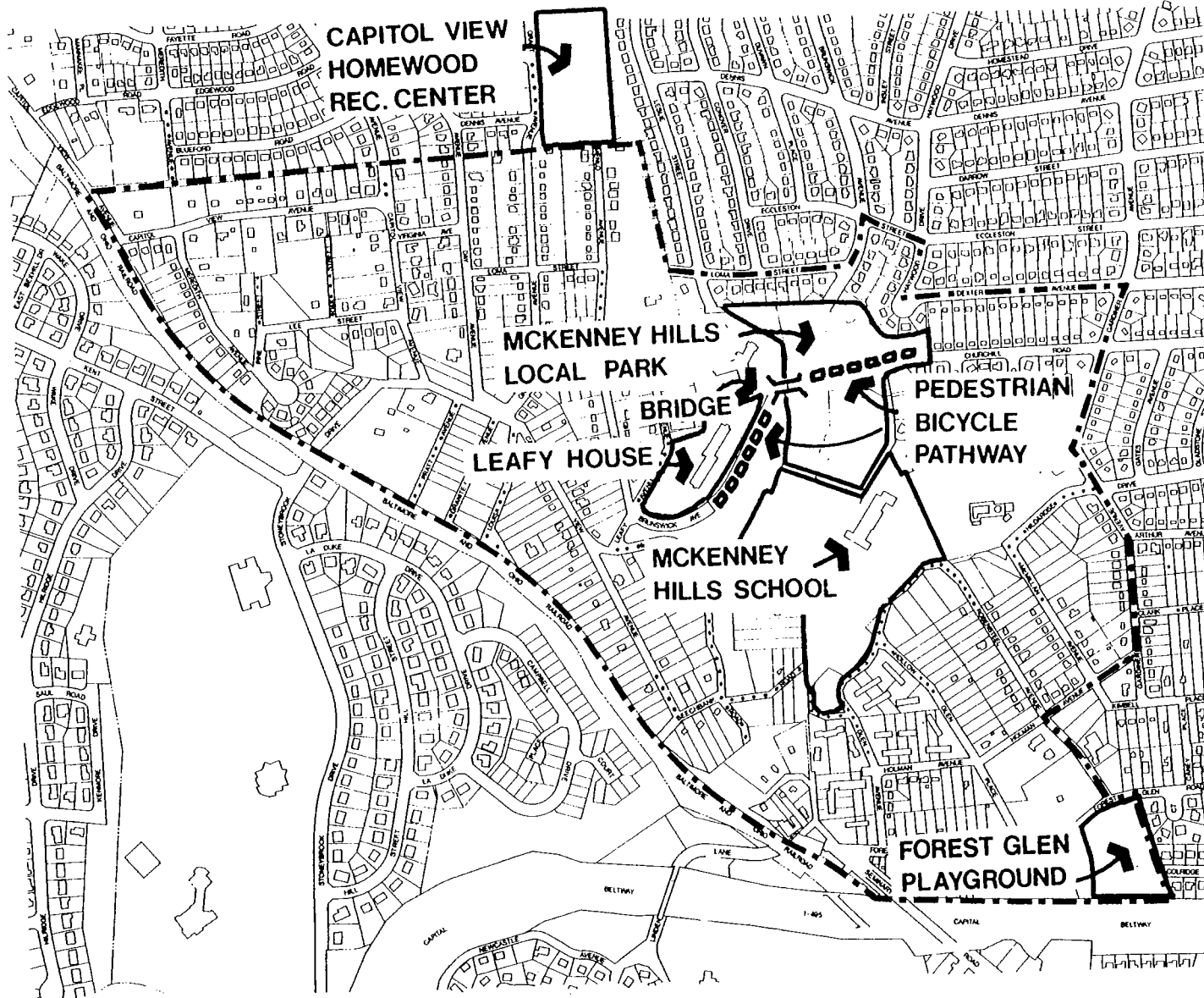
- . The provision of expanded facilities in parts of the Sector Plan area that are deficient;
- . The provision of new facilities to service new growth;
- . The replacement of facilities that are obsolete or unable to meet future demands; and
- . The broadening of the range of facilities provided to meet the demands of a varied population.

Generally, community facilities serving the Capitol View area are located beyond the planning area boundaries. The majority of these facilities are located in Silver Spring, approximately 1.5 miles to the south, or in Wheaton, approximately the same distance to the north.

PUBLIC SCHOOLS

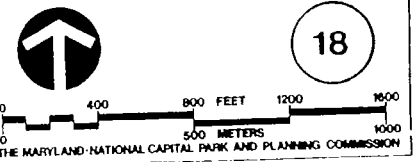
Like much of the down-County area, Capitol View is experiencing a declining enrollment in its schools. Nearby schools have been closed; and additional schools in the area will undergo consideration for closure in the next several years. McKenney Hills, the closest elementary school, has been converted into a school for exceptional children. Projected residential development has a potential to provide 100-150 additional dwelling units within the Sector Plan area during the sector planning period. Additional students can be accommodated within the existing structures and student assignment policy arrangements.

COMMUNITY FACILITIES PLAN



Capitol View Special Study Area

KENSINGTON-WHEATON PLANNING AREA



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PUBLIC SAFETY

Fire and rescue services are provided to the Capitol View area by the Silver Spring and Kensington Volunteer Fire Departments and the Wheaton Rescue Squad. The nearest fire station is located at Montgomery Hills, less than a mile distant; rescue service operates from both Silver Spring and Wheaton.

Police coverage is operated from the Silver Spring Police Station in Silver Spring.

LIBRARY

Library service is provided to the Capitol View area by the Kensington Park Library and the Noyes Library in Kensington, the Silver Spring Library on Colesville Road, and the Wheaton Library on Georgia Avenue and Arcola Avenue. While they are not within an easy walk of the Capitol View area, bus service is available, and all have convenient parking. In order to ensure the adequacy of these facilities, the quality of library services should be improved and supplemented by the policies of providing educational programs for children, youth and adults and by promoting the uses of meeting rooms for civic functions.

POST OFFICE FACILITIES

Postal facilities are available in both Silver Spring and Wheaton. It is anticipated that these post offices will be capable of handling any increase in demand for postal services.

COMMUNITY SERVICE CENTER

The Wheaton Community Service Center is located on Reddie Drive, west of Georgia Avenue. This structure houses the second of the County's decentralized service centers, and is patterned after the successful facility in Silver Spring. The building contains approximately 29,000 square feet, and provides a range of governmental services, including information referral, complaint intake, basic health care, mental health services, general social services, and general governmental office space. The Center is designed to serve an area generally from the Beltway to Aspen Hill, between Rock Creek and Northwest Branch.

PARKS, OPEN SPACE, AND RECREATION

Open space in any community can serve a number of important functions. In addition to providing space for outdoor recreation, open space also makes the community more

attractive place in which to live. Most people desire some degree of natural beauty and a sense of spaciousness in their environment. While many homeowners are unable or unwilling to purchase large pieces of property, they are agreeable to sharing expenses (through taxes) in order to maintain publicly owned open land. Because this open space can make the environment more attractive, it helps to enhance the value of private property.

Another function of open space is the preservation of natural and geologic resources. Stream channels, ponding and retention areas, steep slopes, and wetlands, must be protected from the encroachment of future development. Finally, open space is a major component in the elimination of overcrowding of the residential environment. The desire of people to live where they can have some of the advantages of the country is one of the major pressures that has shaped the Capitol View area over the years. The community derives much of its existing character and attractiveness from its uncrowded character.

The Capitol View Sector Plan area has a number of public parks both in the planning area and immediately adjacent to it. The parks within the planning area include:

- Forest Glen Playground, at Forest Glen Road and Coleridge Drive. This park contains picnic areas, basketball courts and playground equipment.
- McKenney Hills Local Park at Churchill Road and Brunswick Avenue. This park contains baseball fields, basketball court, tennis courts and a volleyball court.

Immediately adjacent to the planning area is the Capitol View-Homewood Recreation Center at Edgewood Road and Grant Avenue. In addition to a community building, this park includes a picnic area, playground equipment, baseball fields, a football field, basketball courts, tennis courts, and a soccer field.

Within two miles of the planning area are the following regional facilities:

- Sligo Creek and Rock Creek Parks. Both are linear stream valley parks with a large number of recreation facilities including extensive hiker/biker trails.
- Sligo Park Public Golf Course, a 9-hole course adjacent to Sligo Creek Stream Valley Park at Forest Glen Road.
- Wheaton Regional Park, which has extensive picnic and recreational facilities including the Wheaton Ice Rink, the Wheaton Tennis Bubble, a miniature train, and the "Old McDonald" Farm.

The major recreation problem addressed during the Sector Plan process involves the lack of pedestrian access from the Capitol View community to McKenney Hills Local Park. Part of the access problem was solved when the Planning Board approved the Preliminary Plan of subdivision for "Brunswick Woods." As a condition of approval for this plan the Board required the dedication of a pedestrian path from Brunswick Avenue (extended) to the park.

However, the pedestrian path, itself, will not provide access to the park since it does not solve the problems of the physical obstacles of the Left Fork stream and the steep banks adjacent to the park.

The Plan recommends the construction of a pedestrian/bicycle bridge and pathway, by the Parks Department, linking the Brunswick Avenue pathway with the developed portion of McKenney Hills Local Park. This bridge and pathway proposal will not only provide an east-west pedestrian/bicycle route for the Capitol View community-at-large, but will provide the elderly residents of Leafy House with direct and easy access to McKenney Hills Park.

THE ZONING PLAN

It is important to distinguish between the planning process and the zoning process. A Sector Plan may recommend the type and density of land use, or propose a specific zone as desirable for a particular area or for a particular tract of land. But the Plan's recommendations can be implemented only through the zoning process, i.e., by a separate legislative act of the Montgomery County Council which places the recommended zone or zones on the land.

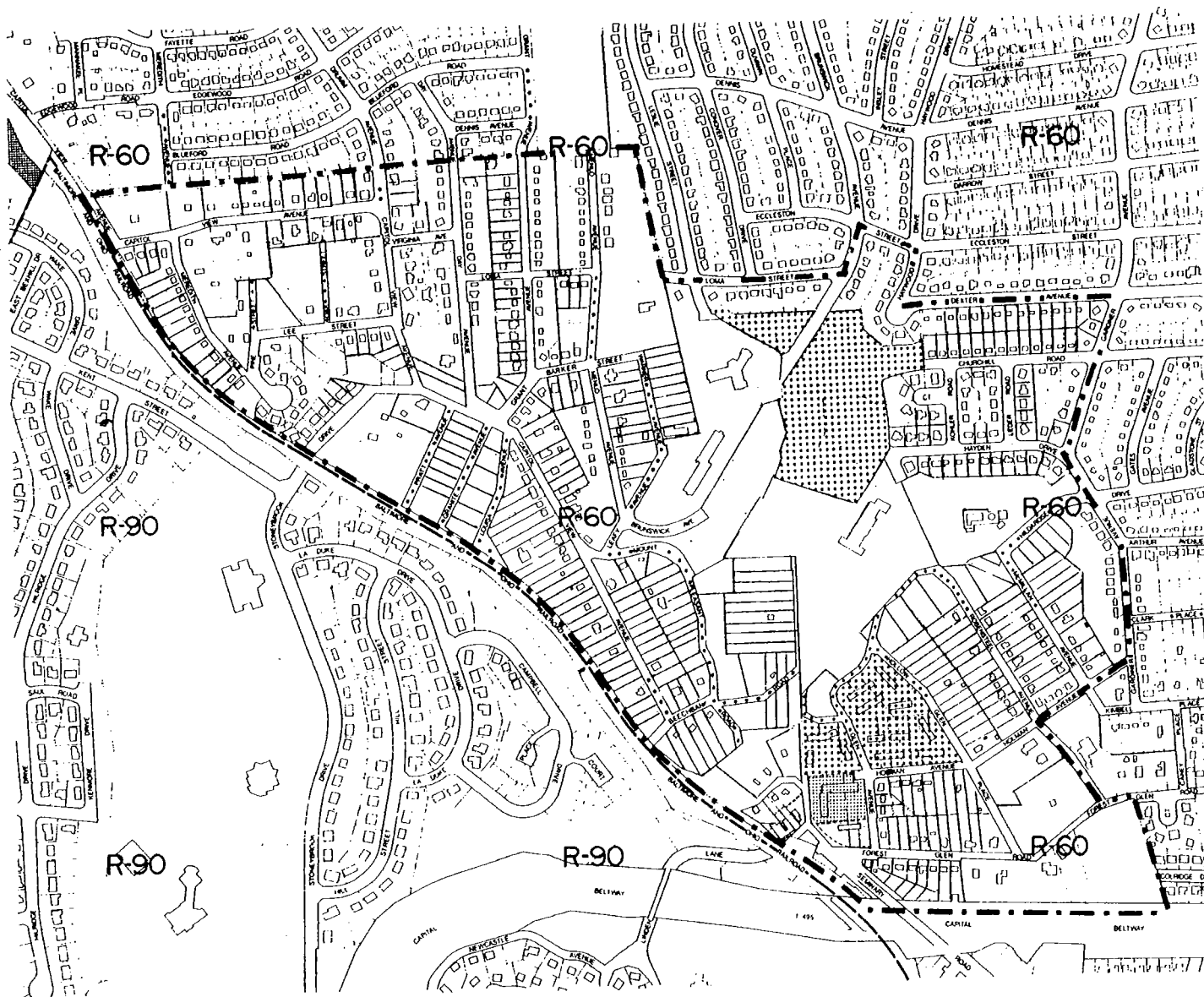
The power to zone land is derived from the police powers of the state, and is delegated to the Montgomery County Council under the terms of the Regional District Act, a part of the Annotated Code of Maryland, Zoning is a legislative action which can be taken only by the County Council. It involves the imposition of specified conditions regulating the development and use of a particular parcel or parcels of land. The Montgomery County Zoning Ordinance, adopted by the County Council, defines and describes various zones which can be applied, and specifies detailed procedures governing a change of zoning.

A change of zoning may be affected through a local Zoning Map Amendment sought by the owner or contract purchaser of a particular property, or by means of a comprehensive Sectional Zoning Map Amendment covering more than one tract, which can be initiated only by the County Council or the Planning Board.

Applications for local map amendments may be filed only during the months of February, May, August, or November, and are considered according to procedures specified in the Zoning Ordinance. A local map amendment covers a single tract, all portions of which are proposed for classification in the same zone, or in one of two alternative zones.

A Sectional Map Amendment, on the other hand, may be filed at any time on initiative of the Council or the Planning Board. It is a comprehensive action covering a section of the Regional District usually including several tracts, and it may propose various zones to be applied to various individual tracts. The County Council must hold a public hearing on a proposed Sectional Map Amendment.

The zones recommended in this Plan are intended to implement the recommendations of the Sector Plan by regulating private land development activities. The zoning controls will be initiated through the filing of a Sectional Map Amendment for the Sector Plan area immediately following final approval of the Plan by the Montgomery County Council and adoption by The Maryland-National Capital Park and Planning Commission.

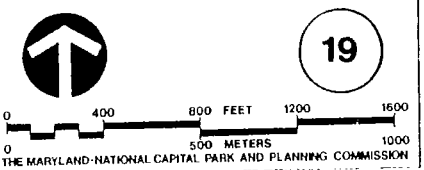


EXISTING ZONING

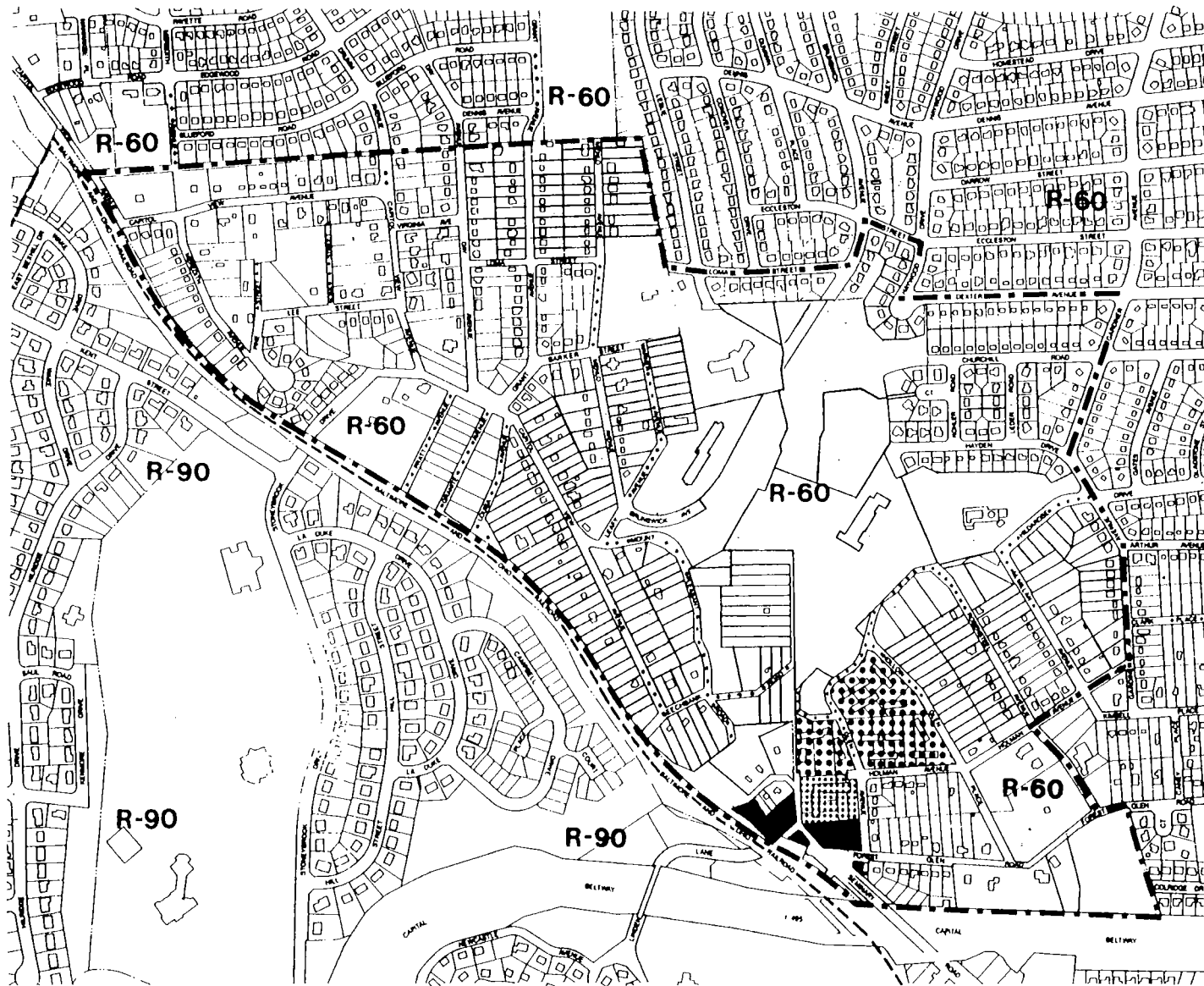
- ONE-FAMILY DETACHED RESTRICTED RESIDENTIAL R-90
- ONE-FAMILY DETACHED RESIDENTIAL R-60
- MULTI-FAMILY LOW-DENSITY RESIDENTIAL R-30
- MULTI-FAMILY MEDIUM-DENSITY RESIDENTIAL R-20
- MULTI-FAMILY HIGH-DENSITY RESIDENTIAL R-10
- LOCAL COMMERCIAL C-1

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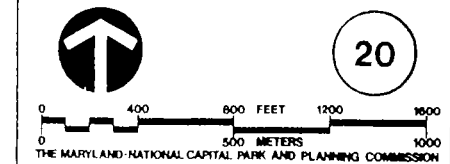


PROPOSED ZONING

- One-Family Detached Residential R-90
- One-Family Detached Residential R-60
- Multi-Family Low-Density Residential R-30
- Multi-Family Medium-Density Residential R-20
- Local Commercial C-1

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While the Plan recognizes the many physical and locational advantages of the Capitol View community (close proximity to the Forest Glen METRO rail station, the Capital Beltway, Georgia Avenue, the Silver Spring and Wheaton Central Business Districts, etc.), it has also taken into account the constraints involved in any future development of the remaining vacant land in the community. These constraints include both problems associated with the natural environment and those associated with the man-made environment, such as the current condition of Capitol View Avenue. The foregoing recommendations contained in the previous chapters have concluded that the remaining undeveloped or underdeveloped land in this area is not appropriate for a higher density of development.

It is therefore recommended that the entire area within the boundaries of the Sector Plan be zoned R-60, "Single-Family Residential" with the exception of the areas noted below. The R-60 Zone is the predominant zone in the Capitol View area today and most of the area has been zoned that way since 1958 or before. The R-60 Zone permits (either directly or with a "special exception") certain uses in addition to single-family homes. Many of these uses already exist in the area, and, while several are not residential, they are nonetheless considered to be compatible with the zone. Such uses include churches, nursing homes, private clubs, and mid-rise housing for the elderly.

The Sector Plan also recommends the re-confirmation of the following existing zoning:

- . C-1 at the Forest Glen Road/Seminary Road/Linden Lane intersection.
- . R-20 at Glen Avenue.
- . R-30 at Holman Avenue, Glen Avenue, and Hollow Glen Place.

HISTORIC PRESERVATION

Historic preservation offers an opportunity to the people of Montgomery County, and the Capitol View community, to protect the remaining vestiges of a rich local heritage. Some of these resources are significant by themselves; some significant as a group, whether in suburban communities or in rural settings. The challenge is to weave protection of these historical resources into the County's planning program so as to maximize community support for preservation and minimize infringement on private property rights.

In 1978, the Montgomery County Council enacted an interim ordinance on alteration or demolition of historic resources. A critical first step toward a County-wide preservation plan, this ordinance was designed to extend some protection to historic resources until a permanent preservation ordinance could be passed. The interim ordinance worked in concert with the Locational Atlas and Index of Historic Sites. Each of the resources included in the Atlas was subject to the review procedures specified in an anti-demolition ordinance. In addition, the resources on the Atlas were included in the State Inventory of Historic Sites and, were subject to protection through a review process.

In 1979, the County Council adopted the Master Plan for Historic Preservation and the Historic Preservation Ordinance. At that time, a County-wide Historic Preservation Commission was established to administer the Master Plan and Ordinance and to become a central clearinghouse for County historic preservation activities. The Commission evaluates and recommends historic resources for inclusion in the Master Plan for Historic Preservation, based on criteria defined in the Ordinance and described below:

1. Historical and cultural significance

The historic resource:

- a. has character, interest, or value as part of the development, heritage or cultural characteristics of the County, State or Nation;
- b. is the site of a significant historic event;
- c. is identified with a person or a group of persons who influenced society;
- d. exemplifies the cultural, economic, social, political or historic heritage of the County and its communities.

2. Architectural and design significance

The historic resource:

- a. embodies the distinctive characteristics of a type, period, or method of construction;
- b. represents the work of a master;
- c. possesses high artistic values;
- d. represents a significant and distinguishable entity whose components may lack individual distinction; or
- e. represents an established and familiar visual feature of the neighborhood, community, or County due to its singular physical characteristic or landscape.

The Commission also recommends to the Planning Board the designation of historic districts. Local historic district advisory committees may be appropriate for the administration of the district and local communities may wish to appoint such committees. The committee's work could include development of local design review guidelines which would set a standard for physical changes which could be made in the district. They would also monitor design activities in their districts for the County Historic Preservation Commission. Local guidelines would be based on the Design Guidelines Handbook, and would be subject to the approval of the Commission.

In addition, the Commission reviews historic resources on a periodic basis and makes recommendations to the Montgomery County Planning Board considering placing these resources on the Master Plan for Historic Preservation. The Planning Board then holds a Public Hearing to make its determination considering the purposes of the ordinance, and balancing the importance of the historic resource with other public interests. If the Planning Board decides to place the historic resource on the Master Plan For Historic Preservation, it then recommends a Master Plan Amendment to the County Council. As in the case with any master plan amendment, the County Council may hold a hearing before it acts. Upon approval by the Council and adoption by the Planning Board of the proposed amendment, the historic resource would then become designated on the master plan, and, thus, subject to the protection of the ordinance.

To assure that alternations to designated Historic Sites, or historic resources within an Historic District, are compatible with their historic and cultural features and are

consistent with their protection, an historic area work permit is required. This permit system is administered by the Historic Preservation Commission. An applicant for an historic area work permit must demonstrate that the permit should be issued. In granting the permit, the Commission may include provisions to ensure that the work done is consistent with the historic or cultural value of the historic resource. Historic area work permits may be required for new construction, alternation or repairs, and would not be limited to any one period or architectural style. Historic area work permits are required for public as well as private development, using design review guidelines prepared by the Planning Board. If there is a conflict between the Building Code and the work permit, the latter would prevail, so long as basic health and safety requirements of the building codes are met.

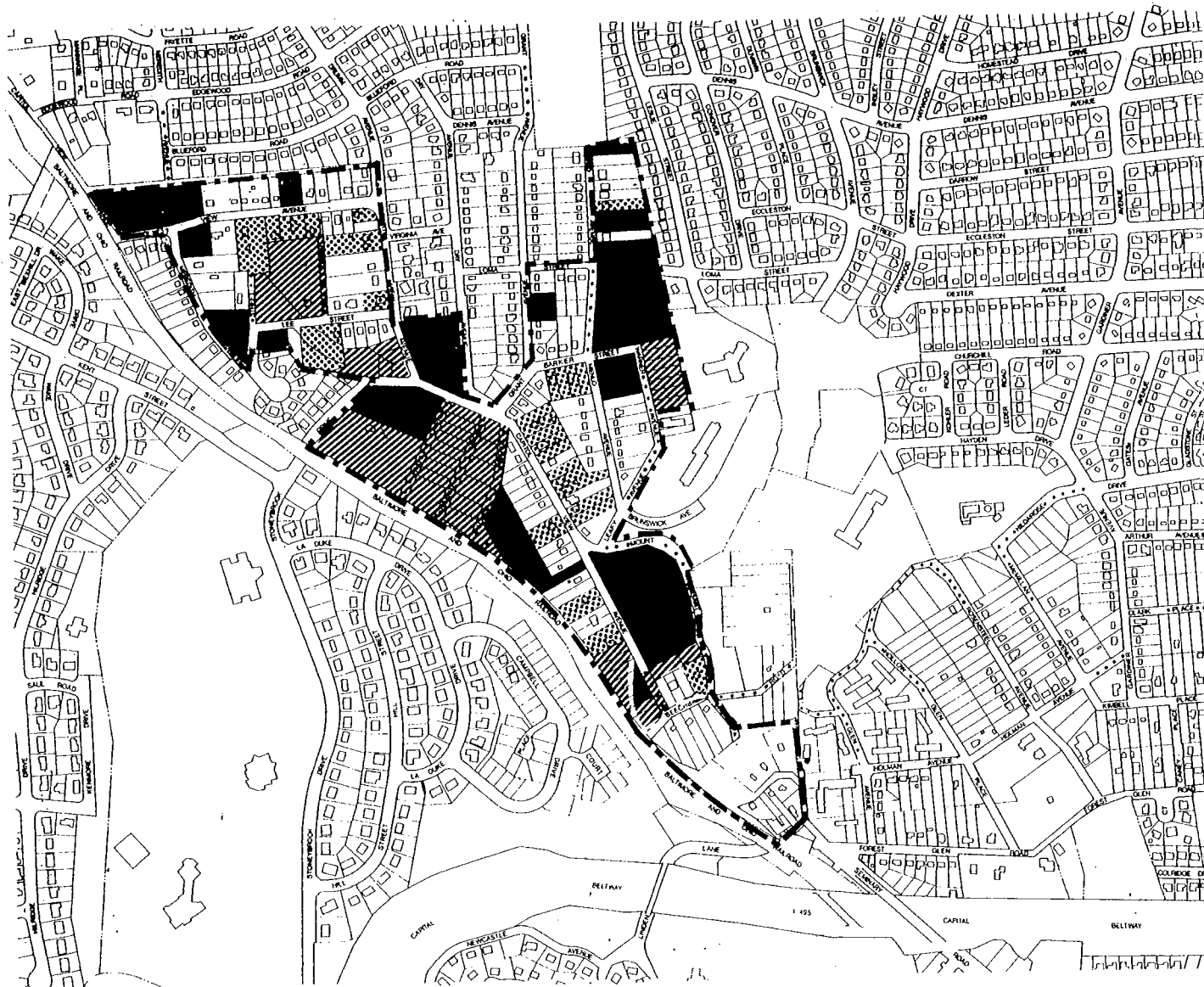
Before an historic resource which is not on the Master Plan for Historic Preservation can be demolished or substantially altered, the resource must be reviewed by the Planning Board after receiving the recommendation of the Commission. If the Planning Board finds that the resource should be placed on the Master Plan, then it will initiate a Master Plan Amendment. The demolition permit would then be withheld for 6 months, or until the Council acts on the Amendment. If the Council does not adopt the Amendment, the demolition permit would be issued. If it is adopted, a work permit would be required.

When the Commission finds that the exterior architectural features of an Historic Site, or an historic resource within an Historic District listed on the Master Plan become deteriorated to a point which imperils their preservation as the result of "willful neglect, purpose or design," the Director of Environmental Protection may be directed to issue a written notice to the property owner about the conditions of deterioration. The owner may request a public appearance before the Commission on the necessity of repair of the structure. If, after the hearing, the Commission finds that the improvements are necessary, a Final Notice is issued, and if corrective action is not undertaken within a prescribed time, the Director of the Department of Environmental Protection may have the necessary remedial work completed and hold the expenses incurred as a lien on the property.

PROPOSED HISTORIC DISTRICT

The proposed Capitol View Park Historic District in its entirety meets the following criteria:





- 1, a: has character, interest, or value as part of the development, heritage, or cultural characteristics of the County, State or Nation;



PROPOSED HISTORIC DISTRICT

--- Historic District Boundary

RESOURCES

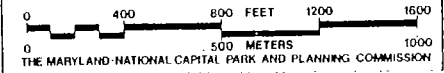
-  1870 - 1916
-  1917 - 1935
-  Nominal (1935 -)
-  Spatial

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- 1, d: exemplifies the cultural, economic, social, political or historic heritage of the County and its communities;
- 2, d: represents a significant and distinguishable entity whose components may lack individual distinction;
- 2, e: represents an established and familiar visual feature of the County due to its singular physical characteristic or landscape.

The district also meets the following conditions set forth in Section V-B of the Guidelines for Historic Districts:

1. Associative (Railroad community)
2. Location (Contiguous grouping)
3. Design (Architecturally representative)

The significance of Capitol View Park to the County's heritage is as an example of a railroad community which developed gradually over the past 100 years. The community's origin is representative of a number of railroad suburbs which developed following the opening of the Metropolitan Branch of the B & O. After its genesis, Capitol View Park developed so as to exhibit most building styles "typical" in the development of suburban Montgomery County. Most Capitol View Park structures possess little distinction as architectural entities. When grouped, however, these resources meet the criteria for district designation as a visual example of suburban development styles. This emphasis on the contiguous visual architectural contribution of the district is the basis for the boundary as delineated on Map 21. The geographic contiguity and architectural cohesiveness of the resources as provided by the recommended boundary presents a sound basis for the regulation and preservation of properties significant to the districts contribution to the County.

Within the district, the resources can be grouped into four categories, each of which contributes to the district:

1. 1870-1916: Characterized by large lots and variety of setbacks, and architecturally encompassing the "Victorian" residential and revival styles and the early bungalow style popular during this period, these twenty-two houses are of a higher degree of architectural and historical significance than the other structures within the district.

2. 1917-1935: Characterized by small lots, regularity of set backs, and predominantly of the bungalow style, these twenty-three houses are of a lesser architectural significance, but taken as a whole do contribute to the historic character of the district.
3. Nominal (1936-1981): These houses of themselves are of no architectural or historical significance, but through their contiguity to the significant resources have some interest to the historic district.
4. Spatial: Spatial resources are unimproved parcels of land which visually and aesthetically contribute to the setting of the historic district, and which can be regarded as extensions of the environmental settings of the significant historic resources.

Resources: Premise Addresses and Environmental Settings

I 1870 - 1916

1. 10245 Capitol View Avenue (Dwyer House) 1.484 acres
2. 10233 Capitol View Avenue (Cooley House) Block 2, Lot 11, 28,901 sq. ft.
3. 10232 Capitol View Avenue (Scott House) 21,776 sq. ft.
4. 10203 Meredith Avenue (Vivian/Clark House) Block 19, part Lots 6-8
5. 10201 Meredith Avenue (Wolf/Kell House) Block 19, part Lots 6-8, 14,424 sq. ft.
6. 3120 Lee St. (Mullett/Thompson House) Block 23, Lots 1-2, 12,623 sq. ft.
7. 10213 Capitol View Avenue (Wolfe/Magruder House) Block 2, Lot 5, 16,000 sq. ft.
8. 10011 Capitol View Avenue (Trimble Estate) Block 21, Lots 9, 14-16, 2.61 acres.
9. 10012 Capitol View Avenue (Pratt House) Part Block 28, 44,545.9 sq. ft.
10. 10013 Stoneybrook Avenue (Shaw House) Part Block 28, 0.84 acres
11. 10109 Grant Avenue (Phillips House) Block 25, Lot 7, .58 acres
12. 2901 Barker St. (Hahn House) Block 27, Lots 1-4, Block 18, Lots 10-11, Block 34, Lots 1-3, part 4, 4 acres
13. 10221 Menlo Avenue (Lange House) Block 18, Lot 1
14. 10209 Menlo Avenue (Weiss House) Block 18, Lots 7-8, 25,600 sq. ft.
15. 10023 Menlo Avenue (Ireland House) Block 33, Lots 1-2, 1/2 acre
16. 10019 Menlo Avenue (Willson House) Block 33, Lots 3-4, 1/2 acre
17. 9834 Capitol View Avenue (Case House) Block 31, Lots 30, part 5-11, 1.5 acres

18. 9829 Capitol View Avenue (Schooley House) Block 35, Lots 1-4, 23-26, 2 acres
19. 9819 Capitol View Avenue (Cohen House) Block 35, Lots 5-8, part 9, 17-22, 2-1/2 acres
20. 9811 Capitol View Avenue (Jones/Reynolds House) Block 35, Lots 10, part 9, 13,280 sq. ft.
21. 9808 Capitol View Avenue (Barbee House) Block 31, Lots 24-27, 16,500 sq. ft.

II. 1917 - 1935

1. 10220 Capitol View Avenue, .926 acres
2. 10216 Capitol View Avenue
3. 10212 Capitol View Avenue, Block 20, Lot 23
4. 10210 Capitol View Avenue, Block 20, Lot 22
5. 10200 Capitol View Avenue
6. 10122 Capitol View Avenue
7. 10120 Capitol View Avenue
8. 10110 Capitol View Avenue
9. 3108 Lee Street
10. 10211 Menlo Avenue, Block 18, Lot 6
11. 2914 Barker Street, Block 32, Lots 21-22
12. 2910 Barker Street, Block 32, Lots 19-20
13. 9927 Capitol View Avenue, Block 32, Lot 2
14. 9925 Capitol View Avenue, Block 32, Lot 3
15. 9921 Capitol View Avenue, Block 32, Lots 4-6
16. 9913 Capitol View Avenue, Block 32, Lots 8-9
17. 9911 Capitol View Avenue, Block 32, Lot 10
18. 9907 Capitol View Avenue, Block 32, Lots 12-13
19. 9906 Capitol View Avenue, Block 31, Lot 8
20. 9904 Capitol View Avenue, Block 31, Lot 9
21. 9826 Capitol View Avenue, Block 31, Lots 16-17
22. 9816 Capitol View Avenue, Block 31, Lots 20-21
23. 2801 Beechbank Road, Block 35, Lot 15

IMPLEMENTATION

A sector plan is a guide to the public and private sectors. It sets forth policies and recommendations, but it is not automatically self-fulfilling. The recommendations contained in a sector plan must be undertaken and carried forward by the combined efforts of the public and private sectors. It is the responsibility of the public sector to take the lead in implementation, and to guide the direction of the private sector. Moreover, a plan, to be effective, must be current. Therefore, it must provide for its own periodic review and update to assure that guidance is both valid and positive.

The public implementation tools available to carry out the plan include zoning, subdivision regulations, and public capital improvement construction programs.

SUBDIVISION REGULATIONS

Subdivision regulations govern the process of dividing land into parcels, blocks, and lots. They prescribe specific standards for streets, street connections, open space, and the size and configuration of building lots. The subdivision regulations are part of the Montgomery County Code. Methods of subdivision development are defined in the County's Zoning Ordinance. The zoning ordinance also prescribes variations and options to the standard regulations. Such variations include density control, cluster development, and the bonus provisions which accompany moderately-priced dwelling unit development. The purpose of these options is to permit additional flexibility in site development, as an incentive to meeting public goals. Cluster provisions permit smaller size lots and less rigid lot configuration in return for providing common open space and site plan controls. These controls provide greater protection for natural land forms, more usable open space, and more environmentally sensitive patterns of development.

ZONING

Zoning regulates the use of land. All land in Montgomery County (except public rights-of-way) is zoned. Within each zone, the County Zoning Ordinance permits certain uses by right and permits others conditionally. The ordinance also excludes certain uses from each zone. This sector plan recommends a zoning category for each parcel of land within the planning area. For the majority of these properties, existing zoning is reconfirmed.

SECTIONAL MAP AMENDMENT

A sectional map amendment is a procedure where the County files for a zoning change for a number of properties. The justification for the recommended changes is the sector plan.

The sector plan examines a geographic area and makes comprehensive proposals for the area's future zoning and development. The sectional map amendment helps to implement the sector plan by assuring that development is governed by the base zones recommended by the plan. In addition, since the government rezones the land, the amount of "red tape" and delay for the landowner in rezoning is reduced.

After adoption of this Sector Plan, the Planning Board will file a Sectional Map Amendment to effectuate any recommended zoning changes contained in the Plan, which will then be reviewed for conformance with the adopted Sector Plan. The County Council is empowered to adopt the Sectional Map Amendment following an advertised public hearing.

LOCAL MAP AMENDMENT

The owner or contract purchaser of a particular property may file for an individual rezoning, known as a local map amendment. Applications for local map amendments may only be filed during the months of February, May, August, and November. They are considered according to procedures specified in the Zoning Ordinance. A local map amendment may cover a single tract or group of tracts. An application may request consideration of two alternate zones, although most applications request only one. Approval of a local map amendment requires a public hearing, and the affirmative vote of a majority (four members) of the County Council. However, if the requested rezoning is contrary to the zone recommended in an adopted area sector plan, approval requires the affirmative vote of five council members (unless the Planning Board has recommended in favor of that approval, in which case a four-vote majority of the Council is sufficient for approval).

THE CAPITAL IMPROVEMENTS PROGRAM (CIP)

The executive branch of County government is responsible for planning, programming, and budgeting for the County's mid-range needs. It does this through two interrelated six-year programs. One is the annually updated Capital Improvements Program (CIP), which funds construction of all public buildings, roads, and other facilities planned by the County. The other is the Comprehensive Six Year Public Services Program and the Operating Budget, which funds County programs and coordinates them with capital expenditures.

Projects that are either currently scheduled or which are recommended for future inclusion in the CIP are identified in the Master Plan. Those recommended by this sector plan in addition to those currently scheduled are in the following Table. The County or State agencies responsible for design and development of each project are indicated in the

tables. The CIP assures that the projects necessary to fulfill the needs of the community, and to provide for orderly growth and development, are built at the appropriate time and in the proper location. The timetable for planning and construction of these projects should be coordinated with private development.

PROPOSED CAPITAL IMPROVEMENTS PROGRAM

	<u>Funded By</u>	<u>Expenditures</u>	<u>Scheduled Completion</u>
<u>Community Facility Improvements</u>			
Brunswick Avenue/McKinney Hills Park Bridge and Pedestrian-Bicycle Path	M-NCPPC	\$ 30,000 ⁽¹⁾	FY 83
<u>Transportation Improvements</u>			
Capitol View Avenue Realign, widen and provide sidewalks on both sides	SHA	N/A	N/A
Capitol View Avenue Special project between MD 391 and MD 185	SHA	\$400,000	FY 84
Forest Glen Commuter Rail Station Feasibility analysis of improving the station as part of the MDDOT commuter rail improvement program	MCDOT/ SHA	\$ 7,000	FY 84
Forest Glen Road Bikeway	MCDOT	\$ 60,000 ⁽¹⁾	FY 83
Gardiner Avenue Bike Route	MCDOT	N/A	N/A
Forest Glen METRO Bikeway Spur	MCDOT	\$ 9,500 ⁽¹⁾	FY 84

(1) Estimate does not include right-of-way or easements which may be required when detailed plans are developed.

The initial CIP description is generally "sketchy" as to the scope of a project, its cost, and its construction timetable. Each project is reviewed annually by the citizenry and public officials. During this review, projects can be deleted, modified, or added. This procedure allows the flexibility needed to balance available resources and public priorities.

HISTORIC SITES PRESERVATION

There are two mechanisms in Montgomery County to protect historic resources. The first of these is the Master Plan and Ordinance for Historic Preservation. The second is the Locational Atlas and Index of Historic Sites in Montgomery County. Various state and federal protections also exist for sites which achieve historic registration (see chapter on Historic Preservation for explanation of programs). The Master Plan for Historic Preservation provides for the identification, designation, and regulation of those sites of historical, archeological, architectural, or cultural value which merit protection, preservation, or continued use. This is to preserve and enhance the quality of life in the County and safeguard its historical and cultural heritage.

The County encourages preservation by such methods as historic site density transfer; subdivision, development plan, and site plan review; planned development zoning; flexible application of the County's building code; sensitive design of public facilities in the vicinity of historic resources; property tax credits; facade and scenic easements; and "recycling" of historic structures through adaptive reuse.

Listing in the Master Plan for Historic Preservation requires an owner to obtain an "historic area work permit" before making any changes to a site or structure. Properties listed in the Atlas are afforded limited, interim protection from destruction by demolition because the County will not issue such permits until the significance of the historic site has been reviewed. When a demolition permit is requested on a structure or site in the Atlas, the site is reviewed to determine whether it should be added to the Master Plan for Historic Preservation. If a determination is made to add the site to the master plan, it receives the master plan protection. If a site is not added to the master plan, alterations or demolition frequently are then permitted to proceed.

STRATEGIES FOR NEIGHBORHOOD PRESERVATION

Neighborhoods, such as Capitol View and Forest Glen, have both a physical and a social fabric. Healthy neighborhoods are well-maintained and attractive physically, and have strong social cohesiveness. To preserve the long-term stability of the planning area's neighborhoods, there are both County government and private citizen responsibilities.

THE PHYSICAL ENVIRONMENT: PUBLIC RESPONSIBILITIES

The physical environment of a neighborhood is more than the result of private decisions regarding the design and maintenance of privately owned buildings and grounds. It is also affected by public actions: the design and maintenance of public spaces and buildings; the level of public services, such as safety and sanitation; land use and zoning policies; and the presence or absence of traffic hazards, pollution, or other dangers.

THE PHYSICAL ENVIRONMENT: PRIVATE RESPONSIBILITIES

However, the physical appearance of a neighborhood consists, in large measure, of the aggregate of the appearance of homes and lots. A neighborhood's character is determined by the scale of the buildings, the relationship of yards to buildings, the density of population, and the adequacy of parking. At the time of new construction, these are all regulated by County ordinance.

Following construction, major responsibility for the physical environment passes to the landowner. Although neighborhood and homeowner associations and peer pressure help maintain neighborhood standards, they cannot guarantee results.

HOMEOWNERS AND NEIGHBORHOOD ASSOCIATIONS

When development occurs under the cluster provisions of the subdivision regulations a homeowners' association is frequently required to assure the maintenance and operation of private open space, recreational facilities, private streets, or other common space in the subdivision. The homeowners' association generally levies a fee, in the form of a property assessment, to maintain these facilities. It also must provide a management structure to supervise their orderly maintenance.

In almost all new subdivisions, neighborhood associations spring into being because of common needs. In existing neighborhoods without homeowners' associations there are usually no such continuing forces for interaction. It is in the County's interest to assure that the planning area continues to be served by well-organized, representative neighborhood associations. Communication between the neighborhood and County government is essential to the continued maintenance and strength of communities.

Both homeowners and neighborhood associations can provide continuing input to the decision-making process to influence decisions and assure that, once decisions are made, the follow-through meets the standards of performance deemed appropriate to the community.

PLAN REVIEW AND UPDATE

Once the County Council has approved and The Maryland-National Capital Park and Planning Commission has adopted the Capitol View Sector Plan, it becomes an official guide to the development and use of the land area involved. The plan will inform residents and business owners about the overall pattern of development and the amount and types of facilities that will be available in the future.

The plan is informally reviewed on a yearly basis through the County's CIP and budget process. It is periodically amended by CIP modifications, local zoning map amendments, or master plan amendments. The Planning Board and citizenry will periodically judge the effectiveness of the plan. Should policies and conditions change, the Board and Council should schedule a comprehensive review and possible update of the master plan so that it can continue to reflect and provide for the needs of the area.