Montgomery County

Land Use Change

January through December 2011

This report has been prepared in compliance with requirements of the Land Use Article

The State of Maryland Department of Planning Annual Land Use Report

- Annual Report on Growth Related Changes per SB 280/HB 295
- Annual Report on Smart Growth Goals, Measures and Indicators and Implementation of Planning Visions per SB 276/HB 295
- Report on APFO Restrictions per SB 273/HB 294 Local Government Planning

The Maryland - National Park and Planning Commission
Montgomery County Planning Department, May 2012
1. Development Patterns – List all changes in development patterns that have occurred over the past year:
   
a) New subdivision created:
The “Preliminary Plan” development application type is the best proxy for “new” subdivisions. These plans can be amended after initial submission. We measure new subdivisions by the number of Preliminary Plans that are approved by the Planning Board during the calendar year that are not amendments to previously submitted plans. (Older amended plans are reflected in the previous reports)

<table>
<thead>
<tr>
<th>Year</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Plans (Excluding amendments)</td>
<td>38</td>
<td>39</td>
<td>26</td>
</tr>
</tbody>
</table>

Report #1
Annual Report on Growth Related Changes
Per SB 280/HB 295, Effective June 1, 2009
1. Development Patterns – List all changes in development patterns that have occurred over the past year:

b) New building permits issued:

The County Department of Permit Services reports three primary categories of building permit activity: additions, alterations, and new construction. Year 2011 Building Permit activity has remained steady relative to the past two years.

<table>
<thead>
<tr>
<th>Building Permit Type</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADD</td>
<td>1,002</td>
<td>1,011</td>
<td>1,013</td>
<td>3,026</td>
</tr>
<tr>
<td>ALTER</td>
<td>545</td>
<td>647</td>
<td>624</td>
<td>1,813</td>
</tr>
<tr>
<td>CONST</td>
<td>835</td>
<td>920</td>
<td>959</td>
<td>2,711</td>
</tr>
<tr>
<td>Total</td>
<td>2,382</td>
<td>2,578</td>
<td>2,596</td>
<td>7,550</td>
</tr>
</tbody>
</table>

Source: MNCPPC (Planning Dept.) analysis of Montgomery County Department of Permit Services system data. March 2012.
1. Development Patterns – List all changes in development patterns that have occurred over the past year:
   c) Zoning map amendments (see maps):

   Source: Zoning Case intake at Planning Intake Division – Hansen, March 2012.

   Local Map Amendment G-858-SC
   From: RT-12.5
   To: R-60
   Approved per CC Resolution: 17-246

   Local Map Amendment G-868
   Property ID: 06-400001, 06-402408, 06-402272
   From: C-4 To: C-1
   Approved per CC resolution: 17-23

   Local Map Amendment G-876
   Property ID: 07-00430190
   From: R-60 To: TS-R
   Approved per CC resolution: 17-22

   Local Map Amendment G-907
   Property ID: 07-00421993
   From: I-1 To: RT-15
   Approved per CC Resolution: 17-261
Note: The “corrective map amendments” reflect minor administrative corrections to errors found in County zoning maps.

Corrective Map Amendment G-893
Property ID: N323, N328, P226, P240, B, 2-1; Parcel A, Lot 23, and Lot 28-30, Block 1
From: 4.33 ac RC To: RE-2C
0.49 RE-2C To: RC
Approved per CC Resolution: 17-243

Corrective Map Amendment G-894
Property ID: P401
From: 0.58 ac RDT To: RMX-2
Approved per CC Resolution: 17-243

Corrective Map Amendment G-895
Property ID: Lots 1-9, Block G; Lot 10, Block EYE and Parcel C EYE, lot 52, Block F; Clarksburg Village
From: R-200/TDR To: R-200
Approved per CC Resolution: 17-243

Corrective Map Amendment G-896
Property ID: Lots 17-23, Block A; Parcel E, Block A; Lots 22-25, Block C Parcels 070, 072, and 076, Block C; and Parcel A, Block E, Catawba Manor
From: 1.68 acres from the RMX-2 zone to the R-200 zone
2.63 acres from the R-200 zone to the RMX-2 zone
Approved per CC Resolution: 17-243

Corrective Map Amendment G-897
Lots 49, 50, 51 and 52, Block F, Clarksburg Village
From: 0.25 acres from the R-200 zone to the R-200/TDR zone
Approved per CC Resolution: 17-243

Corrective Map Amendment G-898
Lots 16-17, 40, and Parcel C, Block G; Lot 32, Block L, Clarksburg Village
Corrections: 0.27 acres from the R-200/TDR zone to the R-200 zone
0.02 acres from the R-200 zone to the R-200/TDR
Approved per CC Resolution: 17-243

Corrective Map Amendment G-899
Part B, Block R “Kings Crossing”
Correction: 0.97 acres from the RDT zone to the Rural zone
Approved per CC Resolution: 17-243

Corrective Map Amendment G-900
Property ID: 09-00777100
Corrections: 1.38 acres from the R-90 zone to the R-200 zone
Approved per CC Resolution: 17-243

Corrective Map Amendment G-901
Property ID: 06-00392593; 06-02737845
Correction: 1.17 acres from the R-200 zone to the R-200/TDR zone
Approved per CC Resolution: 17-243

Corrective Map Amendment G-902
Property ID: 06-03408617; 06-00398965; 06-00402283
Corrections: 2.89 acres from the R-2 zone to the RE-2 zone
0.71 acres from the RE-2 zone to the R-2 zone
0.07 acres from the RE-2 zone to the R-200/TDR
Approved per CC Resolution: 17-243

Corrective Map Amendment G-903
Property ID: 04-00088063; 04-00088165; 04-00088575
Correction: 3.11 acres from the RE-1 zone to the R-200 zone
Approved per CC Resolution: 17-243

Corrective Map Amendment G-904
Property ID: 10-03136805; 10-03136587
Corrections: 0.15 acres from the RE-2 zone to the RE-2C/TDR zone
0.15 acres from the RE-2C/TDR to the RE-2 zone
Approved per CC Resolution: 17-243

**Corrective Map Amendment G-905**
Property ID: 07-03666628
Correction: 0.1 acres from the R-60 zone to the TSR zone
Approved per CC Resolution: 17-243

**Corrective Map Amendment G-906**
Property ID: 09-00768801; 09-00836698
Correction: 2.24 acres from no zone to I-3
Approved per CC Resolution: 17-243
1. Development Patterns – List all changes in development patterns that have occurred over the past year:

d) Zoning text amendments and Subdivision Regulation Amendments that could result in changes in development patterns:

The following are ZTA’s approved in 2011.

ZTA 11-08: Residential Zones – Accessory Commercial Kitchen
An amendment to the Montgomery County Zoning Ordinance to:
- Define a commercial kitchen; and
- Add accessory commercial kitchen as a permitted land use in certain residential zones under certain circumstances.

ZTA 11-07: Telecommunications Facilities- Antenna Height
An amendment to the Montgomery County Zoning Ordinance to: increase the allowable antenna height for telecommunications facilities; and generally amend the definition of telecommunications facility.

ZTA 11-06: Fenton Village Overlay Zone
An amendment to the Montgomery County Zoning Ordinance to: modify building heights in the Fenton Village Overlay zone and the adjacent CBD-0.5 zone; and generally amend the provision for building heights in the Fenton Village Overlay zone.

ZTA 11-05: US29/Cherry Hill Road -Employment Area Overlay Zone
An amendment to the Montgomery County Zoning Ordinance to: delete certain automobile related uses from the list of prohibited land uses in the US29/Cherry Hill Road Employment Area Overlay zone; and require existing automobile repair, service, and sales and related offices, storage, and parking uses to satisfy the requirements of the underlying zone.

ZTA 11-04: Central Business District (CBD) Zones – Public Facilities
An amendment to the Montgomery County Zoning Ordinance to: amend the definitions of "Public facilities and amenities" and "Public use space"; amend the development standards for an optional method project to allow the provision of a building or land for a publicly owned and operated government facility to meet the public facility and amenity requirements; amend the development standards for an optional method project to allow the publicly owned and operated government facility to satisfy the public use space requirement for the optional method project and exclude the floor area in the calculation of gross floor area; and generally amend the development standards for optional method projects in the CBD zones.
ZTA 11-03 Special Exception Standards - Professional Offices
An amendment to the Montgomery County Zoning Ordinance to: amend the standards for allowing professional non-residential offices near public safety facilities; and generally amend the provisions for professional non-residential offices allowed as a special exception.

ZTA 11-02: Non-conforming Uses - Historic Resources
An amendment to the Montgomery County Zoning Ordinance to: allow the reinstitution of non-conforming uses on historic resource sites; and generally amend the provisions for non-conforming uses.

ZTA 11-01: Commercial/Residential Zones – Neighborhood and Town Zones
An amendment to the Montgomery County Zoning Ordinance to: establish the Commercial/Residential Neighborhood (CRN) and Commercial/Residential Town (CRT) zones; and generally amend the Commercial/Residential zones.

SRA-11-02: Minor Subdivisions
An amendment to the Subdivision Regulations to: (1) authorize the approval and recordation of a plat for certain properties classified in a one family residential zone under the minor subdivision procedure under certain circumstances; and (2) generally amend the provisions for the application of the minor subdivision process.

SRA 11-01: Adequate Public Facilities- Preliminary Subdivision Plan Validity Period
An amendment to (1) extend the validity period for a determination of adequate public facilities for certain developments; (2) extend the validity period for certain preliminary subdivision plans; and (3) otherwise revise the validity period for certain developments.
1. Development Patterns – List all changes in development patterns that have occurred over the past year:

e) New comprehensive plan or plan element adopted:

Adopted 2011

Wheaton (1)

Plans in Progress 2011:

Burtonsville Crossroads (4)
Chevy Chase Lake (7)
Glenmont Sector Plan (5)
Kensington Sector Plan (2)
Long Branch Sector Plan (6)
Lyttonsville Rosemary Hills Sector Plan (10)
Takoma Langley (3)
White Flint Sector Plan Phase 2 (8)
White Oak Science Gateway (formerly East County Science Center) (1)
1. Development Patterns – List all changes in development patterns that have occurred over the past year:
   f) New roads or substantial changes in roads or other transportation facilities:

   Source: County Department of Transportation, Division of Transportation Engineering
   Completed Project List for FY11

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stringtown Road Extension</td>
<td>January 2011</td>
</tr>
<tr>
<td>Town of CC Storm Drain Improvements</td>
<td>February 2011</td>
</tr>
<tr>
<td>Clarksburg Road Bridge Over Bennett Creek</td>
<td>June 2011</td>
</tr>
<tr>
<td>Father Hurley Blvd Extension</td>
<td>August 2011</td>
</tr>
<tr>
<td>Cedar Lane</td>
<td>September 2011</td>
</tr>
<tr>
<td>Watkins Mill Road Extension</td>
<td>October 2011</td>
</tr>
<tr>
<td>Woodfield Road Extension</td>
<td>November 2011</td>
</tr>
</tbody>
</table>
1. Development Patterns – List all changes in development patterns that have occurred over the past year:
   
g. New schools or additions to schools
   
   2011 - No new Schools, 92 additions/modernizations
   2010 - No new Schools, 17 additions/modernizations

   Source: Montgomery County Public Schools FY 12 Educational Facilities Master Plan, Chapter 5.
1. Development Patterns – List all changes in development patterns that have occurred over the past year:

2011 Other changes in development patterns:

2000 to 2010 Land Use Comparison:
Between 2000 and 2010, County land use change has been characterized by the conversion of large consolidated tracts of vacant land into residential and commercial development. This development has resulted in a 15.3% decrease in the agricultural land located outside of the County’s Agriculture Reserve and a 25% decrease in the County’s remaining vacant land. These changes in agriculture land have been restricted to locations outside of the Agricultural Reserve and are consistent with the zoning and the County’s developmental approval process.

<table>
<thead>
<tr>
<th>Montgomery County Land Use</th>
<th>2000 (Acres)</th>
<th>2010 (Acres)**</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office/R&amp;D</td>
<td>3,010</td>
<td>3,464</td>
<td>18.7%</td>
</tr>
<tr>
<td>Retail</td>
<td>2,691</td>
<td>2,931</td>
<td>10.9%</td>
</tr>
<tr>
<td>Industrial/Warehouse</td>
<td>2,225</td>
<td>2,019</td>
<td>-10.9%</td>
</tr>
<tr>
<td>Government/Institutional</td>
<td>9,152</td>
<td>10,422</td>
<td>17.1%</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>4,231</td>
<td>4,762</td>
<td>15.5%</td>
</tr>
<tr>
<td>Single Family</td>
<td>75,454</td>
<td>84,297</td>
<td>14.4%</td>
</tr>
<tr>
<td>Agriculture</td>
<td>106,744</td>
<td>104,004</td>
<td>-2.6%</td>
</tr>
<tr>
<td>Open Space/Vacant</td>
<td>29,590</td>
<td>22,202</td>
<td>-28.5%</td>
</tr>
<tr>
<td>Parks</td>
<td>52,789</td>
<td>52,898</td>
<td>0.2%</td>
</tr>
<tr>
<td>ROW</td>
<td>24,354</td>
<td>25,015</td>
<td>3.3%</td>
</tr>
<tr>
<td>Other</td>
<td>8,156</td>
<td>6,454</td>
<td>-24.0%</td>
</tr>
<tr>
<td>*<em>TOTAL</em></td>
<td><strong>318,396</strong></td>
<td><strong>318,468</strong></td>
<td></td>
</tr>
</tbody>
</table>

* Marginal differences exists between 2000 and 2010 total land area due to changes in administrative records.
** 2011 Land Use data will not be available until August 2012.
3. Consistency - Determine and state whether all of the changes in development patterns listed above are or are not consistent with:
(a) Each other;
(b) The recommendations of the last annual report;
(c) The adopted plans of the local jurisdiction;
(d) The adopted plans of all adjoining local jurisdictions;

The changes in the development patterns listed in this report are consistent with each other, 2010 development changes, adopted plans of the local jurisdictions and the adopted plans of all adjoining jurisdictions (data for 2010 and for 2009 are provided for each section of the 2011 report.)

Each legislative change referenced in items 1c, 1d and 1e found 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 to General Plan. One of the most important ways the Montgomery County Planning Board implements the vision of the County's General Plan and master plans is through its review and approval of proposed development. The Montgomery Planning Department coordinates review of proposed development projects. Planners review development applications for consistency with the adopted master plan, impact on the environment, for the quality of design and compatibility with its neighbors, and for the availability of public facilities (water and sewer, transportation, schools). The Department recommends that proposed projects reserve or dedicate land for roads, schools, parks, or recreation facilities in accordance with the relevant master plan. Notification of receipt and scheduling of development applications are sent to the communities and adjacent and adjoining property owners. Department staff work with developers and neighbors and relevant state and county agencies to address issues of concern before scheduling applications for Planning Board review and action.

Some jurisdictions within Montgomery County—such as the cities of Rockville and Gaithersburg and some smaller taxing districts such as Poolesville—have independent planning and zoning authority within their boundaries. However, in its broader role, the Planning Department provides recommendations, information, analysis and services to the Montgomery County Planning Board, the County Council, the County Executive, other government agencies and the general public. Further, the Planning Department regularly coordinates or participates in planning processes that consider the inter-jurisdictional impacts of development projects. These collaborative efforts include, but are not limited to:
   i) As part of the Maryland National Capital Parks and Planning Commission (MNCPPC), Montgomery County planning initiatives are coordinated 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 coordinates and acts on matters of interest to both counties, and meets once a month. The members of the Commission from each county serve as separate Planning Boards to facilitate, review and administer the matters affecting their respective counties.

Montgomery and Prince George’s County are the second and third largest counties in the State. Commission efforts constitute local County level planning efforts for roughly 32% of Maryland’s population.

ii) Montgomery County actively participates in joint planning analysis efforts with the Washington Councils of Governments (MWCOG). A primary effort with MWCOG is the development of the region’s demographic forecast of housing, jobs, and population. The process offers a forum for member jurisdictions to anticipate 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. In 2009 and 2010, the Montgomery County Planning Department participated in MWCOG’s Region Forward, a regional campaign to encourage area leaders and residents to work together to create a more accessible, sustainable, prosperous, and livable region.

(e) The adopted plans of State and local jurisdictions that have responsibility for financing or constructing public improvements necessary to implement the local jurisdiction’s plan.

The Department coordinates review of the County CIP, the MCPS CIP and the SHA STP as well as all projects for new or expanded public facilities through the mandatory referral process.
4. Process Improvements - What are your jurisdiction's plans for improving the local planning and development processes?

**Zoning Code Rewrite:**
The purpose of the Zoning Code Rewrite is to develop a more relevant zoning code that addresses the County's current and future needs. A major motivation for the Rewrite Project is that the current zoning code has not been comprehensively rewritten since 1977. The current 1,152-page code is viewed as antiquated and hard to use; the number of zones has nearly tripled from 41 in 1977 to the current 120 and the code specifies over 400 land uses. The Montgomery County Planning Department is working in coordination with Code Studio, a team of nationally recognized consultants, a citizen panel and other County agencies to improve the zoning code. The rewrite project began in 2008 and is expected to be completed in draft form by the end of 2012. The new Zoning Code will apply to the entire county, with the exception of municipalities that have local zoning authority.

With only about four percent of land in Montgomery County available for development, the new zoning code can play a crucial role in guiding redevelopment. An updated zoning code is important for achieving the kind of growth Montgomery County policymakers and residents want. It also is an opportunity to incorporate a commitment to sustainability.

**ProjectDox Integration:**
In 2009, the Department began a project support the agency’s transition to web-based submittal and review of development applications. The goal is to provide multiple users (i.e., private sector developers and public sector reviewers) the ability to securely and simultaneously access the digital plan documents that support reviews. Developers will be able to submit development materials online. As each reviewing agency submits comments to the relevant electronic document, those comments will immediately become visible to all parties. Cost savings result from the fact that any change to a document or image is automatically identified. This new approach will greatly simplify the review process and enhance the accuracy of reviews.

The two components of this project consist of an internal “back end” database that stores and manages applicant information (the “Info/Hansen” database) and a “front end” web-based interface that allows the development community to electronic submit the design documents (the “ProjectDox “ electronic plan software solution). The goal is to go live with this integrated solution for major application types by the end of 2012.

**Web Application and “Public Centric” GIS:**
In 2011, the Department continued to focus on creating web-based interactive maps that provide the public with access to planning analysis and a wide variety of other planning resources. Web-based tools allow the public to track new development, identify the status of development applications, gain access to census demographics, gain access to master plan boundary and zoning information, to track the location of forest conservations easements, and to gain access to other planning analysis fueled by geographic information systems (GIS). To survey a subset of these interactive tools, view: www.montgomeryplanning.org/gis/interactive/index.shtm.
5. Ordinances and/or Regulations - List zoning ordinances or regulations that have been adopted or changed to implement the planning visions in Section 1.01 of Article 66B.

Each Montgomery County 2009-2010 process improvement and comprehensive plan amendment promotes the elements of the Land Use Article’s planning visions. The following matrix associates each Planning Vision element with a County initiative.

<table>
<thead>
<tr>
<th>Article 66B Land Use</th>
<th>Subdivision Staging Policy</th>
<th>CR Zone</th>
<th>Proposed Zoning Re-write</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality of Life</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Public Participation</td>
<td>x</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>Growth Areas</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Community Design</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing Economic</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Environment Protection Resource</td>
<td></td>
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<td>Conservation</td>
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<td>Stewardship</td>
<td>x</td>
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</tr>
<tr>
<td>Implementation</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
</tbody>
</table>
1. **Amount and share of growth that is being located inside and outside the Priority Funding Area (PFA)**

Residential Dwelling Units built 2009 to 2011

<table>
<thead>
<tr>
<th>NEW DWELLINGS</th>
<th>LANDUSE CATEGORY</th>
<th>NON-PFA</th>
<th>PFA</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009 Multi-Family</td>
<td>234</td>
<td>234</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Attached</td>
<td>2</td>
<td>329</td>
<td>331</td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>113</td>
<td>330</td>
<td>443</td>
<td></td>
</tr>
<tr>
<td><strong>2009 Total</strong></td>
<td><strong>115</strong></td>
<td><strong>893</strong></td>
<td><strong>1,008</strong></td>
<td></td>
</tr>
<tr>
<td>2010 Single Family Attached</td>
<td>4</td>
<td>640</td>
<td>644</td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>103</td>
<td>216</td>
<td>319</td>
<td></td>
</tr>
<tr>
<td><strong>2010 Total</strong></td>
<td><strong>107</strong></td>
<td><strong>856</strong></td>
<td><strong>963</strong></td>
<td></td>
</tr>
<tr>
<td>2011 Multi-Family</td>
<td></td>
<td>319</td>
<td>319</td>
<td></td>
</tr>
<tr>
<td>Single Family Attached</td>
<td></td>
<td>217</td>
<td>217</td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td></td>
<td>7</td>
<td>140</td>
<td>147</td>
</tr>
<tr>
<td><strong>2011 Total</strong></td>
<td></td>
<td><strong>7</strong></td>
<td><strong>676</strong></td>
<td><strong>683</strong></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>229</strong></td>
<td><strong>2,425</strong></td>
<td><strong>2,654</strong></td>
<td></td>
</tr>
</tbody>
</table>
1. **Amount and share of growth that is being located inside and outside the Priority Funding Area (PFA) Continued**

   Residential Dwelling Units built 2009 to 2011
1. **Amount and share of growth that is being located inside and outside the Priority Funding Area (PFA) continued**

Non-Residential Gross Floor Area built 2009 to 2011

<table>
<thead>
<tr>
<th>NON-RESIDENTIAL GROSS FLOOR AREA (SQFT)</th>
<th>LANDUSE CATEGORY</th>
<th>NON-PFA</th>
<th>PFA</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>Institutional/Community Facility</td>
<td>78,271</td>
<td>94,442</td>
<td>172,713</td>
</tr>
<tr>
<td></td>
<td>Office</td>
<td>1,308,325</td>
<td>1,308,325</td>
<td>1,308,325</td>
</tr>
<tr>
<td></td>
<td>Retail</td>
<td>83,456</td>
<td>83,456</td>
<td>172,713</td>
</tr>
<tr>
<td>2009 Total</td>
<td></td>
<td>78,271</td>
<td>1,486,223</td>
<td>1,564,494</td>
</tr>
<tr>
<td>2010</td>
<td>Industrial</td>
<td>32,616</td>
<td>32,616</td>
<td>32,616</td>
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<tr>
<td></td>
<td>Office</td>
<td>42,385</td>
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<tr>
<td>2010 Total</td>
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<td>75,001</td>
<td>75,001</td>
<td>75,001</td>
</tr>
<tr>
<td>2011</td>
<td>Institutional/Community Facility</td>
<td>21,487</td>
<td>21,487</td>
<td>21,487</td>
</tr>
<tr>
<td></td>
<td>Office</td>
<td>120,071</td>
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</tr>
<tr>
<td></td>
<td>Retail</td>
<td>582,522</td>
<td>582,522</td>
<td>582,522</td>
</tr>
<tr>
<td>2011 Total</td>
<td></td>
<td>724,080</td>
<td>724,080</td>
<td>724,080</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>78,271</td>
<td>2,285,304</td>
<td>2,363,575</td>
</tr>
</tbody>
</table>

![Graph showing Non-Residential Gross Floor Area built 2009 to 2011](image)
1. **Amount and share of growth that is being located inside and outside the Priority Funding Area (PFA) continued**

Non-Residential Gross Floor Area built 2009 to 2011

---

2009

---

2010

---

2011
2. **Net Density of Growth that is being located inside and outside the PFA:**

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Average Residential Lot Sizes</strong>*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PFA</td>
<td>0.21</td>
<td>0.59</td>
<td>0.29</td>
</tr>
<tr>
<td>Not PFA</td>
<td>1.34</td>
<td>1.14</td>
<td>0.99</td>
</tr>
</tbody>
</table>

*For each year, the total residential lot sizes divided by the number of residential lots. (The metric is acres per lot)*

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Average New Non-Residential FAR</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PFA</td>
<td>0.43</td>
<td>0.85</td>
<td>0.61</td>
</tr>
<tr>
<td>Not PFA</td>
<td>0.03</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**For each year, the total gross floor area for non-residential lots divided by lot sizes in square feet. There were no new non-residential lots developed outside of the PFA in 2010 or 2011.**

3. **Creation of new lots and the issuance of residential and commercial building permits inside and outside of the PFA.**

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New Lots and Permits</strong>*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PFA</td>
<td>2,074</td>
<td>2,304</td>
<td>2,397</td>
</tr>
<tr>
<td>Not PFA</td>
<td>308</td>
<td>274</td>
<td>199</td>
</tr>
</tbody>
</table>

***Building permits issued include residential and non-residential additions, alterations and construction type permits. Source: Department of Permitting Services, March 2012.***

4. **Development capacity analysis updated once every three years, or when there is significant zoning or land use change.**

Nothing to report for 2011.
5. **Number of acres preserved using local agricultural land preservation funding:**

Three new TDR sending properties were recorded in 2011.

<table>
<thead>
<tr>
<th>TAX ID</th>
<th>TDR</th>
<th>LOT SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>00927863</td>
<td>14</td>
<td>98.4 acres</td>
</tr>
<tr>
<td>03507941</td>
<td>4</td>
<td>27.3 acres</td>
</tr>
<tr>
<td>00925192</td>
<td>4</td>
<td>53.6 acres</td>
</tr>
</tbody>
</table>

Source: MNCPPC “Serial Numbers for TDR Easements”, April 2012

In 1980, Montgomery County took a significant step towards the preservation of agricultural land and open space by creating the Agricultural Reserve. The Rural Density Transfer (RDT) zone is the predominant zoning designation within the Agriculture Reserve; the RDT zone has a base density of one unit per 25 acres. At the same time that the RDT zone was established, the Transfer Development Rights (TDRs) program was created. The TDR program granted property owners one development right for each five acres of land owned within the reserve. TDRs can be sold to landowners or developers who can use these rights to develop at a higher density in those areas zoned for receiving the higher densities elsewhere in the county. Many of the master plans include TDR zoning for the properties best suited for higher residential densities. Over 64,000 acres of land are held by TDR program participants. This means that over 64,000 acres are permanently preserved at one unit per 25 acres. The most recent TDR tacking report captures detailed information for the history of the program through 2007. Since 2007, the number of TDR’s transfers has been minimal.
Local jurisdiction reports on Priority Funding Areas (PFAs) and Adequate Public Facilities Ordinances (APFOs) must include information about the location of the APFO restriction; infrastructure affected by the restriction; the proposed resolution of the restriction, if available; estimated date for resolving the restriction, if available; date a restriction was lifted, as applicable; and terms of the resolution that removed the restriction.

1. **Nature and Location of Restriction within PFA:**

   Montgomery County’s 2009-2011 “Growth Policy” guides the timing of development and the provision of adequate public services. This policy implements the Adequate Public Facilities Ordinance, which directs development to areas where public services are in place. The Growth Policy presents guidelines that govern where new development takes place, matching growth to the availability of public services like transportation and schools. The Growth Policy emphasized two types of APFO restriction for new development, restrictions based on school capacity and restrictions based on transportation capacity.

   The 2009-2011 Growth Policy was renamed the “Subdivision Staging Policy” and shifted from a two year to a four year cycle. The policy was expanded to look beyond its traditional emphasis on congestion relief and school capacity. Instead, it focuses on ways to enhance quality of place in communities by encouraging the concentration of mixed-uses near transit.
2. **Infrastructure Affected:**

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.

**Schools:** Residential development projects in the following PFA restricted school districts require fees for the purpose of expanding school capacity under the FY2010 Schools Test.

**2011:**
- Bethesda Chevy-Chase (ES, MS, HS)
- Blake (ES)
- Gaithersburg (ES)
- Magruder (ES)
- Northwest (ES, HS)
- Northwood (ES, HS)
- Paint Branch (ES)
- Quince Orchard (ES, HS)
- Richard Montgomery (ES, MS)
- Rockville (ES, MS)
- Seneca Valley (ES, HS)
- Walter Johnson (ES, MS)
- Whitman (ES, MS)
- Wootton (HS)

**2009/2010:**
- Bethesda Chevy-Chase (ES, MS)
- Richard Montgomery (ES, MS)
- Northwest (ES, MS)
- Northwood (ES)
- Paint Branch (ES)
- Quince Orchard (ES)
- Rockville (ES)
- Whitman (MS)
- Wootton (HS)
2- Infrastructure Affected: (continued)

Transportation:
The transportation element of the APF has two components. The first, Local Area Transportation Review (LATR), measures development impacts on local roads near the development site. The second, Policy Area Mobility Review (PAMR) addresses impacts on a wider geographic scale.

LATR/PAMR guidelines help ensure that development in Montgomery County is accompanied by appropriate, sufficient transportation facilities. The Planning Board and planning staff use these to estimate the impacts of development on the transportation network and determine effective ways to mitigate that impact.

New development in the following restricted policy areas requires additional transportation mitigation measures provided by the developer. These policy areas coincide closely with our PFAs.

2011

<table>
<thead>
<tr>
<th>Area</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aspen Hill</td>
<td>15%</td>
</tr>
<tr>
<td>Bethesda/Chevy Chase</td>
<td>25%</td>
</tr>
<tr>
<td>Clarksburg</td>
<td>10%</td>
</tr>
<tr>
<td>Cloverly</td>
<td>0%</td>
</tr>
<tr>
<td>Damascus</td>
<td>0%</td>
</tr>
<tr>
<td>Derwood/Shady Grove</td>
<td>5%</td>
</tr>
<tr>
<td>Fairland/White Oak</td>
<td>45%</td>
</tr>
<tr>
<td>Gaithersburg City</td>
<td>50%</td>
</tr>
<tr>
<td>Germantown East</td>
<td>50%</td>
</tr>
<tr>
<td>Germantown West</td>
<td>0%</td>
</tr>
<tr>
<td>Kensington/Wheaton</td>
<td>10%</td>
</tr>
<tr>
<td>Montgomery Village/Airpark</td>
<td>0%</td>
</tr>
<tr>
<td>North Bethesda</td>
<td>25%</td>
</tr>
<tr>
<td>North Potomac</td>
<td>5%</td>
</tr>
<tr>
<td>Olney</td>
<td>5%</td>
</tr>
<tr>
<td>Potomac</td>
<td>45%</td>
</tr>
<tr>
<td>R &amp; D Village</td>
<td>30%</td>
</tr>
<tr>
<td>Rockville</td>
<td>15%</td>
</tr>
<tr>
<td>Silver Spring/Takoma Park</td>
<td>5%</td>
</tr>
</tbody>
</table>
2- Infrastructure Affected:
(continued)

2009/2010
Aspen Hill 20%
Bethesda-Chevy Chase 30%
Clarksburg 10%
Derwood 20%
Fairland/White Oak 50%
Gaithersburg City 50%
Germantown East 50%
Kensington/Wheaton 10%
Montgomery Village/Airpark 5%
Olney 10%
Potomac 40%
Rockville City 25%
R&D Village 40%
Silver Spring/Takoma Park 10%
North Bethesda 35%
North Potomac 50%
Local jurisdiction reports on Priority Funding Areas (PFAs) and Adequate Public Facilities Ordinances (APFOs) must include information about the location of the APFO restriction; infrastructure affected by the restriction; the proposed resolution of the restriction, if available; estimated date for resolving the restriction, if available; date a restriction was lifted, as applicable; and terms of the resolution that removed the restriction.

1. **Nature and Location of Restriction within PFA:**
2. **Infrastructure Affected:**
3. **Proposed Resolution of Restriction:**
4. **Estimated Date for resolving Restriction:**
5. **Date Restriction was lifted:**
   None of these restrictions were lifted in 2009 or 2010. In 2011, restrictions were added to the Clarksburg Policy Area, while restrictions were removed from the Montgomery Village/Airpark Policy Area. Restrictions for the other 17 policy areas were adjusted, but still remain.

6. **Terms by which Restriction was Removed:**
7. **Additional Comments:**
   The above section identifies the School Districts and Policy Areas that
   a) Intersect Priority Funding Areas and,
   b) Are affected by development mitigation requirements under the 2009-2011 Subdivision Staging Policy.

   Analysis that identifies the geographic areas requiring mitigation (i.e. the Adequate Public Facilities tests or “APF test”) is performed annually. The standards for APF tests are governed by the County’s Subdivision Staging Policy. The Department’s recommendations for updating the Subdivision Staging Policy are presented to the Planning Board and County Council on a four year cycle.