



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

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Jay Mukherjee, GIS Specialist III, Information Technology & Innovation, [Jay.Mukherjee@montgomeryplanning.org](mailto:Jay.Mukherjee@montgomeryplanning.org), 301.650.5646



Chris McGovern, GIS Manager, Information Technology & Innovation, [Christopher.McGovern@montgomeryplanning.org](mailto:Christopher.McGovern@montgomeryplanning.org), 301.650.5634



Jason Sartori, Division Chief, Functional Planning & Policy, Montgomery County Planning Department, [Jason.Sartori@montgomeryplanning.org](mailto:Jason.Sartori@montgomeryplanning.org)

**Completed: 06-18-2020**

### Staff Recommendation:

Approve the attached 2019 Annual Land Use Report for Montgomery County for transmittal to the County Council President, and to the Maryland State Department of Planning.

### Summary:

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

The requested data was compiled using various sources to include zoning and subdivision approval data from the department's Hansen plan tracking system, permitting records from our digital links to DPS systems, school CIP and APFO information from MCPS, and from other County GIS data layers.

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

Attachment

# 2019

## LOCAL JURISDICTION ANNUAL REPORT FOR MONTGOMERY COUNTY TO THE MARYLAND STATE DEPARTMENT OF PLANNING

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

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

June 2020

## ACKNOWLEDGEMENTS

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**The Information, Technology & Innovation (ITI) division would like to thank the following people for their contributions to this report:**

### **Montgomery County Planning Department**

Steve Cary, Programmer Analyst  
Caroline McCarthy, Chief of Research and Special Projects  
Greg Russ, Planner Coordinator  
Jason Sartori, Chief of Functional Planning & Policy  
Meghan Irving, Senior Graphic Designer

### **Montgomery County Public Schools**

John Salamon, GIS Coordinator  
Adrienne L. Karamihas, Director Division of Capital Planning

### **Montgomery County Department of Technology Services**

Victoria Lewis, *data*Montgomery Project Manager

### **Maryland Department of Planning**

David Dahlstrom, Upper Shore Regional Planner

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**Jurisdiction Name:** Montgomery County

**Planning Contact Name:** Jay Mukherjee, GIS Specialist III  
Chris McGovern, GIS Manager  
Jason Sartori, FPP Chief

**Planning Contact Phone Number:** 301-650-5640

**Planning Contact Email:** [jay.mukherjee@montgomeryplanning.org](mailto:jay.mukherjee@montgomeryplanning.org)  
[christopher.mcgovern@montgomeryplanning.org](mailto:christopher.mcgovern@montgomeryplanning.org)

## Section I: Amendments and Growth-Related Changes in Development Patterns

**(A) Were any new comprehensive plan or plan elements adopted?**

Y ☒ N ☐

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

### **Completed Master Plans 2019:**

#### **Area Plans**

Veirs Mill Corridor Master Plan (1)  
MARC Rail Communities Plan (2)

### **In-Progress Master Plans 2019:**

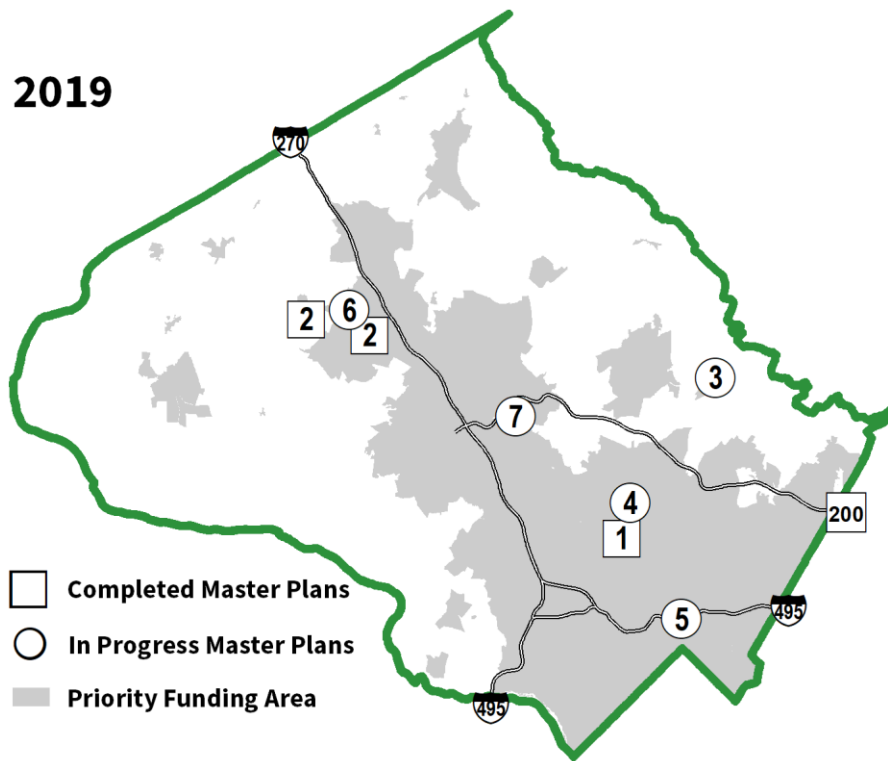
#### **Area Plans**

Ashton Village Center Sector Plan (3)  
Aspen Hill Vision Zero (4)  
Montgomery Hills & Forest Glen Sector Plan (5)  
Germantown Plan for the Town Sector Zone (6)  
Shady Grove Sector Plan Amendment (7)

#### **Other Plans**

General Plan Thrive 2050  
Pedestrian Master Plan  
Rustic Roads Functional Master Plan Update

Note: Numbers in parenthesis above correspond to numbers on map below  
Source: Montgomery County Planning Department, 2019



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

Y ☒ N ☐

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

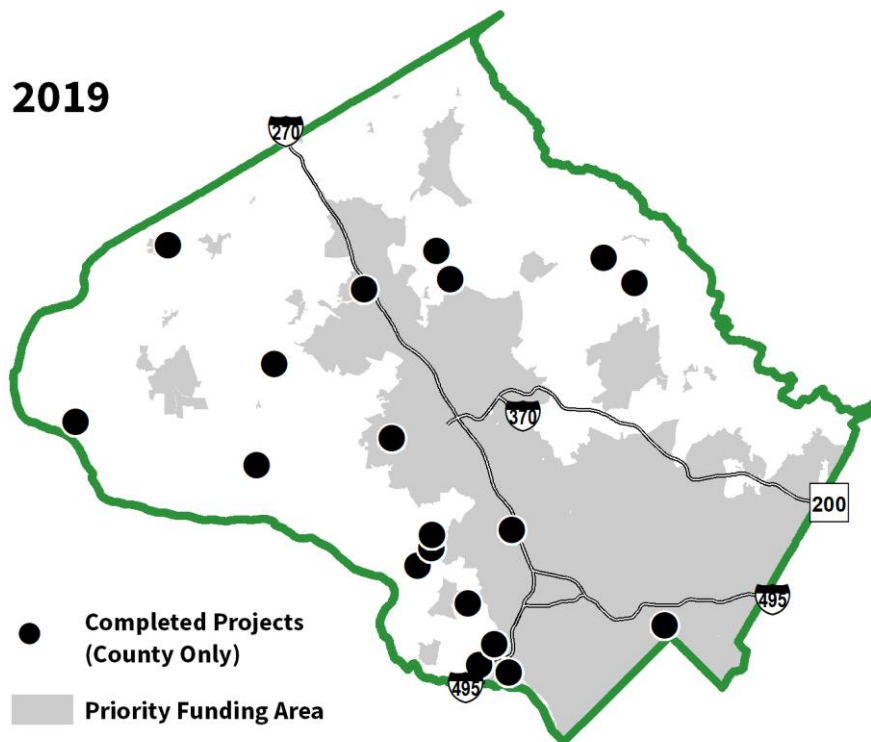
1. If no, go to (C).
2. If yes, briefly summarize each growth-related change(s).

Montgomery County, like many jurisdictions, continues to work on strategies to deal with the persistent slowdown in demand for new office space. The data show that the Montgomery County office centers located in mixed-use centers with quality amenities, a sense of place and good transit connectivity are best positioned to compete. Single-use office developments without convenient transit or highway access are attracting fewer tenants. The current COVID-19 crisis makes it hard to predict what the future holds for the office market. We expect that future office development is going to occur at a slower pace. Our recent planning efforts have looked to provide tools necessary to stimulate development in underutilized areas and create attractive office locations.

### Transportation Capital Improvement Projects:

Project Name	Project Type	Month Completed
Talbot Ave #85	Steel Tie-Rod Replacement	January 2019
Gregg Road #19	Railing Repair	February 2019
Brink Road #64	Deck Repair	March 2019
Montrose Road #211	Graffiti	March 2019
River Road #415	Culvert Replacement	April 2019
Glen Mill Road #16	Railing Repair	April 2019
Wildcet Road #68	Deck Repair and Repaving	April 2019
Father Hurley Blvd	Culvert Replacement	May 2019
Schaeffer Road #137	Concrete Railing Repair	May 2019
Montevideo Road #30	Steel Repairs	June 2019
78th Street Wall	Wall Repair	July 2019
Zion Road #21	Railing Repair	July 2019
Quince Mill Road #289	Pipe Relining	August 2019
Capri Place #441	Culvert Repair & Invert Paving	September 2019
Glen Road #14	Deck Repair	October 2019
Tara Road #429	Culvert Repair & Invert Paving	October 2019
Mouth of Monocacy #43	Steel Repairs	November 2019
Fenway Road #499	Culvert Replacement	December 2019
Spicewood Lane #428	Culvert Replacement	December 2019

Source: Montgomery County Department of Transportation, Division of Transportation Engineering,  
Completed Project List for CY2019



## New Schools, Revitalization/Expansion and/or Additions to Schools

### **New Schools:**

Snowden Farm ES (2)

### **Revitalization/Expansions:**

Wheaton HS (4)

### **Additions:**

Ashburton ES (4)

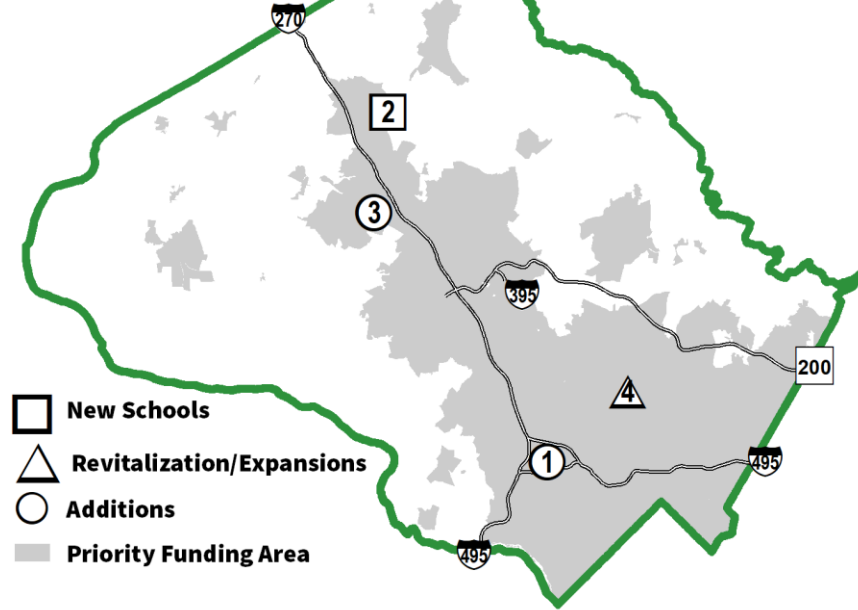
S. Christa McAuliffe ES (3)

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

Source: Montgomery County Public Schools (MCPS, FY2020)



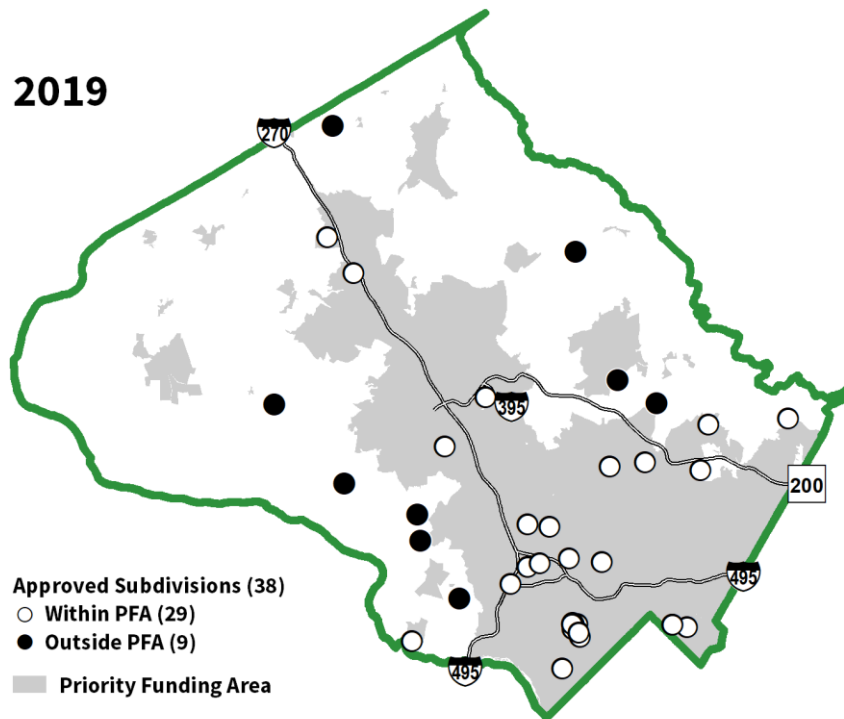
**2019**



### New Subdivisions

**38** new subdivisions were approved in 2019; **29** (76%) located within the PFA, while **9** (24%) were located outside.

**2019**



Source: Montgomery County Planning Department, CY 2019

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

Y ☒ N ☐

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

There were 12 zoning text amendments (ZTAs) introduced or adopted by the Montgomery County Council in 2019. There were three ZTAs introduced by the Council in 2019 that have not been adopted (some remain on the docket for consideration in 2020). A description for each is provided below. Most of the ZTAs introduced in 2019 involve changes to development standards or requirements for approval, or minor modifications, to allowable land uses.

The ZTA with the most potential to change development patterns is Zoning Text Amendment 19-01, which removed the requirement for conditional use approval for all accessory apartments, revised the limited use provisions for attached and detached accessory dwelling units (ADUs). Among other things, the changes allowed detached ADUs as a limited use in certain single-family zones, lifted restrictions on the spacing of ADUs in a neighborhood, modified setback requirements, updated related parking standards and revised ADU size limitations.

**The following are ZTAs and SRAs adopted or introduced in 2019:**

**Zoning Text Amendment No. 18-12, Setback Exemptions – Fences**

***Adopted February 5, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- revise the standards for an exemption to the building line and setback requirements for certain fences 8 feet or less in height when the fence abuts a master planned right-of-way for a rail line; or any service road that provides access to a master planned right-of-way for a rail line.

**Zoning Text Amendment No. 18-13, Regional Shopping Center Overlay Zone – Standards**

***Adopted February 5, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- revise the standard for the allowed height of certain free-standing uses in the Regional Shopping Center Overlay zone.

**Zoning Text Amendment No. 18-14, Farm Alcohol Production – Residential Zones**

***Adopted February 12, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- add Farm Alcohol Production as a use allowed in certain Residential zones; and
- establish the standards for Farm Alcohol Production in certain Residential zones.

**Zoning Text Amendment No. 19-01, Accessory Residential Uses – Accessory**  
***Adopted July 23, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- remove the requirement for conditional use approval for all accessory apartments;
- revise the limited use provisions for attached and detached accessory apartments; and
- generally, amend the provisions for accessory apartments

**Zoning Text Amendment No. 19-02, Clinics - Limited Use**  
***Adopted March 12, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- allow medical and dental clinics as a limited use in Residential Zones
- establish standards for medical and dental clinics as a limited use in Residential zones, and
- generally, amend the provisions concerning medical and dental clinics

**Zoning Text Amendment No. 19-03, Commercial/Residential Zones - Animal Boarding and Care**  
***Adopted April 8, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- allow Animal Boarding and Care as a limited use in CR zones

**Zoning Text Amendment No. 19-04, Animal Boarding and Care – Residential Zones**  
***Not Adopted***

An Amendment to the Montgomery County Zoning Ordinance to:

- allow Animal Boarding and Care as a conditional use in residential zones; and
- establish standards for approval for an Animal Boarding and Care use in residential zones

**Zoning Text Amendment No.: 19-05, Industrial Zones – Landscape Contractors**  
***Adopted July 23, 2019***

An Amendment to the Montgomery County Zoning Ordinance to:

- allow Landscape Contractors as a permitted use in all Industrial zones; and
- generally, amend the standards for allowing Landscape Contractors in Industrial zones

**Zoning Text Amendment No.: 19-06, Vape Shops**  
***Adopted March 31, 2020***

An Amendment to the Montgomery County Zoning Ordinance to:

- add Vape Shop as a use allowed in certain zones; and
- establish the standards for a Vape Shop

**Zoning Text Amendment No. 19-07, Telecommunications Towers – Limited Use**  
***Not Adopted***

An Amendment to the Montgomery County Zoning Ordinance to:

allow certain telecommunications towers as a limited or conditional use in certain residential zones;

- revise the standards for telecommunications towers allowed as a limited or conditional use;
- revise the conditional use findings required for the replacement of a pre-existing pole; and
- generally, amend use requirements to address certain telecommunications towers

**Zoning Text Amendment No. 19-08, Bicycle Parking – Requirements & Design Standards**  
***Not Adopted***

An Amendment to the Montgomery County Zoning Ordinance to:

- amend the bicycle parking requirements;
- amend the bicycle parking design standards; and
- generally, amend the provisions concerning bicycle parking and parking design

**Zoning Text Amendment No. 19-09, Prohibited Roof Signs – Exemptions**  
***Adopted February 4, 2020***

An Amendment to the Montgomery County Zoning Ordinance to:

- allow roof signs in certain parts of the county areas under certain circumstances; and
- generally, amend the provisions for roof signs

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

**Y** ☒ **N** ☐

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

**The following are the Sectional, Local Map & Development Plan Amendments reviewed in 2019:**

**Local Map Amendment H-129**

**MHP Forest Glen, LLC**

MHP Forest Glen, LLC, filed LMA Application No. H-129 with the Office of Zoning and Administrative Hearings (OZAH), seeking a Local Map Amendment to reclassify 2.634 acres (out of a gross tract of 3.59 acres) from the existing R-10 Zone to a different Euclidean Zone. The Applicant amended its application to seek reclassification of its R-10 zoned property not to another Euclidean Zone, but rather to a Floating Zone – the CRTF-1.75, C-0.25, R-1.5, H-70 Commercial Residential Town Floating Zone. The property is owned by the Applicant under Tax Account 13-01125413 and is currently developed with 72 garden apartments known as the Forest Glen Apartments. The Applicant seeks to redevelop the property by removing the existing improvements and constructing two new linked residential buildings with approximately 220 residential units, of which most would be affordable and a minimum of 20% would be Moderately Priced Dwelling Units (MPDUs). Structured parking for about 250 vehicles would also be provided. The Montgomery County Planning Board (“Planning Board”) considered the application on February 7, 2019, and the four members present unanimously recommended approval, as set forth in a letter to the Hearing Examiner dated February 19, 2019.

**Local Map Amendment H-134**

**Hong Cheng, LLC and Dong Ya, LLC**

Existing gas station/convenience store is non-conforming under the CRN Zone; the applicants seek to legalize that use to expand and upgrade the property and permit wider array of commercial uses under CRTF Zone than currently available under the CRN Zone. Seeking, CRTF-1.5, C-1.0, R-0.5, H-45 (Commercial Residential Town Floating Zone); certain uses permitted in the CRTF Zone are prohibited by binding elements; Based on the evidence of record, the Hearing Examiner finds that the requirements for the requested rezoning have been met, and that the application should be granted.

**Sectional Map Amendment H-132**

**Veirs Mill Corridor Master Plan Sectional Map Amendment**

Resolution 19-233

Adopted: 09-17-2019 11-12-2019

**Sectional Map Amendment H-133**

**MARC Rail Communities Sector Plan Sectional Map Amendment**

Resolution 19-298

Adopted: 11-12-2019

**The following Corrective Map Amendments were reviewed in 2019:**

No Corrective Map Amendments in 2019

Source: Montgomery County Planning Department & Montgomery County Board of Appeals

## Section II: Mapping and GIS Shapefiles

**(A) Does your jurisdiction utilize GIS to prepare planning related maps?**

Y ☒ N ☐

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

### **Maps and GIS data transmitted to MDP**

2. If yes, include a map(s) of the location(s) of the amendment(s) and submit applicable GIS shapefiles for all new growth-related changes and zoning map amendments listed in Sections I(B) and I(D). GIS shapefiles may be submitted via email or CD/DVD disc.

### **Maps and GIS data transmitted to MDP**

**(A) Were there any growth-related changes identified in Sections I(B)?**

Y ☒ N ☐

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

### **Maps and GIS data transmitted to MDP**

**(B) Were there any zoning map amendments identified in Section I(D).**

Y ☒ N ☐

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

### **Maps and GIS data transmitted to MDP**



## Section III: Consistency of Development Changes

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

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

**(B) For each growth-related change listed in in Sections I(B) through (D), please state how the development**

1. Each other;

The changes in development patterns for Montgomery County in 2019 are consistent with one another since regulated land uses and zoning are guided by the General Plan, area master plans, and functional plans adopted by the County Council. Subdivision approvals, septic tiers, and any zoning changes all support the preservation of agricultural land and open space, the protection of established neighborhoods, and the promotion of development/redevelopment in our priority funding areas.

2. Any recommendations of the last annual report;

N/A

3. The adopted plans of the local jurisdiction;

Each legislative change referenced in Sections I (C) and I (D) in this report is made under the procedural standards required for review of master plans, ZTAs, SRAs, and any other land use policies in conformance with the General Plan.

4. The adopted plans of all adjoining jurisdictions;

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

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

Montgomery and Prince George's County are the second and third largest counties in the State. Planning decisions by the Commission affect approximately 32% of Maryland's population.

Montgomery County works collaboratively with the Metropolitan Washington Council of Governments (MWCOCG) on several regional planning analyses. A primary work effort is the development of the region's demographic forecast of housing, jobs, and population. This process provides valuable information that helps member jurisdictions anticipate the collective impacts of local land use change on the metro region's economy and population. This forecasting effort also serves as a key input into the regional transportation modeling process.

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

## Section IV: Plan Implementation and Development Process

### (5-Year Mid-Cycle Review/5-Year Report)

- (A) Has your community completed a five-year mid cycle review or recently updated its comprehensive plan, as indicated in the Comprehensive Plan 10-Year Transition Schedule under [§1-207\(c\)\(6\) of the Land Use Article](#)?** Y ☒ N ☐

(Note: See Municipal and County Transition Schedules at:  
<http://planning.maryland.gov/OurWork/compPlans/ten-year.shtml>  
Contact your Regional Planner for additional assistance)

1. If yes, skip to (B). Identify year five-year report completed: **2017** or;  
Identify year of comprehensive plan update:  
(Note: this date must be between 2012-2018)
2. If no, please include a summary of the following, which will be considered the submission of your jurisdiction's 5-Year Report: Y ☐ N ☐
  - (i). Development trends contained in the previous annual reports filed during the period covered by the narrative;
  - (ii). The status of comprehensive plan implementation tools such as comprehensive rezoning to carry out the provisions of the comprehensive plan;
  - (iii). Identification of any significant changes to existing programs, zoning ordinances, regulations, financing programs, or State requirements necessary to achieve the visions and goals of the comprehensive plan during the remaining planning timeframe;
  - (iv). Identification of any State or federal laws, regulations, or requirements that have impeded local implementation of the comprehensive plan and recommendations to remove any impediments;
  - (vi). A summary and expected timeframe of any potential updates to the comprehensive plan.

(Note: A copy of the 5-Year Report Form is available at:  
<http://planning.maryland.gov/YourPart/SGGAnnualReport.shtml>)

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

1. If no, go to (C). Y ☐ N ☒

2. If yes, what were those recommendations?

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

1. If no, go to Section V: Measures and Indicators. Y ☐ N ☒

2. If yes, what were those changes?

## Section V: Measures and Indicators

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

(A) In the Total column in Table 1, New Residential Permits Issued (Inside and Outside the PFA) in (C) below, enter the total number of new residential building permits issued in calendar year (2019). Enter 0 if no new residential building permits were issued in 2019.

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

(B) In the PFA column in Table 1, enter the total number of permits issued inside the Priority Funding Area (PFA). Enter 0 if no new residential building permits issued inside the PFA in 2019.

(C) In the Non-PFA column in Table 1, enter the total number of permits issued outside the PFA. Enter 0 if no new residential building permits issued outside the PFA in 2019.

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

Residential	PFA	Non - PFA	Total
<b># New Residential Permits Issued</b>	910	181	1,091
<b># New Residential Permits Issued (Units)</b>	2,195	181	2,376

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

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

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

Residential	PFA	Non - PFA	Total
# Units Approved	4,555	6	4,561
# Units Constructed	967	183	1,150
# Subdivisions Approved	29	9	38
Total Approved Subdivision Area (Gross Acres)	55.7	15.3	71
# Lots Approved	310	6	316
Total Approved Lot Size (Net Acres)	49.5	14.4	63.9
# Units Demolished*	NA	NA	NA
# Units Reconstructed/Replaced*	NA	NA	NA

\*Not required.

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

Commercial	PFA	Non - PFA	Total
# Permits Issued	30	6	36
# Lots Approved	20	1	21
Total Building Square Feet Approved (Gross)	1,235,614	5,000	1,240,614
Total Square Feet Constructed (Gross)	186,560	5,062	191,622

**(E) Were more than 50 new residential building permits issued in 2019?** Y ☒ N ☐

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

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

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



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

Residential	PFA	Non - PFA	Total
# Permits Issued	910	181	1,091
# Permits Issued (Units)	2,195	181	2,376
# Units Approved	4,555	6	4,561
# Units Constructed	967	183	1,150
Total Approved Subdivision Area (Gross Acres)	55.7	15.3	71
# Lots Approved	310	6	316

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

Residential	PFA	Non – PFA	Total
# Units Approved	4,555	6	4,561
Total Approved Lot Size (Net Acres)	49.48	14.39	63.87

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

Residential	PFA	Non – PFA	Total
# Units Approved	4,555	6	4,561
% of Total Units (# Units/Total Units)	99.8%	0.2%	100%

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

**(Note:** To calculate the amount, net density and share of commercial growth, jurisdictions must identify the total number of new commercial permits issued; the total square footage of the commercial building approved; the total number of new commercial lots approved; the total new commercial subdivision area (gross acres); and the total approved subdivision net lot area, in acres for all new commercial subdivisions. The total building square footage (gross) and total lot size values (net acres) should be the same for Tables 6 through 8. For annual report purposes, all approved square footage (gross) should be tabulated, with the understanding that not all building square footage reported may be used for commercial or retail related activities. Commercial growth should include retail, office, hotel, industrial uses and may include other uses, such as, mixed-use, institutional and agricultural structures, if approved for commercial use.)

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

Commercial	PFA	Non - PFA	Total
# Permits Issued	30	6	36
Total Building Square Feet Approved (Gross)	1,235,614	5,000	1,240,614
# Lots Approved	20	1	21
Total Subdivision Area (Gross Acres)	48.4	45	93.4

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

Commercial	PFA	Non - PFA	Total
Total Building Square Feet (Gross)	1,235,614	5,000	1,240,614
Total Lot Size (Net Acres)	43.1	44.7	87.8

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

Commercial	PFA	Non - PFA	Total
Total Building Square Feet (Gross)	1,235,614	5,000	1,240,614
% of Total Building Sq. Ft. (Bldg. Sq. Ft./Total Sq. Ft.)	99.6%	0.4%	100%

## Section VI: (Locally) Funded Agricultural Land Preservation

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

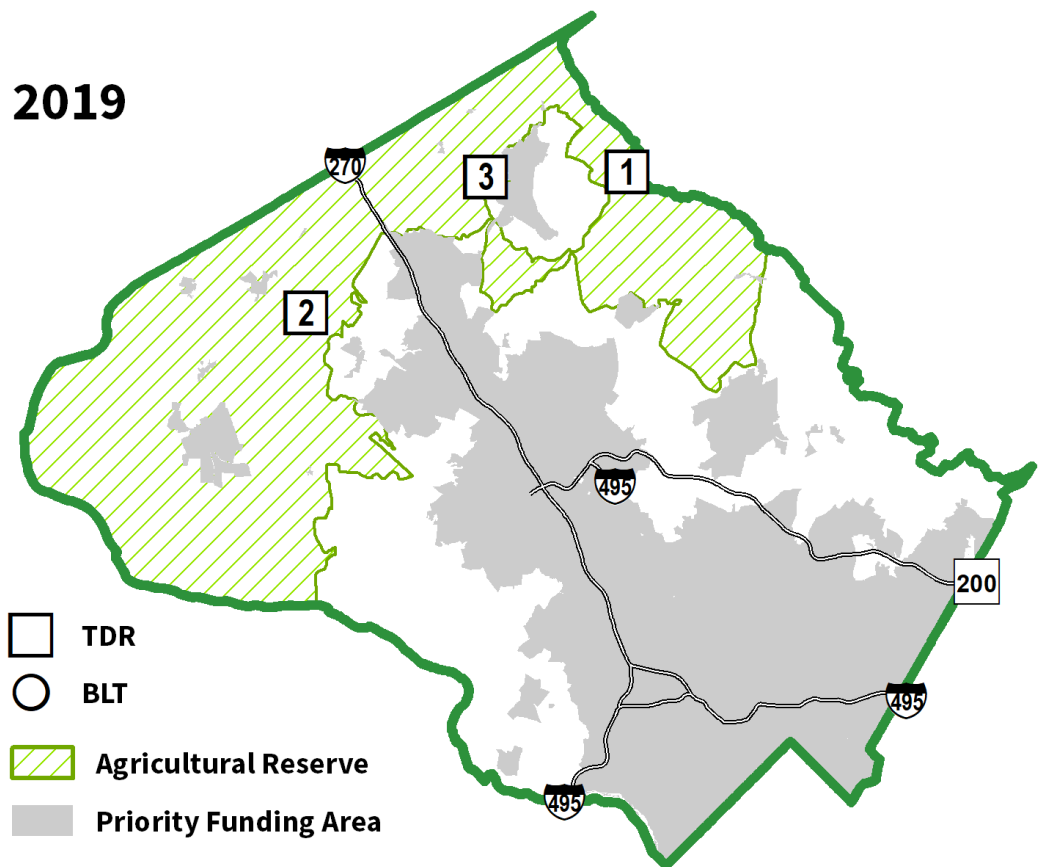
**211.4** Acres, consisting of **36** Transferable Development Rights (TDR), preserved via the County's TDR program

Tax ID	Number of TDRs	Serial Numbers	Acres
01813124 (1)	1	11-9774	13.7
02144957 (2)	13	03-9775 through 03-9787	39.3
00933432 (3)	22	03-9752 through 03-9773	158.4

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

Source: Montgomery County Planning Department

In 2019, there were no Building Lot Terminations (BLT), preserved via the County's BLT program.



## Section VII: Local Land Use Percentage Goal

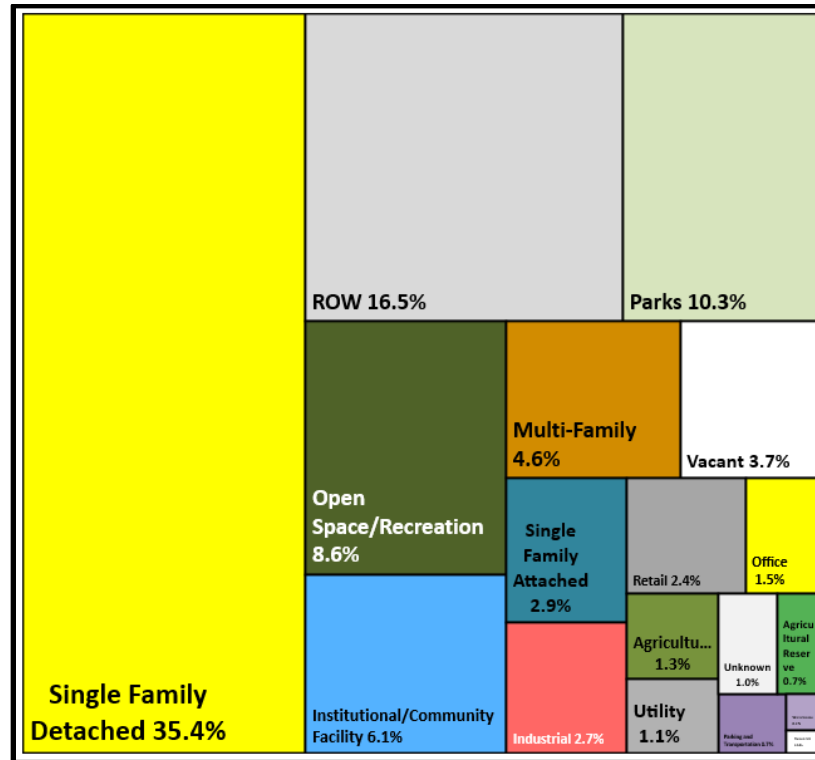
(A) Is all land within the boundaries of the jurisdiction in the PFA?

Y ☐

N ☒

Montgomery County PFA is **125,255 Acres**

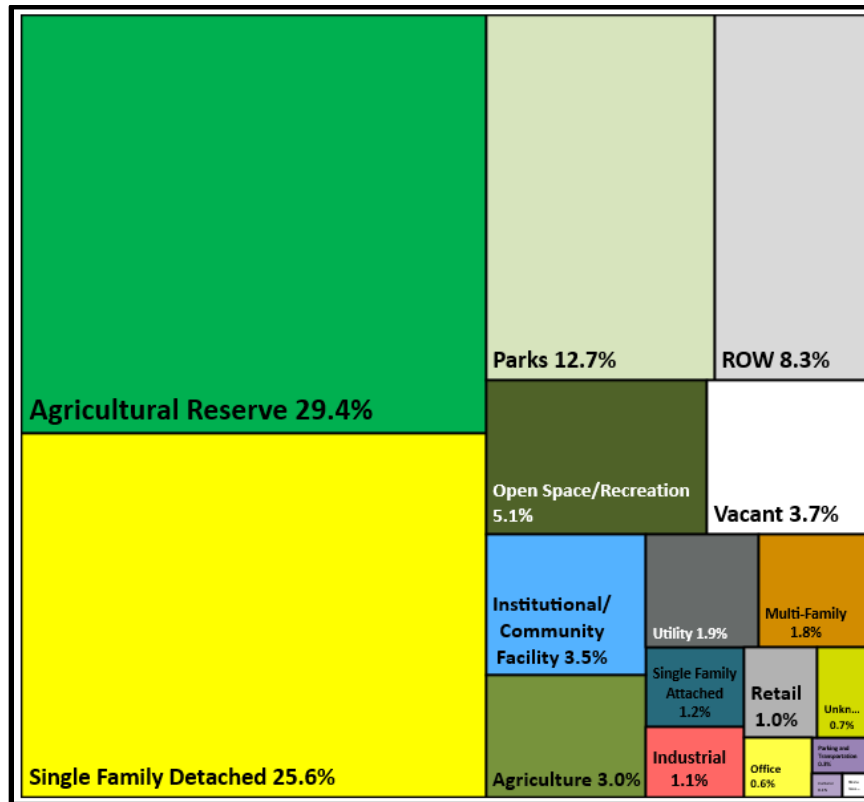
Share of estimated land use percentages within PFA only:



LAND USE	PERCENT	LAND USE	PERCENT
Single Family Detached	35.4%	Office	1.5%
Road Right-of-Way (ROW)	16.5%	Agriculture	1.3%
Parks	10.3%	Utility	1.1%
Open Space/Recreation	8.6%	Unknown	1.0%
Institutional/Community Facility	6.1%	Agricultural Reserve	0.7%
Multi-Family	4.6%	Parking and Transportation	0.7%
Vacant	3.7%	Warehouse	0.2%
Single Family Attached	2.9%	Research and Development	0.1%
Industrial	2.7%	Cultural	0.1%
Retail	2.4%		

**Montgomery County totals 318,620 Acres**

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



LAND USE	PERCENT	LAND USE	PERCENT
Agricultural Reserve	29.4%	Single Family Attached	1.2%
Single Family Detached	25.6%	Industrial	1.1%
Parks	12.7%	Retail	1.0%
Road Right-of-Way (ROW)	8.3%	Unknown	0.7%
Open Space/Recreation	5.1%	Office	0.6%
Vacant	3.7%	Parking and Transportation	0.3%
Institutional/Community Facility	3.5%	Cultural	0.1%
Agriculture	3.0%	Warehouse	0.1%
Utility	1.9%	Research and Development	0.1%
Multi-Family	1.8%		

1. If yes, then the local land use percentage goal does not need to be established. Skip to Section VIII: Development Capacity Analysis.
2. If no, then the jurisdiction must establish a local percentage goal to achieve the statewide land use goal, under § 1-208(2) of the Land Use Article, to increase the current percentage of growth located inside the PFAs and decrease the

percentage of growth (new lots and new residential units) located outside the PFAs. Go to (B).

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

Montgomery County Planning has been encouraging and planning for predominantly infill, redevelopment and transit-oriented development for a significant period. Our Agricultural Reserve and preservation programs reinforce this effort. As our previous land use reports have shown, most of the development approvals are for properties located almost entirely within the PFA of the county. Given restrictions that have been put in place, there is very little developable land outside the PFA. Almost all significant development in terms of new population and employment is within the PFA. On average, over the last 5 years, 89% of the residential units and 88% of the commercial square footage being constructed were within the PFA. Considering these percentages, we feel confident establishing a goal that calls for a minimum of 80% of our approved growth to be within the County's PFA.

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

Our local land use percentage goal has consistently been exceeded. Our preservation programs and planning principles ensure that we can remain compliant with this goal.

**(D) What progress has the jurisdiction made in achieving the local land use percentage goal?**

All current and recently adopted master plans have pertained to areas within the PFAs. This includes the Forest Glen/Montgomery Hills Sector Plan (in progress during 2019), the Shady Grove Sector Plan Minor Master Plan Amendment (in progress during 2019), Ashton Minor Master Plan Amendment (in progress during 2019), Veirs Mill Corridor Master Plan (April 2019), the MARC Rail Communities Sector Plan1 (April 2019), the Grosvenor-Strathmore Metro Area Minor Master Plan (December 2017), the White Flint 2 Sector Plan (December 2017), Rock Spring Master Plan (November 2017), Bethesda Downtown Sector Plan (May 2017). Focusing growth in the areas of these plans will help the County continue to achieve its land use percentage goal within the PFAs.

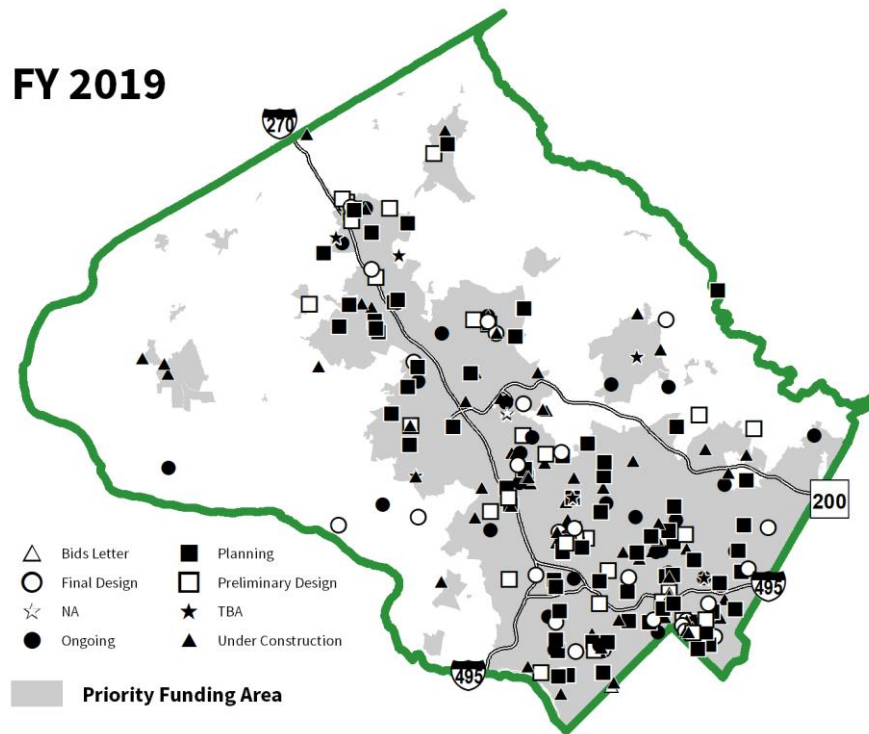
**(E) What resources are necessary for infrastructure upgrades inside the PFAs?**

Significant investment is either planned or underway to serve growth within the PFA. Although some transportation projects are funded and built outside of the PFA, they serve to make the larger transportation network function better for development within the PFA. State assistance will be sought for many of these projects, consistent with state funding guidance.



Capital Improvement Projects by PFA			
	IN	OUT	Percent IN PFA
Bids	0	1	0%
Final Design	27	3	90%
NA	2	0	100%
Ongoing	35	3	88%
Planning	77	3	96%
Preliminary Design	32	5	86%
TBA	6	1	86%
Under Construction	68	6	92%
<b>Total</b>	<b>247</b>	<b>22</b>	<b>92%</b>

Note: Only location specific projects were mapped.



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

In addition to Transferable Development Rights (TDR) and Building Lot Terminations (BLT), the County relies on Program Open Space funding for land acquisition to preserve land outside the PFA. The Rural Legacy and Agricultural Easement programs are essential for land preservation in the Agricultural Reserve.

## Section VIII: Development Capacity Analysis (DCA)

- (A) Has an updated DCA been submitted with your Annual Report or to Planning within the last three years?** Y ☒ N ☐

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

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

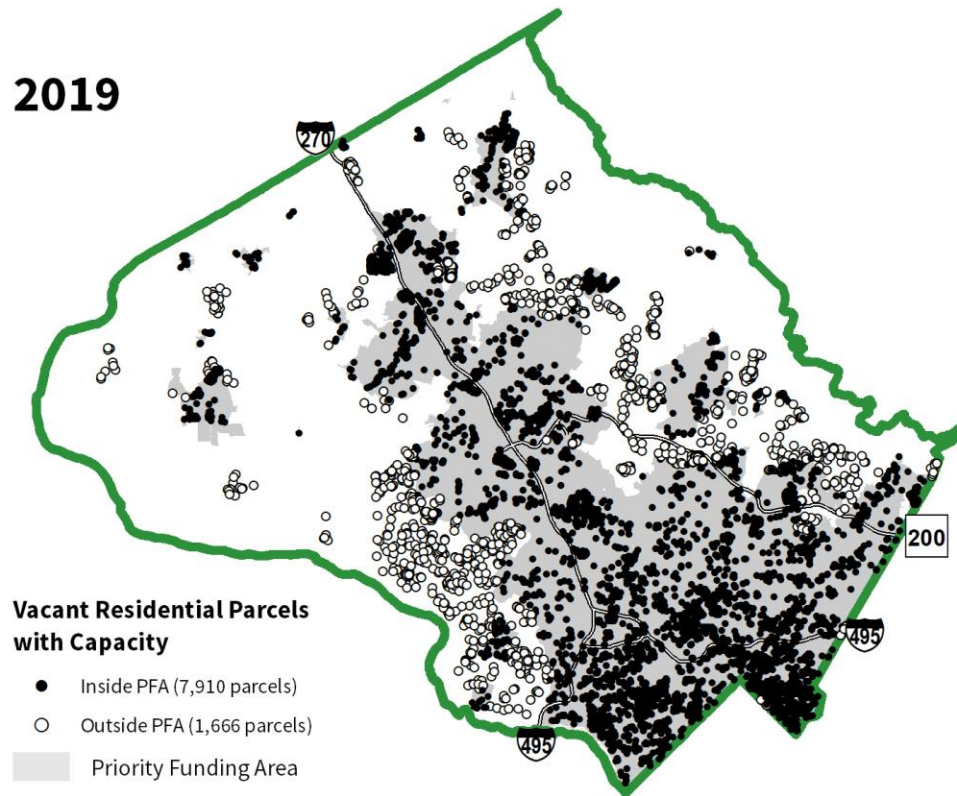
(Note: MDP provides technical assistance to local governments in completing development capacity analyses. Please contact your MDP regional planner for more information.)

- (B) When was the last DCA submitted? Identify Month and Year:** May 2019

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

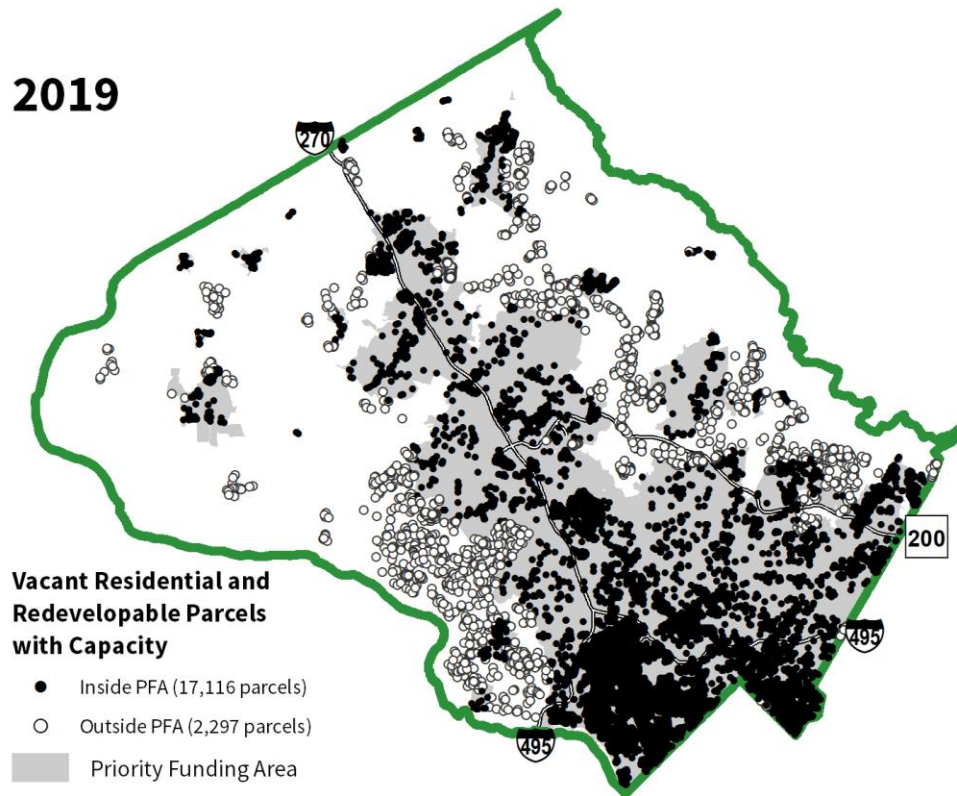
**Table 9 a:** Residential Development Capacity (Inside and Outside the PFA) using vacant parcels only.

Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
<b>Residentially Zoned Acres w/ Capacity</b>	3,001	2,366	5,367
<b>Residential Parcel &amp; Lots w/Capacity</b>	7,910	1,666	9,576
<b>Residential Capacity (Units)</b>	16,920	1,372	18,292



**Table 9 b:** Residential Development Capacity (Inside and Outside the PFA) using vacant parcels and redevelopable parcels. Redevelopable is defined as parcels where the building value is less than 33% of total parcel value (building value + land value)

Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
<b>Residentially Zoned Acres w/ Capacity</b>	6,415	4,124	10,540
<b>Residential Parcel &amp; Lots w/Capacity</b>	17,166	2,297	19,463
<b>Residential Capacity (Units)</b>	32,784	1,815	34,599



Source: Montgomery County Planning Department  
Montgomery Department of Assessments and Taxation  
Montgomery County Department of Environmental Protection

## Section IX: Adequate Public Facility Ordinance (APFO) Restrictions

(Section XI is only required by jurisdictions with adopted APFOs)

**(A) Does your jurisdiction have any adopted APFOs?**

Y ☒

N ☐

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

**(B) Has your jurisdiction submitted a biennial APFO Report under §7-104 of the Land Use Article?**

Y ☐

N ☒

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

Note: Jurisdictions with adopted APFOs must submit a biennial APFO report. The APFO report is due by July 1 of each even year and covers the reporting period for the previous two calendar years. APFO reports for 2018 and 2019 are due July 1, 2020. However, jurisdictions are encouraged to submit an APFO report on an annual basis

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

Montgomery County's Subdivision Staging Policy is a growth management tool that helps guide the timing of development in concert with the provision of adequate public facilities. This policy implements a 1973 law, the Adequate Public Facilities Ordinance, which directs development to areas where public facilities are in place. The policy provides guidelines that govern when new development can be approved, matching growth to the availability of adequate transportation and schools. The current policy primarily focuses on two types of restrictions on new development: restrictions based on school capacity, and restrictions based on transportation capacity. The current version of the Subdivision Staging Policy was primarily adopted by the County Council on November 15, 2016 and became effective on January 1, 2017.

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

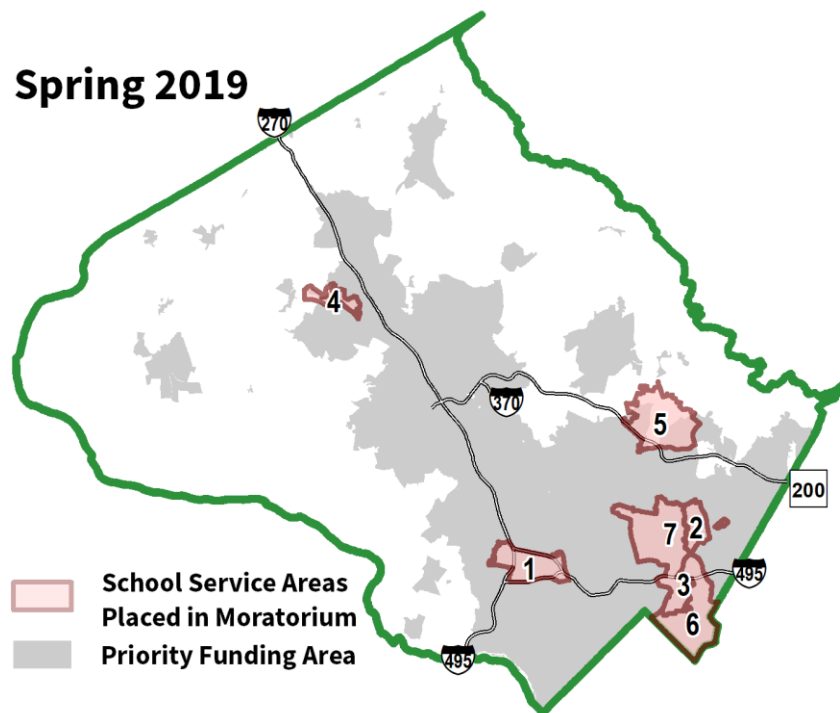
**Schools:**

Effective January 1, 2019, school adequacy was determined for each school level (elementary, middle, and high) at a cluster level and for individual elementary and middle schools. For the cluster test, if projected cluster-wide enrollment exceeded 120% of projected cluster-wide capacity at any school level (elementary, middle or high school), then the entire school cluster was placed in moratorium, preventing most residential development approvals. For the individual school test, if an elementary school's projected enrollment exceeded 120% of projected capacity and exceeded the projected capacity by at least 110 students, the elementary school's service area was placed in moratorium. If a middle school's projected enrollment exceeded 120% of projected capacity and exceeded the projected capacity by at least 180 students, the middle school's service area was placed in moratorium. Under the FY19 Annual School Test (in effect through June 30, 2019) and FY20 Annual School Test (effective July 1, 2019), residential development moratoria existed as follows:

**FY19 Cluster/School Service Areas Moratorium Status – through June 30, 2019**

(Numbers next to School represented on map)

- 1 Ashburton ES
- 2 Burnt Mills ES
- 3 Highland View ES
- 4 Lake Seneca ES
- 5 Stonegate ES
- 6 Blair Cluster (High School level)
- 7 Northwood Cluster (High School level)

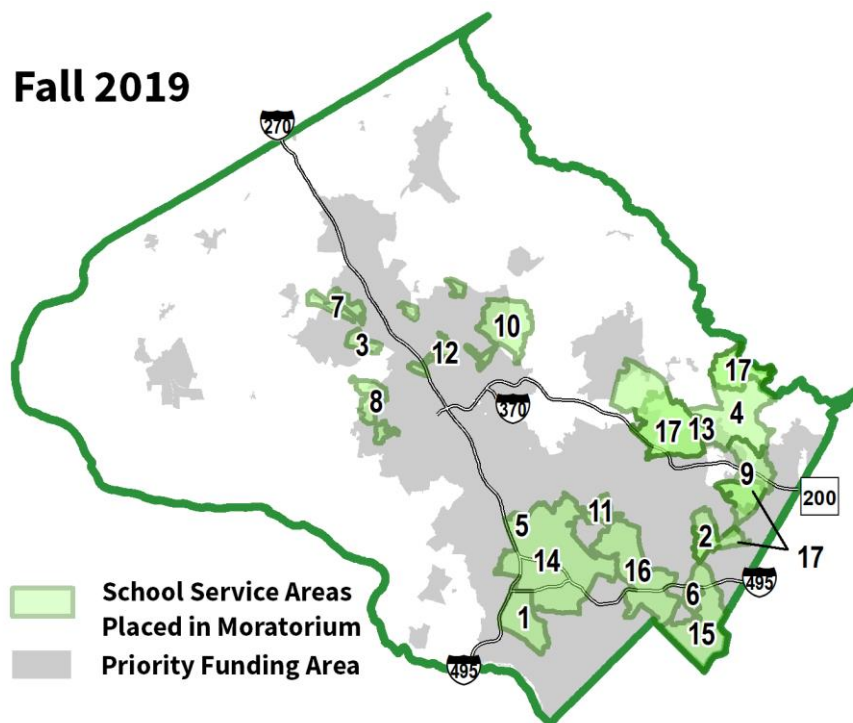




## FY20 Cluster/School Service Areas Moratorium Status – effective July 1, 2019

(Numbers next to School represented on map)

- 1 Burning Tree ES
- 2 Burnt Mills ES
- 3 Clopper Mill ES
- 4 Cloverly ES
- 5 Farmland ES
- 6 Highland View ES
- 7 Lake Seneca ES
- 8 Thurgood Marshall ES
- 9 William T. Page ES
- 10 Judith A. Resnik ES
- 11 Sargent Shriver ES
- 12 South Lake ES
- 13 Stonegate ES
- 14 Walter Johnson Cluster  
(High School level)
- 15 Montgomery Blair Cluster  
(High School level)
- 16 Albert Einstein Cluster  
(High School level)
- 17 James Hubert Blake Cluster (Elementary School level)



Source: FY19/FY20 Annual School Tests

### Transportation:

Development applications submitted during 2019 were subject to a local area test (Local Area Transportation Review – or “LATR”). LATR provides a measure of the level of service at signalized intersections, using Highway Capacity Manual (HCM) methodology in the more developed areas of the County. HCM measures vehicle delay and is more representative of a driver’s actual experience than estimates of Critical Lane Volume (CLV). CLV methodology focuses more on theoretical intersection capacity, and continues to be used in less developed areas, primarily as a screening tool to determine the need for an HCM analysis.

The Subdivision Staging Policy (SSP) also sets a threshold for triggering a Transportation Study that includes an analysis of the level of service for the applicable intersection(s) associated with a development application. The threshold is currently set at 50 person-trips. The SSP includes updated and/or new trip generation rates for vehicle trips (expressed as a percentage adjustment to Institute of Transportation Engineer Manual rates) and default values provided by the Planning Department for transit and non-motorized mode share (bike, walking, etc.) by policy area.

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

School capacity needs are evaluated annually by Montgomery Planning based on enrollment and capacity projection data provided by Montgomery County Public Schools. The evaluation is conducted

for elementary, middle and high school levels for each school cluster as well as for individual elementary and middle schools. Funds for capital improvements are limited, therefore each year the school system requests money for capital programming to meet as much of the capacity need as possible. Funds are not available to construct enough capacity in any one year.

The most recent update to the Subdivision Staging Policy adopted in 2016 no longer requires a policy area transportation test. Only a project specific analysis is required that looks at the impact of the proposed development on the surrounding transportation infrastructure. The test may require mitigation but does not restrict the development through moratoria.

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

In the case of roads, transit, pedestrian and bicycle infrastructure, development requiring increased capacity for these facilities will be determined as part of the application review process. Any increase in infrastructure needed to offset the increase in transportation demand (over a level deemed adequate) generated by the project will be the responsibility of the applicant for approval. With respect to schools, where insufficient capacity exists, a moratorium on the development of residential units will be set.

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

The annual test of school adequacy is based on projected enrollment and projected capacity. Any school construction funds that are included in the six-year CIP can be counted toward available capacity and can, therefore, result in a restriction being removed from a school cluster. This test, as the name suggests, is conducted annually, therefore any residential development moratorium may be lifted at the next annual school test. Similarly, for transportation, an applicant must mitigate any increase in transportation demand (over a level deemed adequate) generated by their application.

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

In the case of schools, additional funding of capacity, or an estimated decrease in enrollment or a change to school boundaries can result in the removal of a restriction. In the case of transportation, construction of additional roadway, transit, bicycle or pedestrian capacity, or a change in travel demand, can result in a restriction being removed.

**(E) When was each restriction lifted (if applicable)?**

Annually, the adequacy of each school level for each school cluster is evaluated. Any restriction imposed in one year could be removed the following year if the capacity issue has been addressed. For transportation, capacity is evaluated on a project by project approval basis. Thus, any restriction will be in the form of mitigation that will occur in conjunction with new development.

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

Y ☒ N ☐

## Section X: Submitting Annual Reports and Technical Assistance

- (A) Annual Reports may be submitted via email to [david.dahlstrom@maryland.gov](mailto:david.dahlstrom@maryland.gov) or one copy may be mailed to:**

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

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

1. Was this Annual Report approved by the planning commission/board? Y ☒ N ☐
2. Was this Annual Report filed with the local legislative body? Y ☒ N ☐
3. Does the cover letter:
  - a. Acknowledge that the planning commission/board has approved the Annual Report. Y ☒ N ☐
  - b. Acknowledge that the Annual Report has been filed with the local legislative body. Y ☒ N ☐
  - c. Answer if all members of the Planning Commission/Board and Board of Appeals have completed an educational training course as required under §1-206(a)(2) of the Land Use Article? (See [Planning.Maryland.gov/YourPart/MPCA/PCBZACompletedEd.shtml](http://Planning.Maryland.gov/YourPart/MPCA/PCBZACompletedEd.shtml) for a list having completed the course.) Y ☒ N ☐

- (C) You may wish to send an additional copy of your Annual Report directly to your Maryland Department of Planning Regional Office via email or hardcopy.**

- (D) If you need any technical assistance in preparing or submitting your reports, our Regional Planners are available to assist you at: [Planning.Maryland.gov/OurWork/local-planning-staff.shtml](http://Planning.Maryland.gov/OurWork/local-planning-staff.shtml)**

- (E) Copies of this Annual Report worksheet and links to legislation creating these Annual Report requirements can be found on the Maryland Department of Planning website: [Planning.Maryland.gov/YourPart/SGGAnnualReport.shtml](http://Planning.Maryland.gov/YourPart/SGGAnnualReport.shtml)**

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