

IMPLEMENTATION PLAN

This section outlines the steps necessary to implement the goals, objectives and recommendations of this Plan. It highlights zoning, community facilities, and the provision of community sewer service, and historic preservation.

PROPOSED ZONING

Following approval and adoption of this Plan, a Sectional Map Amendment (SMA) will be undertaken to implement recommended changes in zoning and to confirm the existing zones in those areas where no changes have been proposed. This Plan recommends four changes in zoning, which are described in detail in the Land Use Plan and are shown on the accompanying tables.

Proposed Zoning for Residential Wedge Areas

The recommended zoning in the Upper Rock Creek Master Plan will reduce the reliance on sewer and water policy to establish density limits and development standards on individual properties. The proposed zoning for the Residential Wedge Area is also intended to provide a significant opportunity for the preservation of environmentally sensitive areas in a manner compatible with the existing communities. To support efforts to protect water quality and sensitive resources, this Plan recommends that the Upper Rock Creek watershed north of Muncaster Mill Road be designated a Special Protection Area, and that a mandatory imperviousness limit of 8 percent be applied with an environmental overlay zone for Upper Rock Creek. The proposed Special Protection Area and accompanying overlay zone are described in detail in the Environmental Resources Plan.

This Master Plan proposes the use of large lot zoning on the Hendry and Fraley properties. To be served by community water and sewer service, these properties would require significant—and environmentally damaging—extensions of infrastructure. Private easements created as these properties develop can preserve environmentally sensitive areas. For the Casey, Dungan and Freeman properties, this Plan recommends use of the Rural Neighborhood Cluster Zone. It sets a range of allowable densities and sets specific conditions that must be met before those densities can be achieved. Details of the recommended densities and the conditions needed may be found in the Land Use Plan. This Plan also recommends the Rural Neighborhood Cluster Zone for the Woodlawn property and sets a density of 0.33 dwelling units per acre (one dwelling unit for every three acres) under the optional method of development. The Land Use Plan details this recommendation as well.

The Rural Neighborhood Cluster Zone will help preserve sensitive natural resources and other open space on these properties. It also requires broad diversity of lot sizes that will help maintain compatibility between new and existing communities and it provides needed regulatory tools that will insure compliance with this Plan's goals and objectives.

One of those objectives is permanent retention of rural open space. To accomplish this task, techniques should be used that will preserve land designated as rural open space, maintain the environmental qualities of that open space over time, and limit uses to those that are acceptable in a rural open space area. It is particularly important that a means of protection be identified that will assure the community that the land will be preserved as open space in perpetuity.

This Plan recommends the further evaluation of a variety of strategies to preserve open space including public or private ownership and placement of easements or covenants on the land to be held by a land trust or other organization which can best protect the land as open space in perpetuity.

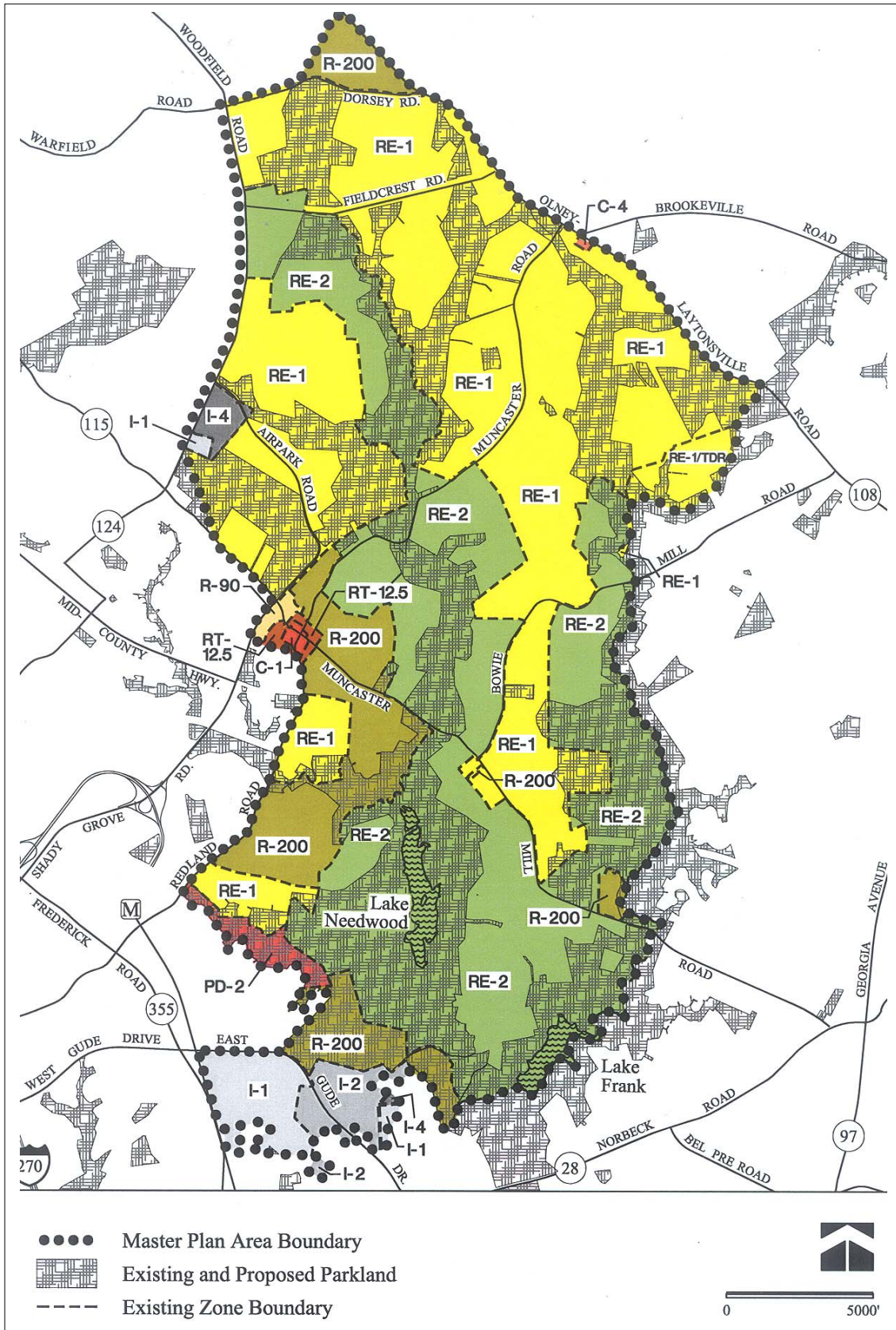
This Plan supports cooperative efforts between public sector agencies and local groups to evaluate these strategies and determine how best to permanently preserve and manage open space on the Casey, Dungan, Freeman and Woodlawn properties. It also recommends that the most suitable strategy and appropriate mechanism available at the time of development under the Rural Neighborhood Cluster Zone be selected to protect the open space on these properties.

The following table summarizes the zoning proposed to implement the vision for the Residential Wedge Area of the Upper Rock Creek Master Plan.

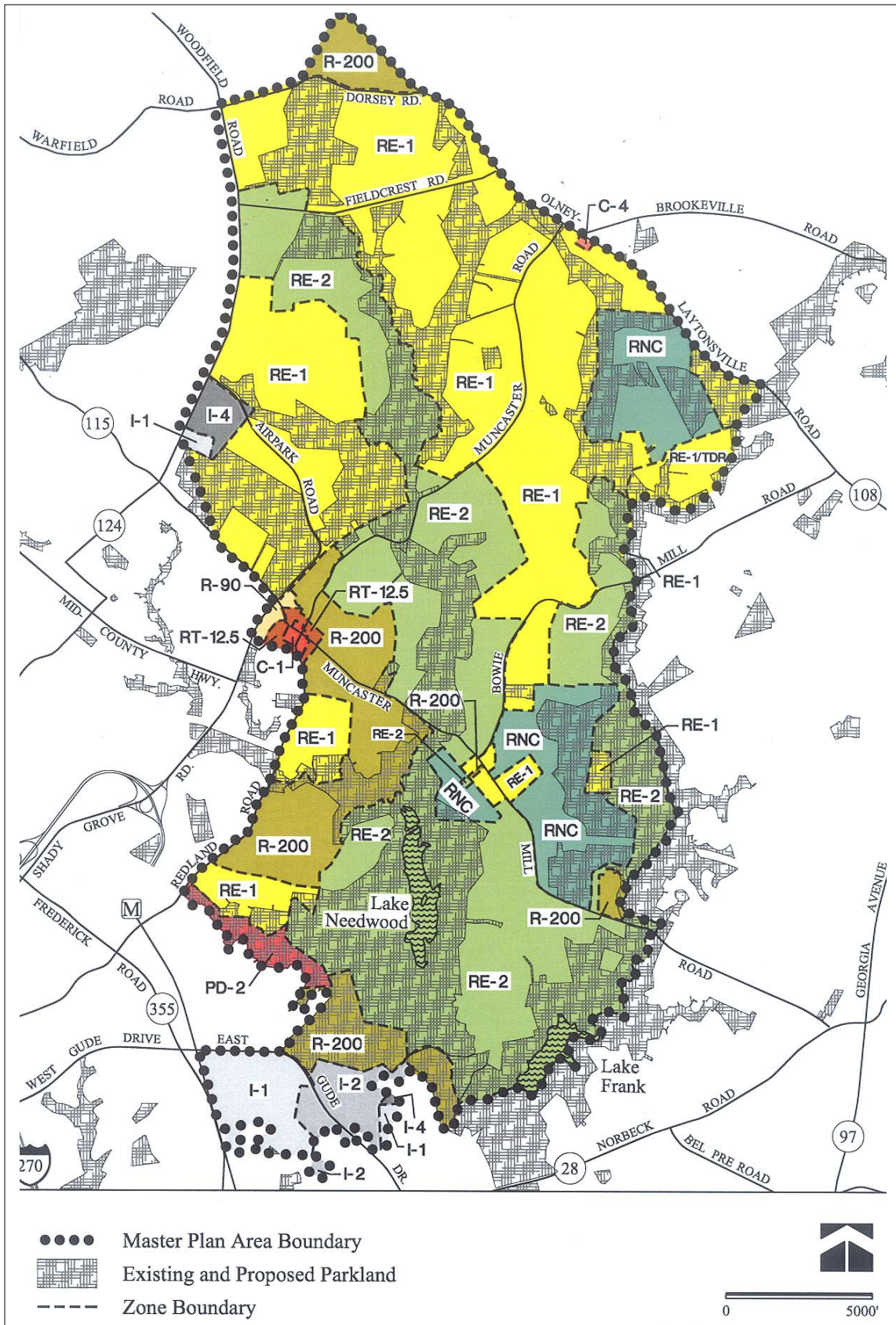
Recommended Zoning for Vacant Residential Properties

Property	Acres	Current Zone	Proposed Zone
Dungan	132	RE-2	RNC
Casey	336	RE-1 and RE-2	RNC
Freeman	332	RE-1	RNC
Hendry	217	RE-2	RE-2
Fraley	130	RE-1 and RE-2	RE-1 and RE-2
Woodlawn	79	RE-2	RNC

EXISTING ZONING



PROPOSED ZONING



Proposed Zoning for Commercial and Industrial Areas

This Plan retains the existing zoning on all commercial and industrial properties. The retention of the industrial zoning for the properties identified in this Master Plan will preserve an existing heavy industrial area adjacent to the City of Rockville. These industrial properties represent one of the few remaining areas of heavy industrial zoning in Montgomery County. The proposed townhouse zoning will also provide the opportunity for additional housing to be located adjacent to one of the existing neighborhood commercial areas. The recommendations for the commercial and industrial areas are summarized in the following table.

Recommended Zoning for Commercial and Industrial Areas

Property	Acres	Existing Zone	Proposed Zone
Catherine Fraley:			
– Part 1	2.8	R-90	RT-10
– Part 2	3.0	RT-12.5	RT-10
Commercial:			
– Redlands	12	C-1	C-1
– Peddlers Village	3	C-4	C-4
Industrial:	1062	I-1 and I-2	I-1 and I-2
– WINX	10	I-1	I-1*
– H&S Leasing	3	I-2	I-1

* See text for detailed discussion

The RE-2 and RE-2C zones are Euclidean Zones and their reclassifications can occur through the SMA. The RT-10 zone is a floating zone that may be applied either through the SMA, with the written consent of the property owner, or at a later time by a Local Map Amendment filed by the property owner.

Sectional Map Amendments (SMA) also reconfirm existing zones in the Master Plan Area. The most recent SMA for Upper Rock Creek, G-516, was adopted in 1986. The Sectional Map Amendment that follows this Plan will examine existing zoning lines; where necessary, the SMA will adjust lines to conform to Section 59 A-1.6 of the Montgomery County Code, which states that zoning boundaries are intended to follow streets, alleys or lot lines, and run either parallel or perpendicular to them. This examination will eliminate instances in which zoning lines run through individual properties.

Zoning is a first step in implementing the goals and objectives of the Upper Rock Creek Master Plan. The map on the previous page delineates the proposed zoning. The next steps will require actions of both the public and private sectors to implement the vision of the Upper Rock Creek Master Plan.

ENVIRONMENTAL RESOURCE PROTECTION

The high water quality and unusually sensitive environmental resources of the Upper Rock Creek are potentially threatened by the proposed development in the Planning Area portion of the watershed north of Muncaster Mill Road. This master plan recommends that this area be designated a Special Protection Area (see map on page 47). The Montgomery County Code, Chapter 19, Article V, establishes a process for water quality review in Special Protection Areas (SPA) and addresses applicability, exemptions and waivers. The process requires any person or agency (public or private) requiring Planning Board approval of a development plan to submit a water quality inventory and a preliminary and final water quality plan, unless exempt. This article also requires pre-, during, and post-construction water quality monitoring for development subject to water quality plan approval.

The Montgomery County Code, Chapter 19, Article V generally exempts properties in agricultural, residential, and mixed-use zones from submitting a water quality plan if the proposed impervious area is less than 8 percent of the total land area, unless specifically required in, among other things, a land use plan. This plan requires all applicants for new development in the Upper Rock Creek SPA to submit a water quality plan and does not allow any exemptions listed under Montgomery County Code, Chapter 19-63, Article V, Water Quality Review in Special Protection Areas. All public projects must also conform to the water quality plan and monitoring requirements established in Article V.

In addition, to assure that imperviousness stays at levels that can sustain the current stream conditions, an imperviousness cap of 8 percent should be established through an environmental overlay zone to control all new development served by sewer. The overlay zone should recognize the importance of specific public projects and provide appropriate means to accommodate these projects.

SPA requirements (in particular, the application of an imperviousness cap) are not intended to preclude the construction of any public project including those designated in this Master Plan, such as the Intercounty Connector, public schools and park facilities. However, this Plan supports the avoidance of environmentally sensitive areas, minimization, and mitigation and recommends that these be thoroughly examined in the earliest stages of project development.

Recommendations

- Designate a Special Protection Area for the Upper Rock Creek watershed within the Upper Rock Creek Planning Area north of Muncaster Mill Road.
- Require that each applicant submitting a plan that requires Planning Board approval within the Upper Rock Creek Special Protection Area submit a water quality plan for review in accordance with the Montgomery County Code, Chapter 19, Article V, Water Quality Review in Special Protection Areas.
- Create an environmental overlay zone for the same geographic area as the Special Protection Area that establishes a maximum imperviousness of 8 percent for all new development served by sewer.

COMMUNITY FACILITIES

This Plan recommends the creation of a system of bikeways, trails, and other pedestrian connections that are to be located in public rights-of-way, parkland, and easements. These facilities would be constructed by the private sector through the development of individual properties and by the public sector through the Capital Improvements Program. The specific projects are identified in the Community Facilities Chapter.

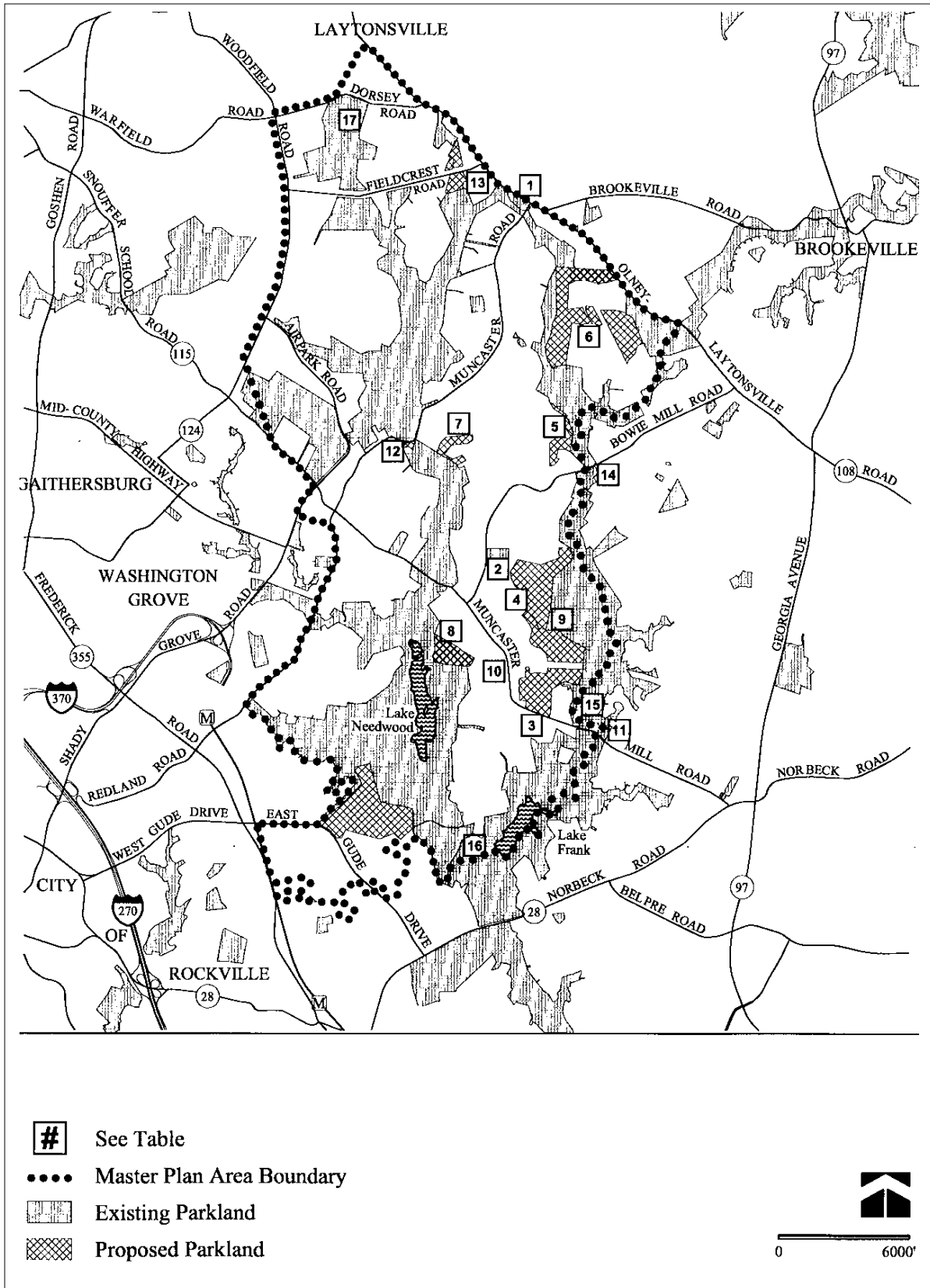
The Upper Rock Creek Master Plan also recommends public purchase, dedication for public parkland, and the use of private easements for open space to preserve environmentally sensitive areas. The following table describes the properties and the responsibility for implementation.

Summary of Additional Parkland Recommendations

Name of Property	Recommendation
Recreation Opportunities	
1. Upper Rock Creek Local Park	Re-designate portion of Rock Creek Unit 16 at MD 108 and Muncaster Road to serve local recreation needs.
2. Casey	Obtain small dedication from Casey property to enlarge ballfields at Bowie Mill Local Park.
Resource Protection	
3. Dungan	Protect for resource protection.*
4. Casey	Protect portion that drains to North Branch for watershed protection.*
5. Fraley	Protect area along east and south sides to protect stream buffer.*
6. Freeman	Protect forested areas, stream buffers, and wetlands.*
7. Hendry	Protect portions of two forested stream buffers.*
Trail Corridors	
8. Woodlawn	Seek dedication to provide trail connection between Needwood Road and ICC.
9. North Branch	Expand parkland where feasible to locate potential future hard surface trail outside of environmental buffers.
10. ICC right-of-way	Locate bikeway in ICC right-of-way, whether or not the road is built, with flexible design to minimize environmental impacts.
11. Emory Lane/ North Branch trail connection	Acquire parkland at Muncaster Mill Road and Emory Lane if necessary to provide safe trail connection outside of sensitive natural area.
12. North Branch/Ag History Farm Park Connection	Acquire property south of Muncaster Road to increase natural surface trail options and incorporate natural features into park.
13. Rock Creek/ Oaks Landfill Connector	Acquire parkland to provide safe, attractive trail connection from Rock Creek trail to Oaks Landfill trail.
Settings for Historic, Archeological Cultural Centers	
14. Bowie Mill	Protect and provide interpretive opportunities for historic Bowie Mill Site.
15. Muncaster Mill	Protect and provide interpretive opportunities for historic Muncaster Mill Site.
16. Horner's Mill	Protect and provide interpretive opportunities for historic Horner's Mill Site.
17. Dorsey Spring	Work with Revenue Authority to assure protection of this historic site.

* The proper form of protection should be determined at the time of development and may include dedication, acquisition, easements or other options to be determined.

PARKLAND RECOMMENDATIONS



COMMUNITY WATER AND SEWER SERVICE

As noted in the Environmental Resources Plan, County policies on provision of community sewer service are governed by the Comprehensive Water Supply and Sewerage Systems Plan. This Plan recommends where service is to be provided consistent with the comprehensive plan. This Plan recommends extension of sewer service to areas proposed for the RNC Zone, as shown on the accompanying map of the proposed sewer service envelope, provided that the properties develop under the optional method of development in conformance with the recommendations in this Master Plan. Sewer service is recommended as an option on the properties to preserve environmentally sensitive areas. The Plan also recommends extension of water service to these properties. In addition, public uses planned for the Pope Farm, Muncaster and Laytonia Recreation Parks and the Sherwood Elementary School #6 site require sewer service and are included in the sewer envelope. While all public facilities are permitted to receive community water and sewer service as prescribed by the Comprehensive Water Supply and Sewerage Systems Plan, these facilities are included in this Plan to highlight the need to serve these uses. Other public uses proposed in the future for areas outside the sewer envelope are eligible to be served under the existing sewer and water plan policy. The Environmental Resources Plan contains more details on community water and sewer service policies.

HISTORIC PRESERVATION

The Master Plan for Historic Preservation and the Historic Preservation Ordinance, Chapter 24A of the Montgomery County Code, are designed to protect and preserve Montgomery County's historic and architectural heritage. When an historic resource is placed on the Master Plan for Historic Preservation, the adoption action officially designates the property as an historic site or historic district, and subjects it to the further procedural requirements of the Historic Preservation Ordinance.

Designation of historic sites and districts serves to highlight the values that are important in maintaining the individual character of the County and its communities. It is the intent of the County's preservation program to provide a rational system for evaluating, protecting and enhancing the County's historic and architectural heritage for the benefit of present and future generations of Montgomery County residents. The accompanying challenge is to weave protection of this heritage into the County's planning program so as to maximize community support for preservation and minimize infringement on private property rights.

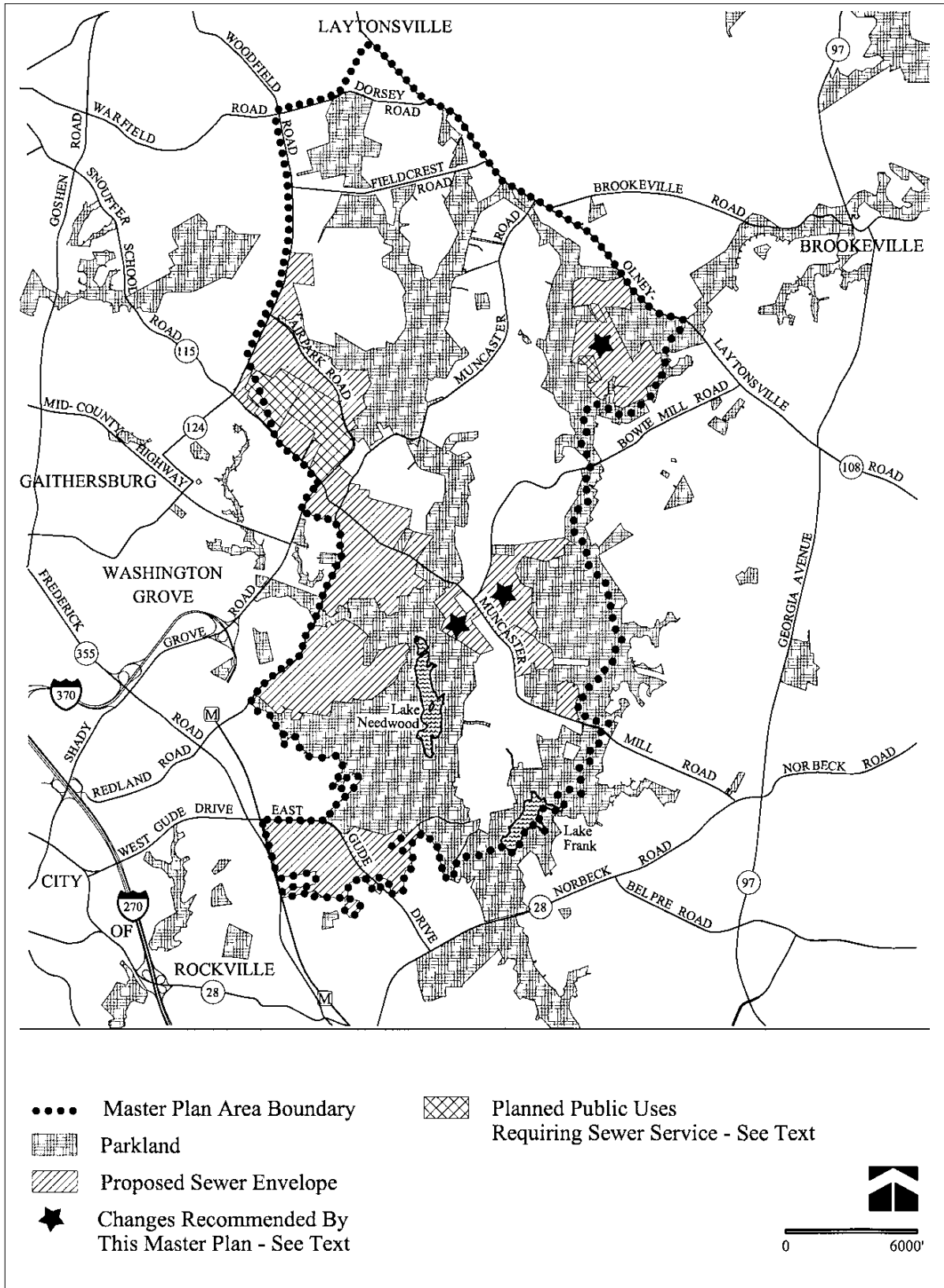
The following criteria, as stated in Section 24A-3 of the Historic Preservation Ordinance, shall apply when historic resources are evaluated for designation in the Master Plan for Historic Preservation:

(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;

PROPOSED SEWER ENVELOPE



exemplifies the cultural, economic, social, political or historic heritage of the County and its communities; or

(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.

Once designated on the Master Plan for Historic Preservation, historic resources are subject to the protection of the Ordinance. Any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued under the provisions of the County's Preservation Ordinance, Section 24A-6. In accordance with the Master Plan for Historic Preservation and unless otherwise specified in the amendment, the environmental setting for each site, as defined in Section 24A-2 of the Ordinance, is the entire parcel on which the resource is located as of the date it is designated on the Master Plan.

Designation of the entire parcel provides the County adequate review authority to preserve historic sites in the event of development. It also ensures that, from the beginning of the development process, important features of these sites are recognized and incorporated in the future development of designated properties. In the case of large acreage parcels, the amendment will provide general guidance for the refinement of the setting by indicating when the setting is subject to reduction in the event of development; by describing an appropriate area to preserve the integrity of the resource; and by identifying buildings and features associated with the site which should be protected as part of the setting. It is anticipated that for a majority of the sites designated, the appropriate point at which to refine the environmental setting will be when the property is subdivided.

Public improvements can profoundly affect the integrity of an historic area. Section 24A-6 of the Ordinance states that a Historic Area Work Permit for work on public or private property must be issued prior to altering an historic resource or its environmental setting. The design of public facilities in the vicinity of historic resources should be sensitive to and maintain the character of the area. Specific design considerations should be reflected as part of the Mandatory Referral review processes.

In the majority of cases, decisions regarding preservation alternatives are made at the time of public facility implementation within the process established in Section 24A of the Ordinance. This method provides for adequate review by the public and governing agencies. In order to provide guidance in the event of future public facility implementation, the amendment addresses potential conflicts existing at each site and suggests alternatives and recommendations to assist in balancing preservation with community needs.

In addition to protecting designated resources from unsympathetic alteration and insensitive redevelopment, the County's Preservation Ordinance also empowers the County's Department of Permitting Services and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

The Montgomery County Council passed legislation in September 1984 to provide for a tax credit against County real property taxes in order to encourage the restoration and preservation of privately owned structures located in the County. The credit applies to all properties designated on the Master Plan for Historic Preservation (Chapter 52, Art. VI). Furthermore, the Historic Preservation Commission maintains up-to-date information on the status of preservation incentives including tax credits, tax benefits possible through the granting of easements on historic properties, outright grants and low-interest loan programs.

The following properties in the Upper Rock Creek Planning Area have previously been designated on the Master Plan for Historic Preservation and this plan reconfirms those designations:

Site #	Site Name	Location	Associated Acreage
22/1	Dorsey Springhouse	7000/7130 Dorsey Road (Between Rt. 124 & Rt. 108)	Laytonsville Public Golf Course/172 acres
			<ul style="list-style-type: none"> • The modest board and batten springhouse covers the headwaters of Rock Creek, which, next to the Potomac River, has historically been Montgomery County's most important body of water. • Symbolically important for its place in the agricultural and industrial growth of the County which depended on Rock Creek. • Environmental setting to be a 50-foot radius around the springhouse.
22/7	Bussard Farm	18400 Muncaster Road	67.81 acres
			<ul style="list-style-type: none"> • Circa 1900 – Two-story Victorian vernacular frame structure represents the third dwelling on the site. • Associated for more than 100 years with the Magruder Family, prominent in the early history of the State and County. • Farm cultivated as early as 1734, reclaimed in the mid-1800s by Otho Magruder, an early proponent of agricultural innovation in the County. • The farm is a key part of the M-NCPPC's Agricultural History Farm Park and will, in the future, be open for a variety of interpretative programs.
22/13	Chichester House	4400 Olney-Laytonsville Road	116.92 acres
			<ul style="list-style-type: none"> • Chichester House was destroyed in July 1999, through an act of arson. The house and significant outbuildings are gone. The property is retained on the Master Plan for Historic Preservation as part of a long-standing County policy to not remove properties from the Master Plan when they have been destroyed by arson. This policy exists because of a strong concern that removing sites destroyed by arson from the Master Plan would send a message that destroying a historic site is a way of eliminating regulatory controls.

- The house was an interesting rural adaptation of Victorian revival styles popular from suburban residences at the end of the 19th century. It had been constructed about 1890 and blended traditional cottage form with interpretations of revival stylistic elements, particularly the pavilion front with its center gable breaking well above the cornice line.
- In the event of development of the property, an area equal in size to the originally recommended environmental setting (approximately two acres encompassing the house site, a small pond to the west of the house site, and a number of the mature trees which defined the farm yard) should be set aside as dedicated open space with appropriate interpretation.

Site #	Site Name	Location	Associated Acreage
22/14	Oatland Farm	4441 Brightwood Road	3.2 acres
	Oatland/Bowie Cemetery	Olney Mill Rd./Winding Stone Circle	24,005 square feet

- Architecturally this ca. 1875 house is an outstanding example of the transitional Greek Revival/Italianate style so popular in the period 1850-1870. It contains many touches of elegance such as the original pedimented portico and the bracketed boxed cornice.
- Associated with the family of Washington Bowie, prominent area merchant of the early 19th century.
- The original parcel contained 30.31 acres, but was subdivided in 1995. The Oatland Farmhouse, the small log house, and the stone springhouse are retained on a 3.2-acre lot. The Bowie family cemetery is retained on a separate 24,005 square foot lot and is dedicated community open space. These reduced environmental settings should not be subject to any further reductions in the future.

22/15	The Ridge	19000 Muncaster Road	6.448 acres
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- Pre-1753 – Large house of three sections, oldest (main section) is Flemish bonded brick; rubblestone kitchen dependence connected by a frame section.
- One of few remaining colonial homes, it was built by Zadock Magruder, a County leader; it remained in that family for 200 years.

Site #	Site Name	Location	Associated Acreage
22/17	Flint Hill II	17800 Bowie Mill Road	52.722 acres
	<ul style="list-style-type: none"> • Early 19th century log and frame farmhouse. • Associated with the Bowie family, a prominent family in Montgomery County and Maryland history. • The house sits on a knoll facing east and is highly visible from Bowie Mill Road. An appropriate environmental setting could be based on the 495-foot contour line and should include the house and the hillside to the front of the house to retain views of and from the structure. • The barn does not need to be preserved as part of the environmental setting. 		
22/25	J.H. Cashell Farm	5865 Muncaster Mill Road	325.955 acres
	<ul style="list-style-type: none"> • The earliest section of the frame Cashell Farmhouse, in the American farmhouse style, was built in the mid 19th century by the Hon. Hazel H. Cashell. His son John H. added a turriculated, jerkin-headed Queen Anne block at the end of that century. • Important for its association with the Cashell family as well as the high level of architecture achieved by the hybrid-style building. • With appropriate lot configuration, a one-acre environmental setting should provide sufficient area to preserve the integrity of the historic structure and retain some of the major trees which define its historic setting. However, one acre should be considered a minimum. If additional acreage can be retained around this historic resource, it will increase the ability to retain and interpret the site's historic importance. 		
22/30	Barnesley House	15715 Avery Road	11.042 acres
	<ul style="list-style-type: none"> • A good example of a well-maintained 19th century Gothic Revival farmhouse, once so ubiquitous in Montgomery County. • Because this house retains its original/historic setting, the entire 11.25-acre parcel is recommended as the environmental setting in order to provide architectural review of any future development under the Preservation Ordinance. • Designation of the site does not preclude subdivision under the development standards of the RE-2 Zone. Inclusion of the entire parcel in the environmental setting does, however, require architectural review of any additional development on the site prior to the issuance of building permits. Once developed, the environmental setting to be required in perpetuity under the Ordinance could be reduced to the size of the lot retained for the historic structure. 		

Site #	Site Name	Location	Associated Acreage
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22/34	Eubanks Farm	6825 Needwood Road	2.554 acres
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- Constructed in 1889 for Samuel Robertson, this irregular Queen Anne villa bears the unmistakable quality of its designer, Thomas Groomes, Montgomery County’s most prolific 19th century architect and the great popularizer of the revival styles in the Rockville-Gaithersburg area.
- The original parcel contained 11.52 acres, but was subdivided in 1991. The Eubanks Farm is retained on a 2.554-acre lot. This reduced environmental setting should not be subject to any further reduction in the future.

22/35	Needwood Mansion	6700 Needwood Road	Needwood Golf Course/234.36 acres
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- Constructed for William George Robertson (Samuel Robertson’s father). The main block, completed in 1856, repeats the tripartite motif characteristic of the late Greek revival – early Italianate periods in the windows, sidelights, and number of stories.
- Later flanking wings, the frame built in 1913, the brick in 1954, do not overshadow the strength of the main block.
- Recommended with 11.5 acre environmental setting to include all outbuildings, the tree-lined entrance drive and acreage to either side of the drive to preserve vistas of the structure from Needwood Road.

The following resources are located within the Upper Rock Creek Planning Area; however, they have not yet been fully evaluated for potential historic designation and remain on the Locational Atlas and Index of Historic Sites:

Site #	Site Name	Location
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22/3	Claysville	Olney/Laytonsville Road in the vicinity of Riggs Road
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22/20	Redland	North and southeast quadrants, Muncaster Mill and Redland Roads
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22/31-1	Magruder House	
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