



RURAL OPEN SPACE

54. *What Is Rural Open Space?*

Rural Open Space, as discussed in the Functional Master Plan for the Preservation of Agriculture and Rural Open Space and designated in other area master plans, pertains to areas where subdivision activity has already eroded parts of the critical mass of farmland. However, the plan deems it desirable to preserve some portion of these areas in a more open configuration and potential for small farms and other rural uses than would otherwise be possible by subdivision under the 5-acre Rural Zone.

55. *How Does The Plan Propose To Accomplish This Objective?*

This objective is accomplished by the application of the Rural Cluster (RC) Zone. The use of the cluster option retains open space by allowing residences to be grouped on a portion of the site and fosters a more compact development pattern than conventional residential development in the Rural Zone. Overall density, as established by the Rural Cluster Zone, does not change; it remains at one dwelling per five acres with a cluster option of 1-acre minimum lot sizes.

56. *How Does The RC Zone Differ From The RDT Zone?*

The primary difference is the allowable residential density. The Rural Cluster Zone permits a density of one unit per five acres with a cluster option of 1-acre minimum lot sizes.

57. *How Does The RC Zone Differ From The Rural Zone?*

The primary difference is the minimum lot size and minimum open space requirements. Although each zone permits a density of one unit per five acres, the RC Zone permits a minimum lot size of 1-acre (40,000 square feet) under the cluster option, whereas the minimum lot size for standard development in the Rural Zone is five acres. Also in the RC Zone under the cluster option normally allows no more than 40 percent of the property be used for residential cluster development.

58. *What Are The Benefits Of Being In The RC Zone?*

By using this technique, development can be confined to a smaller portion of the site, thereby reducing the costs of development and preserving the remaining land for agriculture or open space. Often, the opportu-



nity for continued farming operations is lost as productive farmland is carved piecemeal into individual residential lots. By grouping homes as permitted as an option in the RC Zone, and requiring that a certain percentage of contiguous land be preserved from development, the opportunity remains for continued farming via a lease-back approach or for open space.

59. *What Are The Possible Subdivision Configurations In The RC Zone?*

There are multiple subdivision layouts which may be approved in accordance with the Subdivision Regulations. See Question #7, the same answer applies to this question.

60. *Where Is The Rural Cluster Zone Applied?*

The Rural Cluster Zone is applied in areas of the County that have either agricultural or environmentally sensitive areas deemed appropriate for preservation by the master plan but not appropriate for the RDT Zone.

61. *How Is Open Space Maintained?*

It is maintained privately by the property owner or the established homeowners association.

62. *What Will Prevent Future Subdivision Of The Open Space?*

Once the density has been used, the open space portion of the property cannot be developed for residential or most other purposes. The overall density must be maintained; and since all subdivision plans must be approved by the Montgomery County Planning Board they would be aware of any attempt to further subdivide the property. The objective of the zone is to encourage the open space to be available for sale or lease to a farmer.

63. *What Are The Development Options In The RC Zone?*

The options include subdividing land into 5-acre lots with large road frontage, or subdividing a portion of the land (approximately 40 percent) into 40,000 square foot lots, while maintaining a density of one unit per five acres and preserving the remaining portion (approximately 60 percent) in agricultural or open space use.

64. *Who Determines If An Owner May Cluster?*

It is the landowner's decision whether or not to apply for the cluster option; in either case the Montgomery County Planning Board reviews and approves any submitted subdivision plan.



65. *What Is The Smallest Lot Size?*

The smallest allowable lot size is 40,000 square feet.

66. *Must An Owner Have Community Water And Sewer To Cluster In The RC Zone?*

No, it is not necessary to have community water and sewer to cluster. However, all development must occur in accordance with appropriate DPS health regulations and the policies expressed in the County's Ten Year Water and Sewer Plan.

67. *What Land Uses Are Allowed In The RC Zone?*

The Zoning Ordinance, in Section 59-C-9.3, lists a number of uses that are either Permitted (P) or may be obtained through the Special Exception Application Process (SE) and the property owner may thus engage in such activities whether or not farming is continued.

68. *Are MPDU's Required In The Agricultural Zone?*

Moderately Priced Dwelling Units are not required in the Agricultural Zones since these zones do not have the optional zoning provisions permitting greater density and reduced development standards.

OTHER FARMLAND PRESERVATION TECHNIQUES

69. *Can Farms Zoned Other Than RDT Or RC Still Receive Farmland Assessment?*

Land used for agricultural purposes, regardless of the zone designation, can receive farmland assessment.

70. *Are There Other Programs To Protect Farmland?*

Yes. In addition to the Transfer of Development Rights Program, there is the Maryland Agricultural Land Preservation Foundation (MALPF); the Maryland Environmental Trust Program (MET); the Montgomery County Agricultural Easement Program (AEP); and the most recent programs are the Maryland Rural Legacy Program (RLP) and the Montgomery County Legacy Open Space Program (LOS).