

Appendix 1

Glossary of Terms

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO): The APFO, adopted in 1973, is a law which promotes orderly growth by synchronizing development with the availability of the public facilities (roads, sewer, water, schools, police) needed to support it. Refinements to the ordinance were adopted in 1986.

The APFO is a part of the Subdivision Ordinance and is administered by the Planning Board at time of subdivision, after review by other agencies, including the County Executive. The subdivision regulations require that public facilities exist or be programmed for construction within a defined time period before subdivision approval can be granted. These facilities, therefore, would normally be included in the Capital Improvements Program (CIP), as described below. Criteria and guidelines for administration of the APFO are included in the Annual Growth Policy, adopted annually by the County Council.

ANNUAL GROWTH POLICY (AGP): A policy document adopted annually by the County Council intended to facilitate and coordinate government's powers in limiting or encouraging growth and development in the County. The AGP addresses conflicting policies of various agencies that may be serving different public interests, and provides guidance in resolving differences. It includes criteria and guidance for the administration of the APFO, and recommended development capacity Staging Ceilings for each policy area of the County. The overall purpose is to chart, each year, a direction for government which will enhance the quality of life of the County's present and future residents.

The AGP is prepared by the Planning Board based on its comprehensive land use process, data collected through administration of the Adequate Public Facilities Ordinance, and through population and housing

projections. It is prepared in close coordination with the Executive's CIP, and is transmitted to the County Executive in Final Draft Form, after public hearings. The County Executive submits his modifications in writing to the County Council, and Council must adopt the AGP by June 30 of each fiscal year. (The legislation providing for the AGP was adopted by the County Council in May, 1986.)

BUFFERING: Isolation or separation of different land uses by a third land use, by open space or by a physical separator such as a wall. Low density offices and townhouses are frequently used to buffer commercial and detached residential areas.

CAPITAL IMPROVEMENTS PROGRAM (CIP): A six-year comprehensive statement of the objectives of capital programs with cost estimates and proposed construction schedules for specific projects. The CIP is submitted annually to the County Council by the Executive.

The CIP is the tool through which locally funded public facilities such as sewers, local roads, storm drains, schools, libraries, parks, etc., can be scheduled and built, in coordination with and guided by the Annual Growth Policy and area Master Plans. It is used in conjunction with the APFO in terms of programming for public facilities needed to service subdivisions.

CONSOLIDATED TRANSPORTATION PROGRAM (CTP): The State Highway Administration's five year construction program for roads and other transportation facilities within the State of Maryland. This program is an important consideration in transportation planning by the County since many of the major roads in the area are State highways.

DEVELOPMENT PLAN REVIEW: Some zones require approval of a development plan at the time of rezoning. The Planning Board evaluates ("reviews") the development plan, which shows the layout, unit mix,

uses, building densities, circulation, parking and open space layout for a proposed development project. Where a development plan is required, the subsequent site plan must be in conformance with it. The preparation of an acceptable development plan helps to assure that the intent of the master plan is achieved.

EASEMENT: A contractual agreement to allow temporary or permanent use of and/or access through a property.

END-STATE DEVELOPMENT: Future land use as prescribed by the most recent master plan, assuming total implementation of that plan. In actual practice, development densities rarely exceed 80 percent of maximum allowable density.

EUCLIDEAN ZONES: See Zoning

FLOATING ZONES: See Zoning

FLOOR AREA RATIO (FAR): The ratio of the gross floor area of a building to the area of the lot on which it is located. Parking and unoccupiable space in the building are generally excluded from the computation. For example, a building with gross floor area of one acre on a two acre lot would have a Floor Area Ratio of 0.5.

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

IMPERVIOUS SURFACE: Land surface through which water cannot penetrate, usually because of pavement or buildings.

INFRASTRUCTURE: The built facilities, such as streets, bridges, schools, water and sewer lines, other utilities, and parks, that service a community's developmental and operational needs.

LEVEL OF SERVICE (LOS): A traffic engineering term that describes relative operating conditions and congestion levels on a segment of roadway or at an intersection. There are six levels, ranging from free flowing conditions (level of service "A") to very heavy traffic, extremely unstable flows, and long delays (level of service "F").

LOCAL MAP AMENDMENT: A change of zoning, normally sought by the owner or other person having a proprietary interest. Applications for local map amendments may be filed only during the months of February, May, August, and November, and are considered according to procedures specified in the zoning ordinance. A local map amendment can include more

than one tract of land. Land can be combined for purpose of rezoning. Approval of a local map amendment normally requires the affirmative vote of a majority of the County Council. If the proposed rezoning is contrary to the zone recommended in a master plan, however, approval requires affirmative vote of five Council members, unless the Planning Board has recommended in favor of that approval, in which case a four-vote majority of the Council is sufficient for approval.

MANDATORY REFERRAL: Under the Regional District Act "no road, park, or other public way or ground, no public (including Federal) buildings or structures, and no public utility whether publicly or privately owned shall be located, constructed, or authorized in the regional district until and unless the proposed location, character, grade and extent thereof has been submitted to and approved by the [Maryland-National Capital Park and Planning] Commission." (Art. 28, #7-112 of the Regional District Act) One of the major purposes of this review authority is to assure that public land acquisition and development are compatible with surrounding development, both existing and planned. Mandatory referral results in recommendations that are not binding on the public agency but it does provide an opportunity to encourage the agency to modify their proposals, where necessary, in order to improve their compatibility.

MASTER PLAN: A document which guides the government and private individuals in the way an area should be developed. In Montgomery County, master plans amend and detail, for portions of the County, the recommendations of the County's General Plan.

MIXED-USE DEVELOPMENT: The integration of different, usually compatible or mutually supportive, land uses on a site or into a single building or complex.

NONTIDAL WETLAND: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation; provided, however, that the Maryland Department of Natural Resources, in designating a nontidal wetland, shall use the approach (i.e., hydrology, soils and vegetation) enumerated in the April, 1988 Revised Interim Final Draft "Wetland Identification and Delineation Manual" developed by the United States Environmental Protection Agency, and any subsequent amendments thereto.

ON-SITE STORMWATER MANAGEMENT: Stormwater management techniques applied within a given site boundary, usually near the source of stormwater runoff.

ONE-HUNDRED YEAR ULTIMATE FLOODPLAIN: The floodplain that would result from a 100-year-frequency flood, calculated on total development in a watershed.

PLANNED DEVELOPMENT ZONING (PD): A group of "floating" zones that allow a broad range of housing types, flexibility of design, a mix of land uses and which encourage better land planning with greater efficiency, convenience, and more amenities than conventional, or enclidian, zoning categories. A development plan must be approved at the time of zoning.

PLANNING: The orderly, reasoned process of evaluating the existing and future needs of an area and its residents, and the preparation of alternatives and recommendations to meet those needs.

SCHEMATIC DEVELOPMENT PLAN: A development plan for Planning Board review and County Council approval submitted as part of an application for the rezoning of land into floating zones at the option of the applicant. Such schematic development plans limit development to that specified in the application.

SECTIONAL MAP AMENDMENT: A comprehensive rezoning, initiated by the Planning Board or County Council, covering a section of the County, and usually including several tracts of land. It normally follows a master plan study. It may propose various zones to be applied to various individual tracts. The County Council must hold a public hearing on a proposed sectional map amendment. Since enactment of a sectional map amendment is considered a legislative action of the government, and is intended as a comprehensive implementation of public policy, it does not require a finding of a change in the character of the neighborhood or a mistake in the original zoning. Approval is by majority vote of the council.

SETBACK: The required minimum distance between a proposed structure or parking area and property lines or other buildings. Setbacks are specified in certain zones.

SITE PLAN: A detailed plan, required in certain zones, that usually shows proposed development on a site in relation to immediately adjacent areas. It indicates roads, walks, parking areas, buildings, landscaping, open space, recreation facilities, lighting, etc. The Planning Board must approve the site plan before building permits can be issued.

SITE PLAN REVIEW: Detailed site plans carry out the policies and recommendations of the master plan. As there is flexibility in the layout of buildings and other features on the site, the Planning Board and its staff carefully review (evaluate) site plans, allowing ample public input.

Site plan review is required of all floating zones and of optional development provisions of other zones. Further, facilities that fall under the provisions of the County parking ordinance (part of the Zoning Ordinance) are also subject to site plan review for the parking areas.

Site plan review is more detailed than development plan review. It examines such elements as building mass and location, parking area design, grading, landscaping, lighting, fencing and signage. Through this review, issues of compatibility with adjacent land uses can be resolved.

SPECIAL EXCEPTION: Most zoning classifications include a set of permitted uses and a set of "special exception" or conditional uses. These are uses that, because of the level or nature of the activity associated with them, need to be carefully reviewed before being allowed to be developed on land in that zoning classification. In residential areas, for example, special exception uses include, among others, day-care centers for more than six children, medical clinics and horticultural nurseries. Gas stations are always special exception uses. Hotels are special exception uses in most industrial zones.

The Zoning Ordinance contains, for each special exception use, a set of criteria that must be met by an application. The applications are reviewed by staff of the Montgomery County Planning Department and recommendations are made by The Montgomery County Planning Board. The decisions regarding each application are made by the Montgomery County Board of Appeals.

STAGING: An element of a master plan and the County's growth management system that coordinates the schedule of public facility construction with the pace of private development.

STORMWATER MANAGEMENT: See On-Site Stormwater Management.

SUBDIVISION: (1) The division of a lot, tract, or parcel of land into two or more lots, plots, sites, tracts, parcels or other divisions for the purpose, whether immediate or future, of sale or building development. (2) The recombination of lots previously created into a new configuration.

TEN-YEAR COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEM PLAN: The program of the Washington Suburban Sanitary Commission, subject to approval by the County Council, for the provision of water and sewage service in Montgomery County.

TWO-YEAR STORM: A storm with a 50 percent statistical probability of being equaled or exceeded in a given year.

VEHICULAR CAPACITY: A measure of the maximum number of vehicles that can pass through a given road segment, or intersection, during a given time period under prevailing roadway conditions. Also see Level of Service.

WATERSHED: The area contained within a topographic divide above a specified point on a stream; the area that drains into that stream.

ZONING: Zoning regulates the use of land. All land in Montgomery County (except public rights-of-way) is zoned. Within each zone, the County zoning ordinance permits certain uses by right and permits others conditionally. The ordinance also excludes certain uses from each zone. Zoning is the division of a municipality or county into districts which are for the purpose of regulating the use of private land. These zones are shown on an official atlas which is part of the zoning ordinance. Within each of these districts, the text of the zoning ordinance specifies the permitted uses, the bulk of buildings, the required yards, the necessary off-street parking, and other prerequisites to obtaining permission to develop.

Maryland law permits the use of two types of zones, euclidian and floating zones. There are important distinctions between the two which affect the manner in which they can be employed.

EUCLIDIAN ZONES: A Euclidian zone is a zone that contains fixed standards. Certain uses are permitted in these zones, but they are subject to rigid requirements such as: lot size; front, side, and rear

setbacks; and maximum height. Application for a euclidian zone may be made either by the property owner or by the government, and thus it may be applied by sectional map amendment or local map amendment (see Zoning Map Amendment).

Maryland law provides that a local map amendment rezoning to a euclidian zone is permissible only if there has been a change in the planned character of the neighborhood since the last comprehensive rezoning or a mistake in the original zoning. All zones in Montgomery County that are not identified as floating zones (see next paragraph) are Euclidian zones.

FLOATING ZONES: A floating zone does not contain fixed standards. Findings of change or mistake, required for granting a Euclidian zone, do not have to be made before the application for a floating zone can be granted. Instead, the County Council must find that the proposed rezoning is compatible with surrounding uses and meets other requirements set forth in its "purpose clause."

All floating zones require Planning Board approval of a site plan for development of the property prior to the issuance of a building permit.

ZONING MAP AMENDMENT: A change to the regulations of a given zone or zones, as stated in the text of the zoning ordinance.

Appendix 2

SUMMARY OF ZONING CLASSIFICATIONS

Zone	Minimum Lot Size/ Major Use	Maximum Density (Units Per Acre)/ Building Height
Residential Zones		
RE-2	Single-family Detached	0.4/Acre
RE-2/TDR	Single-family Detached	Varies from 0.5 to 4.0/acre as determined by the Master Plan.
RE-1	Single-family Detached	1.0/Acre
R-200	Single-family	2.0/Acre
R-200/TDR	Single-family	Varies from 2.0 to 11.0/acre as determined by the Master Plan.
R-150	Single-family	2.6/Acre
R-90	Single-family	3.6/Acre
R-60	Single-family	5.0/Acre
RT-6	Single-family Attached	6.0/Acre
RT-8	Single-family Attached	8.0/Acre
RT-10	Single-family Attached	10.0/Acre
RT-12.5	Single-family Attached	12.5/Acre
R-30	Multi-Family	14.5/Acre
R-20	Multi-Family	21.7/Acre
R-H	Multi-Family	43.5/Acre
R-MH	Mobile Home	7.0/Acre
Commercial Zones		
C-1	Convenience Commercial	30 Feet
C-2	General Commercial	3 Stories/42 Feet
C-3	Highway Commercial	3 Stories/42 Feet
C-4	Limited Commercial	3 Stories/40 Feet
C-5	Low Density Commercial Office	35 Feet/0.25 FAR
C-O	Commercial Office	3 Stories/42 Feet
O-M	Office Buildings	5 Stories/60 Feet
C-T	Commercial Transition	35 Feet
C-Inn	Country Inn	2-1/2 stories

SUMMARY OF ZONING CLASSIFICATIONS (Cont'd.)

Zone	Minimum Lot Size/ Major Use	Maximum Density (Units Per Acre)/ Building Height
Employment Zones		
I-1	Light Industrial	10 Stories/120 Feet
I-3	Industrial Park	100 Feet 0.5 FAR*
I-4	Light Industrial, Low Intensity	3 Stories/42 Feet
R&D	Low Density Research and Development	50 Feet/0.30 FAR
Planned Development and Mixed-Use Zones		
TS (Town Sector) Variable	Variable	
PD (Planned Development) Variable	2 to 44/Acre	
MXPD (Mixed-Use Planned Development) Variable	Variable	
R-MX (Proposed)	Variable	

* *Optional Method permits increase to 0.6FAR with extensive traffic mitigation.*

** *Optional Method permits increase to 0.5FAR*

NOTES

1. *The Montgomery County Zoning Ordinance gives the specific provisions for each zone. In certain instances, dwelling unit types and building heights may be changed.*
2. *Densities indicated are the maximum permissible, without the bonus for inclusion of Moderately Priced Dwelling Units (MPDUs). These densities do include the cluster option where applicable. Maximum density can only be obtained on land with dedicated rights-of-way and the capability to accommodate required lot sizes. Any subdivision of 50 or more units must include 12.5 percent MPDUs, in which case a density increase of up to 20 percent and optional development standards and unit types are permitted.*
3. *In order to utilize the cluster provisions of the Zoning Ordinance, a developer must receive the approval of the Montgomery County Planning Board. The property must be posted and a public hearing must be held on the application prior to the Planning Board's action*

Appendix 3

Table 3-1

THEORETICAL MAXIMUM DWELLING UNITS/POPULATION IN GERMANTOWN

	Dwelling Units	Population
1974 Master Plan Theoretical Maximum ¹	34,788	109,933
1974 Adjusted Maximum ²	32,011	82,632
Difference from the 1974 Theoretical Maximum	2,777 (8%) ³	27,301 (25%) ⁴

Theoretical Maximum of 1989 <u>Master Plan</u>	36,783	91,624
Difference from the 1974 Theoretical Maximum	1,995 (5%)	18,309 (20%)
Difference from the 1974 Adjusted Maximum	-4,772 (-13%)	-8,992 (-10%)

- 1 The number of households is based on Churchill Town Sector Development Plan and considering net residential densities of 1974 Land Use plan as follows:
2-5 = SFD; 7-11 = SFA; 15-44 = MF.
- 2 The number of households is based on existing and approved residential master units as of 1/1/87 and on land use recommendations of the 1974 Master Plan for the remaining residential area. Population figures are based on population-per-household figures, by housing type, in Germantown from the 1984 Census Update Survey.
- 3 The difference in the number of dwelling units reflects the fact that in the areas which have developed fewer units were built than would have been permitted under the recommendations of the 1974 Master Plan.
- 4 The lower population figure represents both the reduction in dwelling units and the reduction in average household size from 1974 to 1984.

Table 3-2

COMPARISON OF 1974 MASTER PLAN AND 1989 MASTER PLAN: ACREAGE

Land Use Classification	1974 Master Plan		1989 Master Plan	
Open Space	3,643		3,566	
M-NCPPC Parks		1,940		1,987
State Parks		790		790
Conservation Areas		913		789
Schools	488		279	
Institutional Uses	392		442	
Residential Uses	4,695		4,955	
Commercial Activities	207		412	
Mixed-Use Center				
Retail and Service Park				
Regional Shopping Mall				
Village Centers				
Other Retail				
Employment	694		693	
Industrial Office Park				
Commercial Office				
Light Industrial				
Total	10,119		10,347	

Table 3-3

PROPOSED LAND USE BY VILLAGE
(in acres)

Area	Open Space	School	Institutional	Residential	Retail	Office	Total
Town Center	11	—	41	8	134	111	305
Employment Corridor	95	—	187	173	1	500	956
Churchill	149	19	14	741	5	3	931
Gunners Lake	147	60	—	518	12	37	774
Clopper	241	47	18	924	41	1	1,272
Kingsview	242	49	12	1,231	0	24	1,558
Middlebrook	131	20	0	626	49	6	832
Neelsville	66	84	170	734	170	11	1,235
Total All Areas	1,082	279	442	4,955	412	693	7,863

PROPOSED LAND USE BY VILLAGE
(relative percentages)

Area	Open Space	School	Institutional	Residential	Retail	Office	Total
Town Center	4%	0%	13%	3%	44%	36%	100%
Employment Corridor	10%	0%	20%	18%	0%	52%	100%
Churchill	16%	2%	2%	80%	0%	0%	100%
Gunners Lake	19%	8%	0%	67%	1%	5%	100%
Clopper	19%	4%	1%	73%	3%	0%	100%
Kingsview	15%	3%	1%	79%	0%	2%	100%
Middlebrook	16%	2%	0%	75%	6%	1%	100%
Neelsville	5%	7%	14%	59%	14%	1%	100%
Total All Areas	14%	3%	6%	63%	5%	9%	100%

Table 3-4

**RESIDENTIAL LAND USE
COMPARISON OF 1974 MASTER PLAN AND 1989 MASTER PLAN**

Area	Residential Acres		Dwelling Units		Average Dwelling Units Per Acre		Population	
	1974 Plan	1989 Plan	1974 Plan	1989 Plan	1974 Plan	1989 Plan	1974 Plan	1989 Plan
Town Center	30	- ¹	1,036	1,928	34.5	- ¹	2,102	3,335
Employment Corridor	--	173	--	3,750	--	21.7	--	6,488
Churchill	741	741	7,264	5,358	9.8	7.2	12,932	12,708
Gunners Lake	518	518	5,288	4,948	10.2	9.5	15,209	11,377
Clopper	792	924	7,099	7,742	8.9	8.4	22,627	20,902
Kingsview	1,231	1,231	5,380	5,155	4.4	4.2	19,245	15,225
Middlebrook	626	626	4,310	5,180	6.8	8.3	14,025	13,149
Neelsville	757	734	4,411	2,722	5.8	3.7	15,590	8,440
Total All Areas	4,695	4,947 ²	34,788	36,783	7.4	7.0 ²	109,933	91,624

¹ 1,800 residential units may be constructed as part of mixed-use developments.

² The acreage and dwelling units from the Town Center are not included.

Table 3-5

POPULATION, LOCAL PARKLAND, AND PUBLIC SCHOOLS BY VILLAGE

Village	Population	Local Parkland		Public Schools		
		Number	Size (Acres)	Elementary	Intermediate	Senior High
Town Center	3,335	2	17	0	0	0
Employment Corridor	6,488	0	0	0	0	0
Churchill	12,708	2	26	2	0	0
Gunners Lake	11,377	4	40	1	1	1
Clopper	20,902	7	188	3	0	0
Kingsview	15,225	3	28	2	0	0
Middlebrook	13,149	4	64	2	1	0
Neelsville	8,440	2	20	2	0	1
Total All Areas	91,624	24	383	12	3	2