

IV. LAND USE AND ZONING

Cloverly is made up of three communities located in areas designated by the General Plan Refinement as the Suburban Communities, the Residential Wedge, and the Agricultural Wedge. The Agricultural Wedge, located in the northern portion of Cloverly, has a mixture of large-lot residential development and permanently undeveloped open space that is designed to protect natural resources. The Residential Wedge, located in the central and northwestern portion of Cloverly, is made up of subdivisions of large lots, and contains the Cloverly Commercial Area and Spencerville Commercial Area. This area can be seen as a transition between the more developed southern part of Montgomery County and the less dense areas to the north and west. The Suburban Communities in the southern area contains several large subdivisions of single-family houses on moderately sized lots along with the Cape May Road/New Hampshire Avenue Commercial Area.

The land use goals, objectives, and recommendations for Cloverly are best seen in the context of these three communities. This chapter describes the evolution of the three communities, followed by community specific recommendations and general recommendations that apply throughout Cloverly. The overall aim of this Plan is to recognize the connection between Cloverly's natural resources, the appropriate use of its land, and to make recommendations that protect those natural resources while maintaining and building on the character of its three communities.

Cloverly's topography and landscape have through time influenced the use of the land, and together create the character of the community. In the 18th and 19th centuries, the rolling terrain suited the settlers who built log houses and grew tobacco in the cleared fields. Later, roads were built along the ridges separating the Northwest Branch, Paint Branch and Patuxent River watersheds, and farmers shipped goods to rail depots at Rockville and Laurel. Where the roads met, or where large landowners constructed their farmhouses, hamlets were often established, creating places for merchants and artisans to live and work.

Use of the land in Cloverly changed significantly, as it did elsewhere in Montgomery County, during the first half of the 20th century. With that change in use came a marked change in the character of Cloverly's communities. As the function, size and influence of the federal government grew and Washington attracted a larger number of government workers, land that had been farmed began to house families. The suburbs crept towards Cloverly between 1920 and 1940. The postwar suburban housing boom brought rapid subdivision of some, but significantly not all, of Cloverly's farms.

The evolution from agricultural district to suburb is most visible in the southern third of Cloverly, in the Northwest Branch and upper Paint Branch watersheds. Along New Hampshire Avenue, Bonifant Road, Notley Road and Good Hope Road, single-family houses on half-acre and smaller lots dominate the upland areas above the streams. The stream valleys, too steep to be pasture land or homesites, remain open, either for the use of subdivision residents or as public parkland. These valleys also carry sewer lines that have enabled development at suburban densities.

In the 1970s and 1980s, continuing suburbanization was tempered by increasing awareness of the importance and value of preserving natural resources and open space. As a result, the remaining two-thirds of Cloverly, the upper Northwest Branch watershed west of New Hampshire Avenue and along Norwood Road, the northern portion of the Paint Branch watershed, and the Patuxent watershed above Spencerville Road, developed less intensely. The upper Northwest Branch watershed is rural and residential, with many homes on lots of two acres and more and includes Cloverly's largest pieces of as-yet-undeveloped land. Development of some of these properties will result in large areas of dedicated open space. The Patuxent watershed contains significant amounts of open space, created by Washington Suburban Sanitary Commission (WSSC) watershed

conservation areas, conservation parks, farms, and recent residential development with one home for every five acres.

The decreased residential densities and inclusion of significant amounts of open space in these two communities reflect the recognition that low-density development was a more effective way to limit environmental impacts than were engineering solutions. Increased awareness and analysis, particularly in the more developed southern portion of Cloverly, recognize that earlier efforts at resource protection, which relied in large measure on managing stormwater runoff to reduce environmental impacts, were not sufficient. While water quality in the upper Paint Branch watershed remained high enough to support self-sustaining trout populations, the stream system by the end of the 1980s had begun to show signs of stress, suggesting that engineering solutions alone could not satisfactorily maintain high-quality natural resources.

The 1981 Plan recognized the importance of protecting Cloverly's stream systems and made watershed protection its primary goal. That Plan recommended reduced densities in the Northwest Branch to maintain rural character and to protect the stream valley by increasing open space. In the Patuxent watershed, the recommendations for very low-density development protected the drinking water reservoir while maintaining the area's rural and agricultural character. The 1993 *Functional Master Plan for the Patuxent River Watershed* reinforced these policies. Although it reduced residential densities, the 1981 Plan was less able to influence development in the upper Paint Branch watershed since much of it was underway during the master plan process, and was completed after the plan was approved.

As the settlers recognized so clearly two centuries ago, the natural resources that contribute to topography and landscape continue to exert considerable influence on use and character of the land. Today, the character of two of Cloverly's three communities, the Residential Wedge of the upper Northwest Branch watershed and the Agricultural Wedge of the Patuxent watershed, can generally be said to be balanced with natural resources. In the third, the Suburban Communities of the upper Paint Branch watershed, the major resource, the high-quality upper Paint Branch stream system and the sensitive aquatic habitat associated with it, shows signs of stress from the cumulative effect of development over time.

The recommendations in this Plan reflects these conditions. Where land use, the community character derived from it, and the environment are in balance, recommendations are designed to maintain or enhance existing conditions. Where they are not, this Plan makes recommendations designed to bring them back into balance.

As shown in Table 1, 3,499 acres (44.6 percent) of Cloverly are residentially developed. In 1990, Cloverly contained approximately 4,900 housing units with a population of 15,600 residents. More than 40 percent of Cloverly is still in agricultural use or vacant. When combined with the 10 percent of Cloverly in parkland and public open space and the large parks along Cloverly's borders, the expansive open space creates Cloverly's rural character. Cloverly's existing land use pattern is shown in Figure 9, page 18. The proposed land use pattern is shown in Figure 10, page 19. The concentration of commercial and institutional land uses, particularly places of worship, along major travel routes has affected Cloverly's rural character. In some cases, these uses are located in established neighborhoods, threatening both the community character and the quality of watersheds.

Recently approved development will transform farms and vacant land into new residential neighborhoods. In the most dramatic example, 716 vacant acres known as Hampshire Greens will eventually contain 286 homes, an 18-hole public golf course, a WSSC elevated water storage facility, a four-lane major highway, bike paths, equestrian trails, and homeowners association recreation areas.

LAND USE GOAL:

Recognize, reinforce, and, where necessary, restore the balance between natural resources and land uses in Cloverly's three distinct communities.

**Table 1
EXISTING LAND USE**

LAND USE	ACRES	PERCENT
Single Family Residential	3,499	44.6%
Commercial/Office	47	0.6%
Park and Public Open Space	790	10.1%
Public/Institutional	249	3.2%
Agricultural/Vacant	3,257	41.5%
Total	7,842	100.0%

Source: Montgomery County Planning Department, Research and Information Systems Division, July 1995

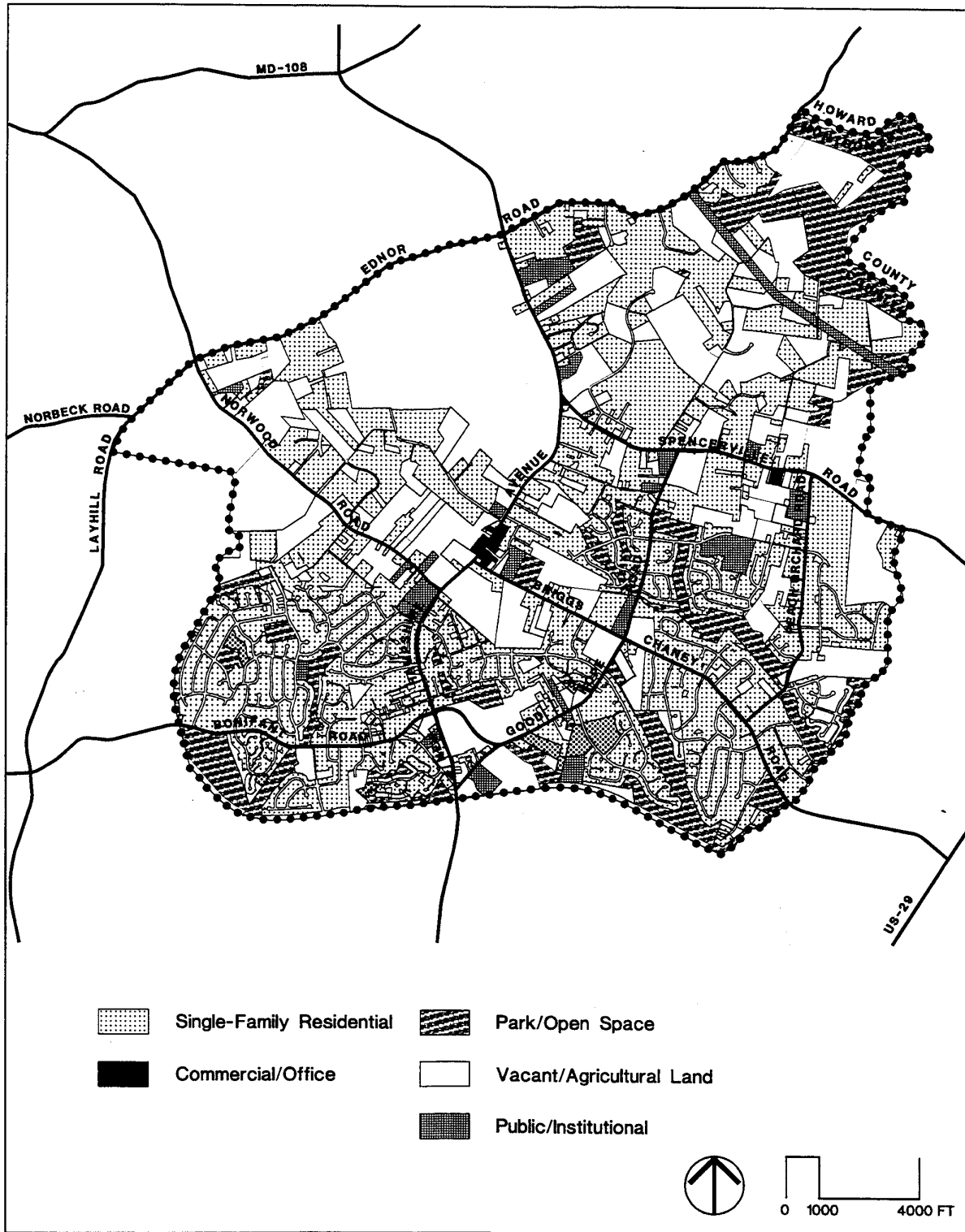
AGRICULTURAL WEDGE

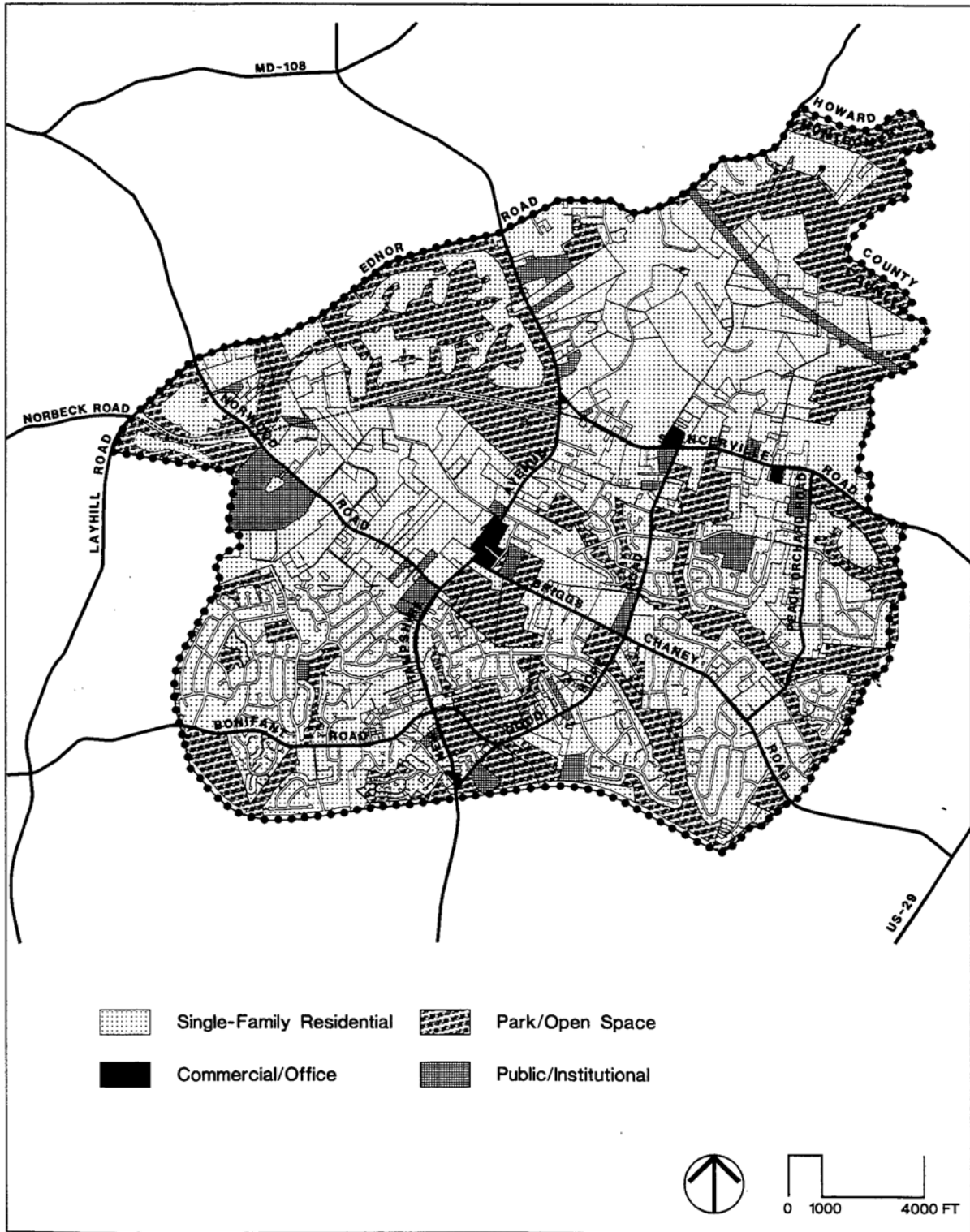
The Agricultural Wedge is the area of lowest planned density in Cloverly. Located north of Spencerville Road and east of New Hampshire Avenue, the entire area is in the Patuxent River watershed. This area has developed at low-densities because the zoning changes since the 1960s have decreased the permitted densities over time. Additionally, the *Comprehensive Water Supply and Sewerage Systems Plan* does not support sewer service to these low-densities. These strategies have been used for decades to protect the quality of the drinking water reservoir. The low residential densities permitted in the Rural Cluster (RC) zone, conservation parks, WSSC reservoir protection areas and adequate best management practices (BMPs) along with continued monitoring and analysis of sedimentation and nutrient runoff are the primary methods of protecting and better understanding of the overall health of the reservoir. There are concerns that special exceptions, institutions, places of worship, and other large developments may adversely affect the rural character and the water quality of tributary streams.

The entire watershed in Montgomery County was the subject of the 1993 *Functional Master Plan for the Patuxent River Watershed*. As a result of that plan, the Planning Board's environmental guidelines now include specific provisions for protection of the watershed. Among those provisions is a 10 percent impervious guideline for properties that contain the Primary Management Area (PMA). The PMA is a management area that is 1/4 mile (1,320 feet) from the Patuxent River mainstem and reservoir and 1/8 mile (660 feet) from individual tributary streams. In the PMA, standard stream buffers, as delineated in the Planning Board's Environmental Guidelines, are a minimum of 100 feet (wider buffers are necessary if steep slopes or extensive wetlands and floodplains are present). The PMA restrictions are applied to properties at subdivision. In addition to the findings of the *Functional Master Plan for the Patuxent River Watershed*, a technical study concluded that the implementation of current zoning patterns in the Patuxent watershed in Montgomery County would have both positive and negative effects. While nutrient loading would be reduced, development would increase sediment loads. The technical study made recommendations to provide further water quality enhancements.

EXISTING LAND USE

FIGURE 9





The Patuxent watershed is identified as an Environmental Preservation Area in the Environmental Resources Chapter. This designation does not entail additional regulation and is intended solely to denote areas with low- and very-low density and sensitive stream resources. These areas have limited public infrastructure, and no significant new infrastructure is proposed to support development. The Natural Resources Conservation Service and the Chesapeake Bay Restoration Program work with agricultural interests in an ongoing cooperative effort to reduce the impacts of agricultural practices on water quality and stream habitat.

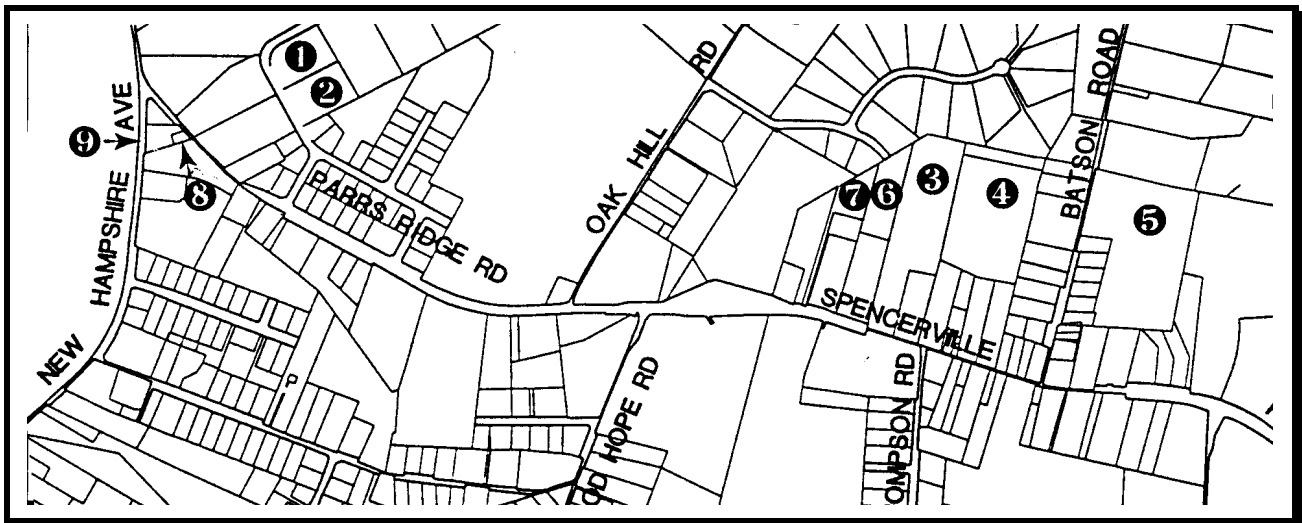
This Plan continues the low-density recommendations of previous plans to protect the Patuxent watershed and provide for a rural living environment while enhancing park and recreation linkages. The combination of existing zoning as it relates to protection of water quality and recent additions to the Planning Board's environmental guidelines precludes the need for major changes in land use recommendations specific to the Agricultural Wedge. The General Land Use and Special Exceptions sections of this chapter also provide guidance for the Agricultural Wedge and for Cloverly as a whole.

OBJECTIVE: Maintain the existing mix of low-density residential neighborhoods and open space that preserves the valleys of Patuxent River tributaries, creates this community's rural character and keeps the built and natural environments in balance.

RECOMMENDATIONS:

- Retain the existing RC (Rural Cluster) and RE-1 (1 house per acre) zoning throughout the Agricultural Wedge with the exception of the following changes: (See Figure 11, page 21.)
 - Rezone five properties north of Spencerville Road from RC and RE-1 to RC because they are located entirely within the Patuxent watershed (Figure 11, numbers 1-5).
 - Rezone one property at the end of Armond Lane from RC and RE-1 to RC because only a small portion of the property is located outside of the Patuxent watershed (Figure 11, number 6).
 - Rezone one property from RC and RE-1 to RE-1 because only the northern tip of the property is zoned RC (Figure 11, number 7).
 - Rezone two properties bordered by Old Spencerville Road, New Hampshire Avenue and Spencerville Road Relocated from RE-1 to C-1 (Figure 11, numbers 8 and 9). Development of the entire C-1 zoned area at this location should be accomplished with the following design guidelines:
 1. Commercial buildings should be located in a manner which maintains the rural character of New Hampshire Avenue with building setbacks comparable to adjacent properties.
 2. Driveway entrances shall be minimized in width to maintain a safe and clearly defined edge of pavement along New Hampshire Avenue.
 3. All proposed landscaping shall enhance and reinforce the rural character of New Hampshire Avenue and Spencerville Road. This shall be accomplished by screening all parking and internal vehicular circulation from the roadway with a low, evergreen hedge. A significant number of deciduous shade trees should be planted around the perimeter of the site to create a natural woodland setting.

4. If a gas station is the proposed use for the site, the configuration of the building and canopy should be sited so as to minimize visual impacts from New Hampshire Avenue and Spencerville Road in order to reinforce the rural character of the area.
 5. Night lighting shall be located predominately under the canopy to avoid glare and excessive lighting which is incompatible with the rural setting.
- Retain low-density residential and parkland Land Use designations consistent with the 1981 Plan throughout the Agricultural Wedge and the Patuxent watershed.



RESIDENTIAL WEDGE

The Residential Wedge is located in the upper Northwest Branch watershed and in the upper Paint Branch watershed, north of Briggs Chaney Road.

The northern portion of the Northwest Branch in Cloverly is zoned RE-2 and RE-2C (1 house per 2 acres). This area is identified in the Environmental Resources Chapter as a Regular Protection Area. In this protection area, a combination of low-density zoning, park acquisition, and standard environmental requirements to mitigate effects of new development is used to protect water quality. The ultimate subwatershed imperviousness levels should remain in the 10 to 15 percent range which is within the generally acceptable limits for the protection of cold water stream systems in Maryland. Individual developments with high site-imperviousness should be discouraged.

The RE-2C zone was applied to properties of sufficient size to provide substantial amounts of open space or properties within the historically African-American community of Holly Grove where lot sizes are generally smaller than the 2-acre minimum of the RE-2 zone. Development in the RE-2 zoned area between Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue will be limited by this Plan's recommendations to restrict access to sewer service. Although water service may be available on a case-by-case basis consistent with the *Comprehensive Water Supply and Sewerage Systems Plan*, the Cloverly Master Plan recommends that this area remain primarily low-density residential in character. The Paint Branch portion of the Residential Wedge is zoned RE-1 (1 house per acre) with the exception of the Cloverly Commercial Area, Spencerville Commercial Area, and an existing use in the Country Inn Zone.

This Plan continues the low-density land use recommendations of the 1981 Plan to protect the Northwest Branch and Paint Branch watersheds through low-density residential zoning and enhanced park and recreation linkages. As stated earlier, existing protective measures preclude the need for major changes in land use recommendations that apply specifically to the Northwest Branch portion of the Agricultural Wedge. However, the Paint Branch requires extensive parkland acquisition and an environmental overlay zone to maintain the balance between land use and environmental protection.

General recommendations for the Paint Branch watershed are located in the Suburban Communities section of this chapter and in the Environmental Resources Chapter and also apply to development in the Paint Branch portion of the Residential Wedge. The General Land Use and Special Exceptions sections of this chapter provide guidance for the Residential Wedge and for Cloverly as a whole.

OBJECTIVE: Retain land use and environmental policies that minimize impacts on the upper Northwest Branch and upper Paint Branch watersheds and underscore the large-lot character of this community as now-vacant properties develop.

RECOMMENDATIONS:

- Retain the existing RE-2, RE-2C, RE-1, C-1, C-2, and C-INN (Country-Inn) zoning throughout the Residential Wedge with the exception of the changes identified in this section.
- Retain the low-density residential, parkland, and retail land use designations consistent with the 1981 Plan throughout the Residential Wedge in the Northwest Branch and Paint Branch watersheds.

Cloverly Commercial Area

The Cloverly Commercial Area at New Hampshire Avenue and Briggs Chaney Road is the primary retail area and center of Cloverly. (See Figure 12, page 24.) The grocery store and hardware store are the area's anchors.

The existing grocery store is undersized by today's standards and does not adequately serve Cloverly's grocery needs. An expanded grocery store can be supported in Cloverly and is recommended by this Plan. A full-service grocery store provides important services for the community and strengthens the role of the Cloverly Commercial Area as the center of the community.

The current location is the most suitable location for a grocery store in the commercial district. Part of the site is located in the Paint Branch Special Protection Area and (SPA) is subject to SPA environmental management requirements. In considering redevelopment proposals, the Planning Board should carefully weigh the significant benefit to the Cloverly community of an expanded commercial area against the environmental constraints of the site. If there are requirements of the SPA that cannot be met, then the Planning Board and the Department of Permitting Services should determine if the remaining impacts are balanced or offset by the community benefits of an expanded commercial area. These benefits, together with the ability of the developer to minimize environmental impact through site design and engineering, may support a decision for a waiver from SPA requirements.

Redevelopment of the commercial area should strengthen retail vitality and encourage its use as a public gathering place. The Plan accommodates redevelopment of commercial properties along Cloverly Street and Briggs Chaney Road, which can permit expansion of the grocery store and improve its layout. The Plan also proposes a park adjacent to the commercial area which will serve as a conservation area with community-oriented open space similar to a village green or commons at the end of Cloverly Street and Gallaudet Avenue and will buffer the commercial area from Cloverly Elementary School.

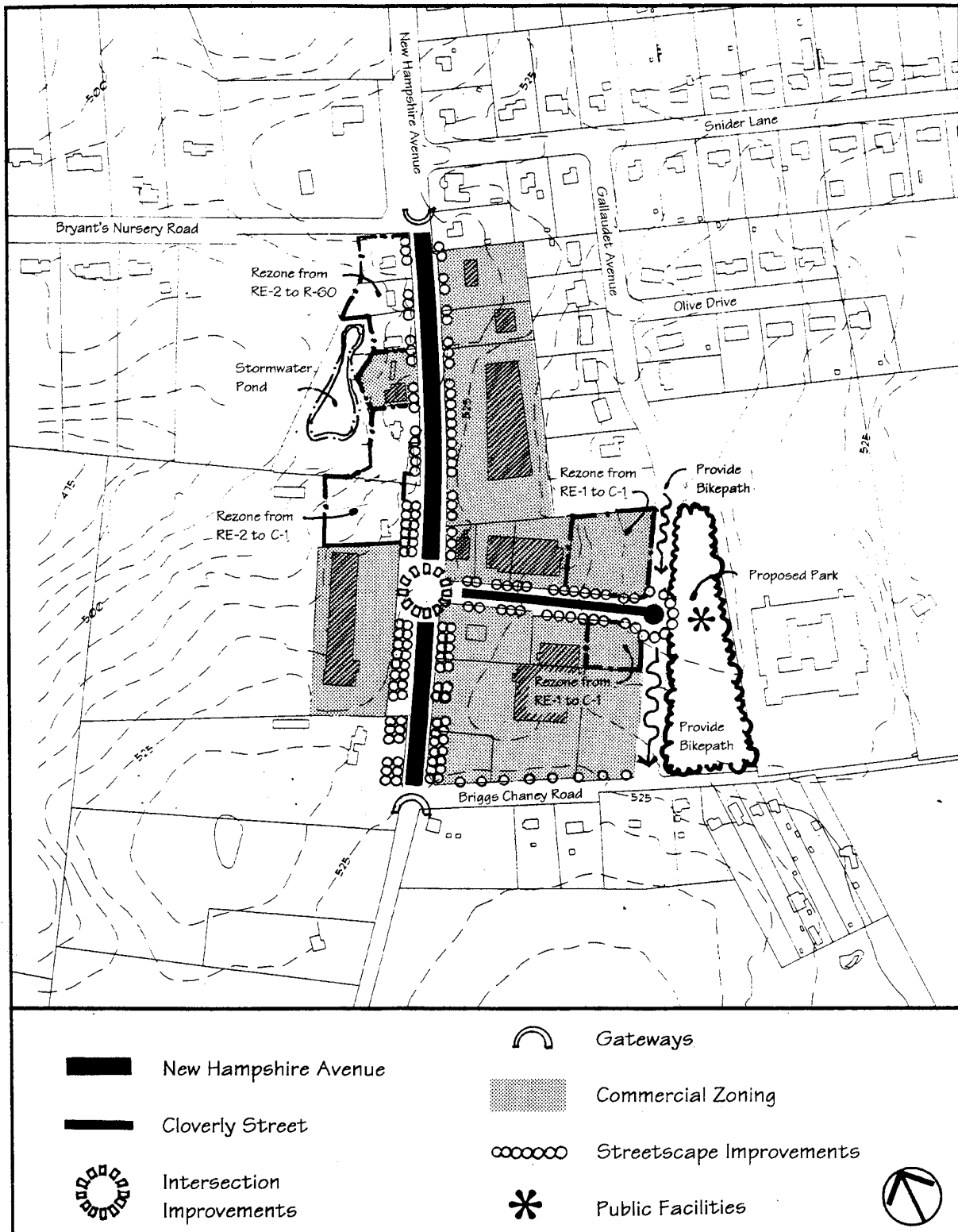
Two redevelopment scenarios, non-assemblage and assemblage, are possible. Both are supported by this Plan. In the non-assemblage scenario, Safeway could expand on the three parcels it owns and the remaining properties to the north (NationsBank, 721 Cloverly St., and Cloverly Hardware Store) would redevelop independently. Cloverly Street would remain as a public street to provide access to internal parcels and the proposed park. Development would occur on individually owned properties. In the assemblage scenario, Cloverly Street may be abandoned if the commercial properties between Cloverly Street and Briggs Chaney Road are assembled and developed under common ownership and public access to the proposed park is maintained through a private street, easement, or covenant.

The recommendations of the Cloverly Master Plan will be implemented as development occurs. The Cloverly Commercial Area (Figure 12) will exceed 15 acres of C-1 zoning and site plan review is recommended for any new development or redevelopment that takes place in the Cloverly Commercial Area. This Plan relies on text amendments to the C-1 zone to implement the recommendations for the Cloverly Commercial Area. These amendments are discussed in the General Retail recommendations and Cloverly Commercial Area recommendations, as appropriate.

- Encourage street oriented development along Cloverly Street to provide a walkable, pedestrian-friendly commercial area that encourages social gathering. Street oriented development is achieved by locating buildings close to the street with on-street parking. Sidewalks are to be enhanced with tightly spaced street trees, seating areas, special paving and lighting, and visible and safe connections to the proposed park at the eastern end of Cloverly Street.
- Allow the use of smaller front-yard setbacks to maintain a minimum of 15 feet from the face of the curb along Cloverly Street to provide a “main street” type of development where development is street-oriented with entrances directly adjacent to sidewalks. This recommendation relies on a zoning ordinance text amendment to allow reduced front setbacks in the C-1 and C-2 zones when mainstreet development is proposed in a master or sector plan.
- Support the location of retail postal service in the Cloverly Commercial Area to improve access to postal services and to strengthen the importance of the commercial area as a focal point for the community. Retail postal service could be as basic as a contract postal unit, where a business operates a small postal substation in a larger store.
- Develop the northern end of the proposed park at the eastern end of Cloverly Street as a public gathering area similar to a village green or commons. Allow the southern portion to be devoted to conservation to protect the water quality of the Good Hope tributary of the Paint Branch. The design of the park should address the needs of watershed protection, community use, public safety, and appearance. Special care should be taken to create a safe, attractive relationship between the public gathering area, conservation area, elementary school and commercial development.

CLOVERLY COMMERCIAL AREA

FIGURE 12



- Improve pedestrian and bicycle access in the Cloverly Commercial Area by connecting a bikepath from Cloverly Street to Gallaudet Avenue, the proposed park, Cloverly Elementary School, and the Briggs Chaney Road bikepath. Sidewalks, or clearly marked crossing areas should be extended from retail buildings to public sidewalks, bikepaths, and adjacent commercial developments.
- Improve vehicular access and circulation in the Cloverly Commercial Area by providing interconnected parking lots and coordinated driveways between independently owned properties. Where a connection cannot immediately be made because of the adjacent property layout, provisions should be made for an eventual connection.
- Maintain a 70-foot right-of-way for Cloverly Street to accommodate two travel lanes, on-street parking, and landscaping.
- Provide the opportunity for Cloverly Street to be abandoned, in whole, or part, if the commercially zoned properties along Cloverly Street and Briggs Chaney Road are developed as a cohesive center that complies with the Cloverly Commercial Area recommendations except those requiring Cloverly Street as a public street. The access to the park may be shifted north of Cloverly Street if all other objectives are met and the shift does not negatively affect the park. The development should:
 - Maintain safe, attractive, and adequate public access to the proposed park through an easement, covenant, or other acceptable means.
 - Provide a street-oriented character along the public access to the proposed park.
 - Result in an improved layout due to increased flexibility.
 - Protect the water quality of the Paint Branch and Northwest Branch.
- Allow for a partial improvement of the 70-foot wide Gallaudet Avenue right-of-way, between Cloverly Street and Briggs Chaney Road, for grocery store truck access and a bikepath. The use of this section of Gallaudet Avenue for general traffic is not recommended by this Plan. Impacts to the proposed conservation park and the upper Paint Branch watershed should be minimized through limited disturbance and conveyance of stormwater runoff to the grocery store stormwater facilities. Landscaping and buffering of the improvements from the park also should be provided.
- Rezone the RE-1 portions of parcels N46 and N62 on Cloverly Street to C-1. (See Figure 13, page 26.) These properties are part of commercially developed properties between existing stores and the proposed park and are more suited for non-residential development because of their small size and location.
- Rezone N915, P869, and P859 from RE-2 to C-1. In addition, parcels P804, P803, P765, a portion of the State Highway Administration Stormwater Management facility, and the portion of P760 shown in Figure 13, page 26, are recommended as suitable for C-T (Commercial Transition) zoning to be applied for through the local map amendment process. This Plan recommends that the sectional map amendment rezone P804, P803, and P765 to R-60 and that these parcels are suitable for a special exception application for a non-resident professional office use.

The portion of P760 is only suitable for C-T zoning when combined with other C-T zoned properties since commercial driveway access to Bryant's Nursery Road is not recommended.

The purpose for recommending a portion of the stormwater management facility for C-T zoning is to reduce the required setbacks for design flexibility on the other commercially zoned properties rather than to have development replace the facility. The following development guidelines for site plan and zoning case reviews will improve the compatibility of development and achieve a more unified and attractive appearance:

1. Encourage assemblage in order to achieve more unified commercial development of the properties.
2. Preclude commercial driveway access to Bryant's Nursery Road.
3. Locate parking areas to the side or rear of the buildings to minimize views of parking lots.
4. Provide vehicular and pedestrian connections with adjacent properties to interconnect parking areas, minimize the number of driveway entrances, and minimize traffic congestion along New Hampshire Avenue. If a connection is not possible because an adjacent property has not developed, design parking, access, and pedestrian connections to allow future interconnection.
5. Provide access to the land-locked property (P845) through N915. Encourage shared access, if possible, for N915, P859, P869, and the SHA stormwater management facility.
6. Locate buildings a minimum of 15 feet from the right-of-way for sidewalks, streetscape treatment, and a compatible building line. Achieve a street-oriented form of development with entrances facing New Hampshire Avenue.
7. Provide streetscape in conformance with Master Plan recommendations. (See page 58 of the Plan.)

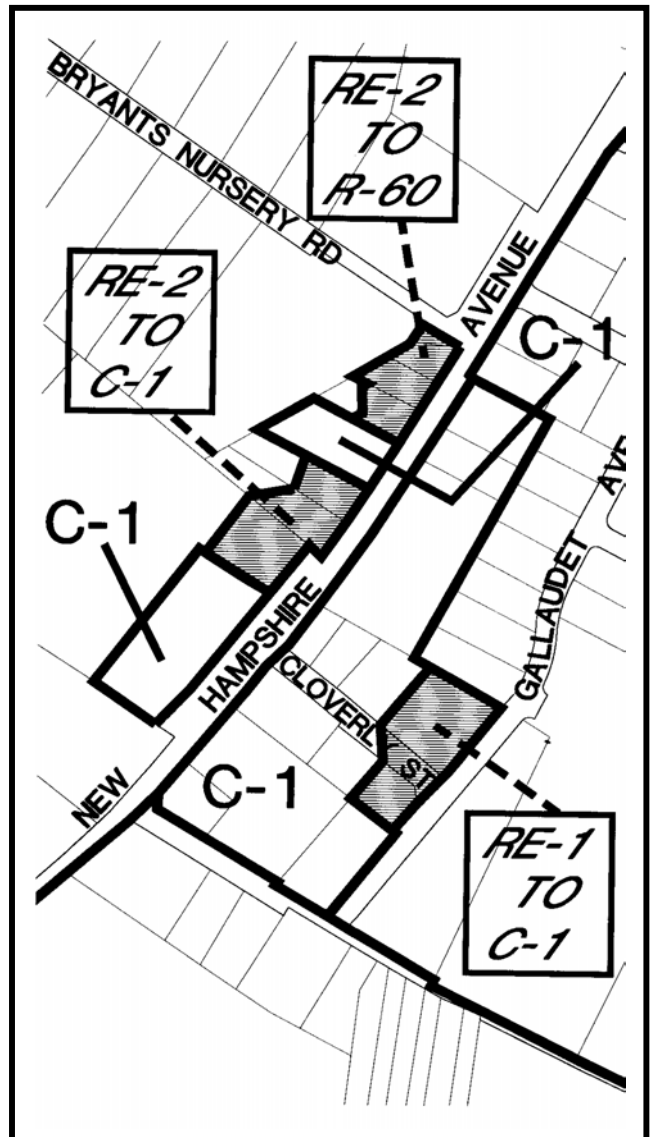


FIGURE 13 CLOVERLY COMMERCIAL AREA ZONING

8. Provide extensive landscaping to create an attractive commercial area and reduce the impacts of any large paved areas.
 9. Locate signage on the buildings. Avoid tall, highway-oriented, pole mounted signs.
- Provide adequate landscape screening between commercial and residential development.
 - The Council is in the process of amending the zoning ordinance (Section 59-C-341.1) to modify the provision that permits site plan review in the C-1 zone so that all development or redevelopment of any portion of a C-1 zoned site that exceeds 15 acres is subject to site plan review. This Plan recommends site plan review of development on all C-1 zoned property in the Cloverly Commercial Area. Since this text amendment affect other parts of the County, it is being processed through the normal text amendment process.

Spencerville Commercial Area

Spencerville was Cloverly's social and commercial center in the late 19th and early 20th centuries. A number of houses, farmsteads, and the general store from that era remain. Although the area around the intersection of Spencerville Road and Batson Road was reviewed for designation as a historic district, only one house is recommended for designation as historic site. A second site, the Methodist Camp Meeting Ground, is recommended for future consideration as a historic site. Several surrounding farmsteads associated with the Spencer and Stabler families are already designated as historic sites.

The Spencerville Commercial Area contains approximately 0.75 acres of C-1 and 0.7 acres of C-2 zoned property with a convenience store and an electrical installation business. With the exception of the post office property, the rear portions of other commercially zoned properties are zoned RE-1. A sliver of C-1 zoning is located on P436, which has an existing single-family residence and is currently owned by the same property owner of other commercial properties in Spencerville. Residents are concerned about the impact of through traffic along Spencerville Road on the character of Spencerville, the ability to replace the current post office trailer with a more permanent facility, and the functioning and appearance of the commercial businesses in Spencerville.

The post office and the convenience store serve as focal points for the Spencerville community and as a retail area for those who travel Spencerville Road. This Plan recommends that these important functions continue, with limited redevelopment to improve cohesiveness, vehicular and pedestrian safety, and the appearance of the area for the benefit of the local community and the traveling public.

- Rezone P436 from RE-1 and C-1 to RE-1 to eliminate unusable slivers of C-1 zoning on residential property. (See Figure 11, page 21.) Although redevelopment is supported, this Plan does not support an expansion of commercial zoning to the residential portion of these properties in order to limit the amount of impervious area in the Paint Branch. These properties must meet the criteria of the upper Paint Branch SPA, which will limit the amount of additional development possible on the site. The residentially zoned portions of commercially zoned properties may be used to help meet SPA criteria for commercial development.
- Support efforts to replace the temporary post office trailer with a permanent post office in Spencerville in the existing commercially zoned area.

SUBURBAN COMMUNITIES

The Suburban Communities cover parts of the Northwest Branch and Paint Branch watersheds. Although the Suburban Communities contain Cloverly's most densely developed areas, the densities are relatively low (2 houses per acre) when compared to other parts of the County.

The Northwest Branch watershed covers most of Cloverly west of New Hampshire Avenue. Much of the southern part of the watershed in Cloverly (in the Suburban Communities) was developed prior to the establishment of environmental regulations. Erosion, flooding, and aquatic and wildlife habitat protection are the primary issues in the southern portion of Northwest Branch. This area is almost fully developed and is identified in the Environmental Resources Chapter as an Environmental Restoration Area. The Cloverly Master Plan maintains the R-200 zoning in this area and supports the use of environmental guidelines and laws to mitigate the impact of new development. The Plan also supports the use of restoration programs to address the most severe environmental effects of existing development. These protective and restoration measures are implemented by individual developers as required by the Montgomery County Department of Environmental Protection through approved development plans and through stream enhancements and retrofit projects with public funding.

The Paint Branch has been identified as a watershed requiring extraordinary protection to maintain water quality in an acceptable range for a Use III stream and to continue support of a unique fishery resource (see the Environmental Resources Chapter for details). During the development of this Plan two significant actions occurred to protect the watershed. First, the County Council designated the upper Paint Branch Special Protection Area on July 11, 1995. This designation allows for the use of performance criteria to minimize the impacts of new development in the watershed and to limit site imperviousness levels to 10 percent. Second, a limited amendment to the 1981 Eastern Montgomery County Plan for expanded park acquisition in the Paint Branch watershed was adopted. The limited amendment adds 247 acres of parkland in the Good Hope and Gum Springs subwatersheds to protect water quality. This Plan adds an additional 136 acres to the Left Fork and Right Fork subwatersheds. In addition to the increased amount of parkland, this Plan recommends an environmental overlay zone for the entire upper Paint Branch Watershed.

RECOMMENDATIONS:

- Retain the existing RE-2, RE-2C, RE-1, R-200, PD-2, and C-1 zoning throughout the Suburban Communities with the exception of the changes identified in this section.
- Retain low-density residential and parkland land use designations consistent with the 1981 Plan throughout the Suburban Communities in the Northwest Branch and Paint Branch watersheds.
- Create an environmental overlay zone for the upper Paint Branch watershed that generally follows the SPA boundaries. The overlay zone should have the following components:
 - Maximum site imperviousness of 10 percent for all new development.
 - Prohibit or place conditions on permitted and specific special exception uses that create unacceptable adverse impacts on the resources of the Paint Branch.

Cape May/New Hampshire Avenue Commercial Area

The Cape May/New Hampshire Avenue Commercial Area was originally a crossroads where commercial business located. Bonifant Road used to intersect with New Hampshire Avenue in this area until it was relocated 1½ miles to the north. The current terminus has the appearance of a temporary barrier, does not provide a suitable turnaround area in the public right-of-way, and is considered by many to be unattractive.

The Cape May/New Hampshire Avenue Commercial Area (Figure 14, page 31) contains a gas station and barbershop on C-1 zoned property as well as a landscape contractor (special exception) and a construction company on Old Bonifant Road located on residentially zoned property. There is a vacant property in the northeast corner of Cape May Road and New Hampshire Avenue that is zoned C-1 and RE-2C. Convenience-oriented commercial uses are recommended to continue on commercially zoned and developed properties to continue the area's existing function and service recommendations to the community.

- Rezone P786, P781, lot 7, and lot 8 on the northeast corner of New Hampshire Avenue and Cape May Road from C-1 and RE-2C to RE-1 and recommend that the properties may be suitable for special exception use. Development of the site should provide landscaping and design features that serve as a gateway into the Cloverly Master Plan Area. The shallow depth of the property will limit the amount of development that could occur without a variance from the rear and side yards setback requirements. The Board of Appeals should review carefully any variances that could adversely affect the potential residential use of adjacent recorded residential lots, even if they currently are used for a special exception. This recommendation assumes that an adequate rear yard will be provided with the development of this property and that this may limit the amount of retail development possible on the site. In addition, the rear portion of this property is in the Paint Branch watershed and is subject to the special protection area performance criteria which may further limit the amount of development.
- Maintain the R-200 zoning on the 1.15- acre Romano property (P778) on Old Bonifant Road which was the subject of zoning map amendment G-647. The property's sole point of access is on a secondary residential road. The existing construction company is not permitted in this zone and is in conflict with the existing and proposed master plans.
- Maintain the zoning pattern on the west side of New Hampshire Avenue while recommending that the residentially zoned portions of P723/724 and P670 may be appropriate for special exception uses. The assemblage of these properties may improve the layout and appearance of development while allowing coordinated access from New Hampshire Avenue.
- Construct a suitable turnaround at the end of Old Bonifant Road to improve the safety and appearance of the area.

GENERAL LAND USE RECOMMENDATIONS

The General Land Use recommendations provide guidance for development in the Agricultural Wedge, Residential Wedge, and Suburban Communities. Where specific recommendations for each community conflict with general recommendations, the specific recommendations apply.

The following pages contain a table and maps that show existing and proposed zoning for Cloverly. Zoning recommendations for retail areas are discussed in the General Retail section of this chapter. An environmental overlay zone that covers all residential and commercial zoned land in the upper Paint Branch is discussed in the Watershed Protection section of this chapter. The Implementation and Staging Chapter describes how this zoning will be implemented.

Residential Areas

The boundaries between the Agricultural Wedge, Residential Wedge, and the Suburban Communities are not always clearly delineated in Cloverly. Large amounts of undeveloped agricultural land and parkland, when coupled with older development patterns that differ from what is currently permitted in the Agricultural Wedge and Residential Wedge, blur the distinctions between the areas. The substantial amount of vacant land that will be acquired as parkland in the Paint Branch portion of the Suburban Communities will maintain the existing character of the area.

The boundaries between the Suburban Communities and the Residential Wedge are most clearly seen in the Northwest Branch watershed where existing subdivisions (Stonegate and Naples Manor) developed at about 2 houses per acre about low-density areas (Norwood Manor and Holly Grove) where one house per 2 acres is allowed. In the upper Paint Branch watershed, Briggs Chaney Road serves as the boundary.

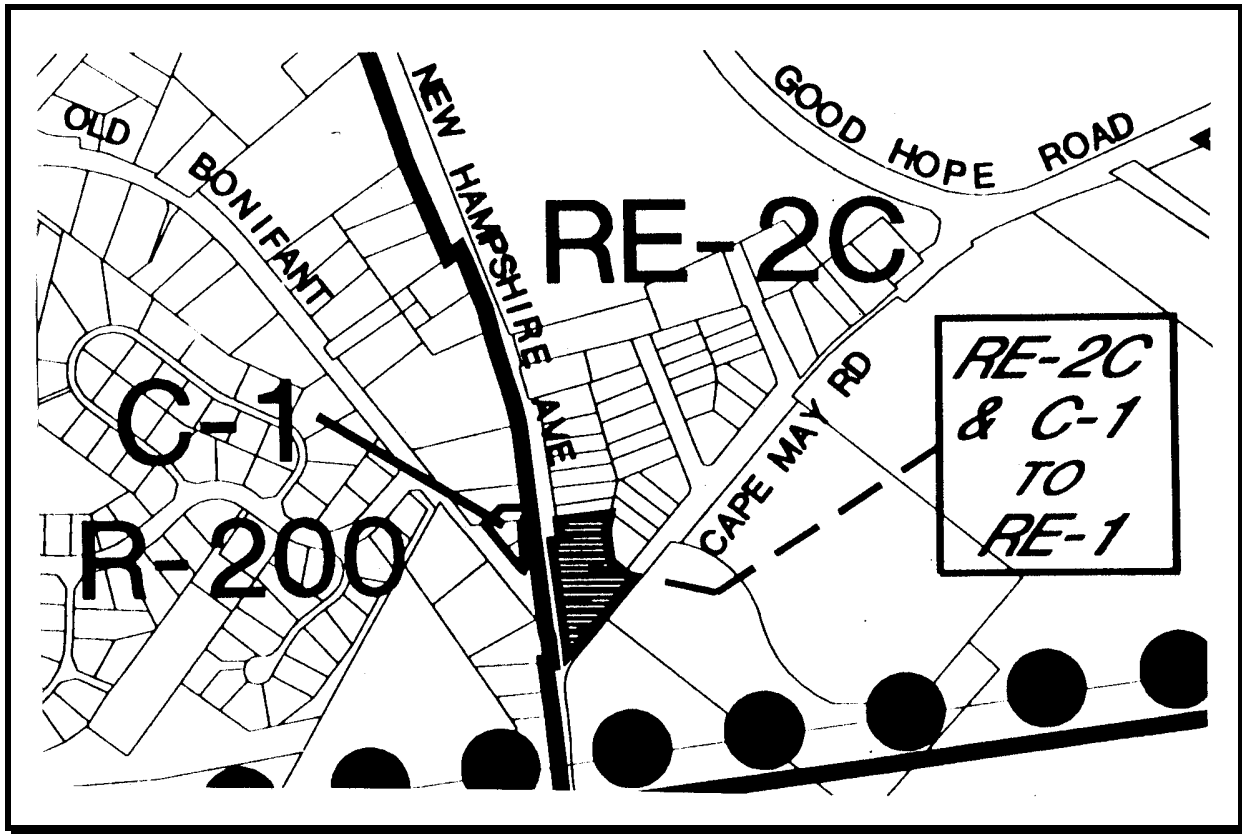
The current boundaries between the Agricultural Wedge and the Residential Wedge are not clearly defined because much of the land along the border in the Residential Wedge has not developed. With the development of Hampshire Greens and properties along Spencerville Road, this boundary will become more defined.

The blurring of these community boundaries is one of Cloverly's strengths. Instead of monolithic areas of uniform density, the variety of house and lot sizes continues to enhance Cloverly's distinctive character. In most areas, future development will occur at densities lower than those in surrounding neighborhoods. Many of Cloverly's neighborhoods are shown in Figure 17, page 36, for reference. Overall, the mix of suburban and rural areas will remain one of Cloverly's strengths. This section provides general recommendations that apply to the three areas.

OBJECTIVE: Maintain the mix of suburban and rural communities resulting from watershed protection and rural development patterns to reinforce the strength of residential areas and to enhance the quality of life.

RECOMMENDATIONS:

- Maintain low-density zoning to protect residential stability, neighborhood character, and rural character.
- Join new development with existing neighborhoods through street and pedestrian connections. Interconnections between neighborhoods create a greater sense of community by eliminating barriers between residents. The design of interconnections can utilize measures that provide for local circulation without creating cut-through routes that attract an excessive level of cut-through traffic.
- Use the roadway character and streetscape recommendations of the Transportation Chapter to maintain or improve the rural, suburban, and commercial character appropriate for each part of Cloverly.



- Maintain the rural and suburban character of New Hampshire Avenue through greater front-yard setbacks. Residential development should be set back 80 feet from the property line and non-residential development in residential and agricultural zones should be set back 100 feet to maintain the open nature of the road. Eighty feet is typical of the current setbacks for houses. The additional setback for non-residential uses is designed to minimize the impact of buildings that tend to be taller, wider, and more massive than homes. The setback area should be forested or landscaped in a naturalistic manner. Flexibility may be necessary where there are established setbacks or to minimize environmental impacts.
- Protect existing homes from the effects of traffic and road improvements, including stormwater management facilities, through careful design, minimal grading, tree preservation, and landscape treatments.
- Support the retention of existing agricultural uses throughout Cloverly to maintain the rural character, open space, and traditions of Cloverly while encouraging the use of best management practices to reduce water quality impacts.
- Encourage clustering of development to provide open space that protects natural resources, provides recreation, and contributes to the rural and residential atmosphere. Cluster subdivisions should be configured to protect environmentally sensitive areas, provide forested stream buffers and forested open space along arterial and major highways, provide access and views of parkland and open space and provide a transition to similar lot sizes of adjacent subdivisions. However, there may be individual properties where cluster development does not adequately address environmental or compatibility issues and would be inappropriate.

- Extend the opportunity to use the cluster option to all RE-1 zoned properties to allow the use of cluster on smaller properties provided that environmental concerns are addressed.

General Retail

Cloverly residents, like most people, shop in a variety of locations for different types of goods; however, Cloverly does not have the complete selection of goods that many people desire on a regular basis. As a result, many residents travel out of Cloverly to shop for groceries and other basic items. Cloverly residents would like an improved selection of goods and improved appearance, convenience, and accessibility of stores so that more of their shopping needs can be met in Cloverly. The stability of neighborhoods is enhanced by access to goods and services. The Cloverly Commercial Area has the potential to meet these needs and to serve as a focal point for Cloverly's residential communities. Other retail areas provide convenience goods that simplify daily life by limiting the distance and time residents need to travel to pick up one or two items.

The amount of neighborhood retail that Cloverly can support is limited by its population, the character of the area, and the close proximity of competing retail centers (See the *Eastern Montgomery County Neighborhood Retail Study* for more details). This Plan seeks to increase the amount of retail to meet neighborhood commercial needs without creating a regional shopping area. As with any shopping area there will be individual stores with regional markets, but these should not be the major element of the retail mixture.

The recommendations of this section provide guidance for all retail development in Cloverly. These recommendations are designed to improve the function, interconnection, and appearance of retail uses to protect Cloverly's character and to increase the marketability and community benefit of retail uses. Where specific guidance is provided in the Cloverly Commercial Area, Spencerville Commercial Area, and the Cape May/New Hampshire Avenue Commercial Area sections conflict with these general recommendations, the more specific recommendations apply.

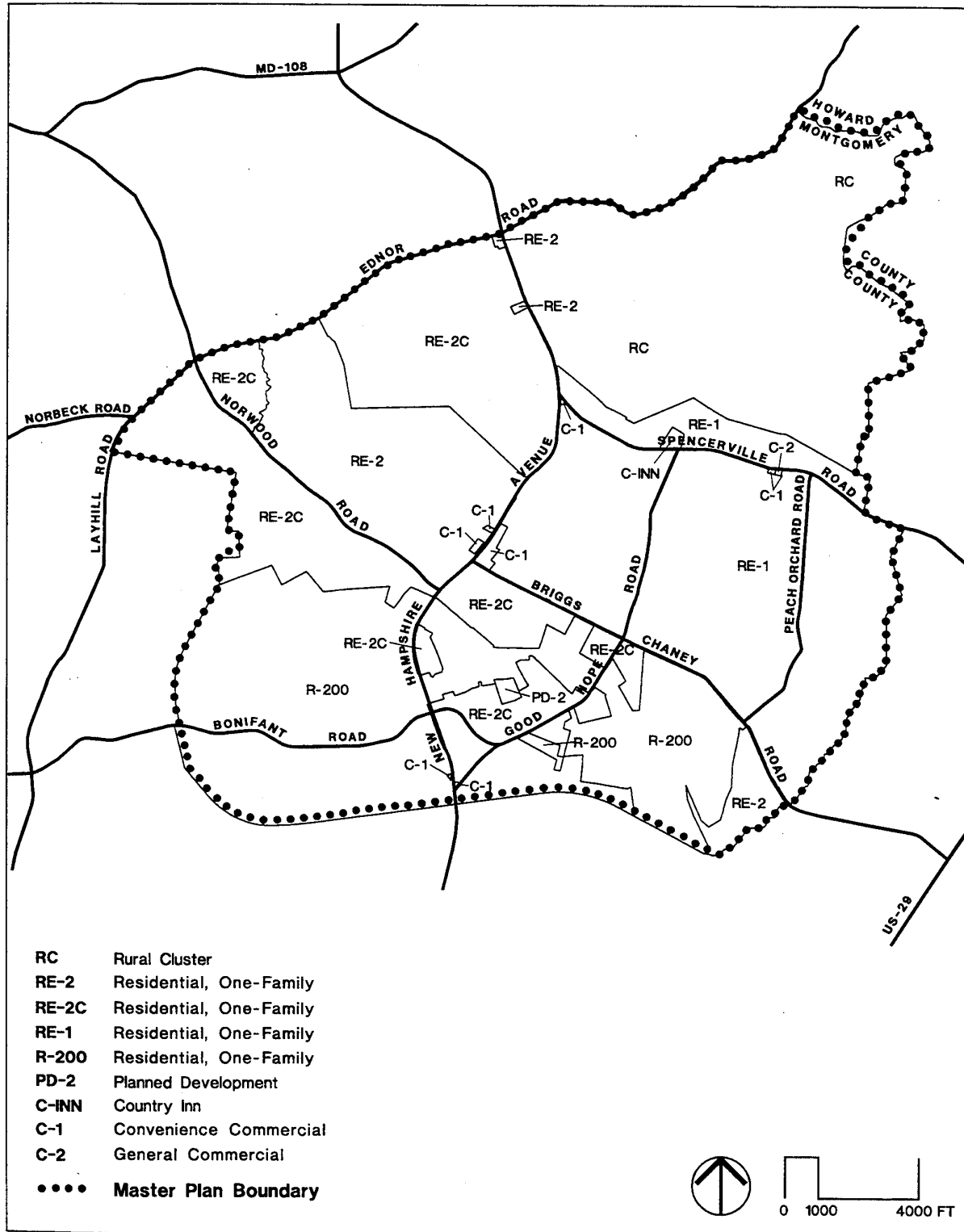
OBJECTIVE: Provide opportunities for sufficient retail space to meet the neighborhood and convenience shopping needs of Cloverly residents.

RECOMMENDATIONS:

- Concentrate retail uses and commercial zoning in existing commercial areas to support the neighborhood retail needs. Commercial zoning should be limited as recommended in this Plan to maintain the viability of the Cloverly Commercial Area.
- Reduce the visual impact of parking through the use of street-oriented development patterns to distribute and divide parking areas into smaller segments that are landscaped with trees and bushes. Such measures will provide screening, shade, improved visual appearance, and improved pedestrian accessibility.
- Increase the amount of landscaping in commercial areas by extensive planting of street trees along the roadways, in medians where feasible, and in parking areas.
- Encourage architectural styles that improve compatibility between independently owned commercial developments.

EXISTING ZONING

FIGURE 15



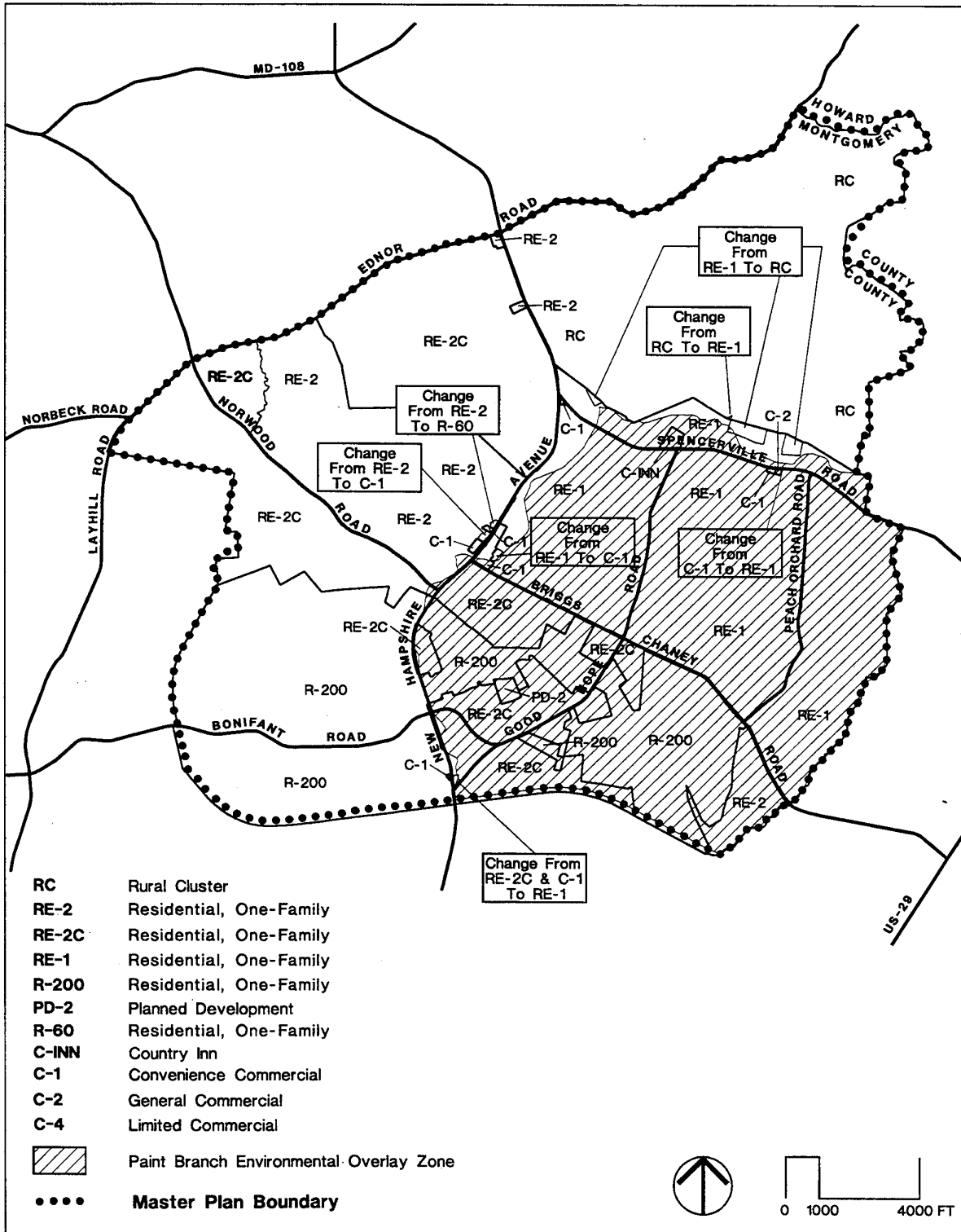


Table 2
EXISTING AND PROPOSED ZONING

Cloverly Master Plan Area

ZONE	EXISTING		PROPOSED	
	ACRES	PERCENT OF AREA	ACRES	PERCENT OF AREA
RC	1,811	23.1%	1,831	23.3%
RE-2	814	10.4%	813	10.4%
RE-2C	1,811	23.1%	1,809	23.1%
RE-1	1,809	23.1%	1,789	22.8%
R-200	1,565	20.0%	1,565	20.0%
PD-2	9	0.1%	9	0.1%
R-60	0	0.0%	1	0.0%
C-1	15	0.2%	16	0.2%
C-2	1	0.0%	1	0.0%
C-4	0	0.0%	1	0.0%
C-INN	7	0.1%	7	0.1%
TOTAL	7,842	100%	7,842	100%

Notes: Numbers may not add due to rounding.

Source: Montgomery County Planning Department, Research and Information Systems Division, April 1995.

NEIGHBORHOODS OF CLOVERLY

FIGURE 17



- Support the use of project design review in commercial zones by the Department of Environmental Protection (DEP) to implement recommendations in retail areas. A zoning ordinance text amendment is being developed by M-NCPPC and DEP staff to allow project design review for non-CBD commercial zones throughout the County.
- Interconnect parking lots and coordinate driveways between independently owned commercial properties. Where a connection cannot immediately be made because of the layout, provisions should be made for an eventual connection.

Special Exceptions

The concentration of non-residential uses in Cloverly makes the retention of residential character an important element in this Plan. This Master Plan provides guidance to the Board of Appeals with respect to the relationship between special exceptions and the unique character of Cloverly's neighborhoods and the strong desire to reinforce the Cloverly Commercial Area concept by concentrating commercial uses in that area. The Plan highlights those issues which are of greatest concern to prevent erosion of Cloverly's existing and planned low-density residential areas, to encourage commercial uses to locate in the commercially zoned area, and to strengthen the character of Cloverly as a low-density suburban/rural area with unique environmental assets and a focus for commercial uses and neighborhood interaction.

RECOMMENDATIONS:

When the Board of Appeals considers any application for a special exception in the Cloverly Master Plan Area, it should consider the following factors in order to maintain, to the greatest extent feasible, the residential character of the area.

- Maintenance of a residential appearance, where feasible.
- Compatibility with the scale and architecture of the adjoining neighborhood, consistent with the proposed use.
- The impact of signs, lighting, and other physical features on surrounding residential communities.
- Location of parking, loading, and other service areas to maintain residential appearances to the extent feasible.
- Options for landscaping that minimizes the non-residential appearance of the site and the view from surrounding properties and roads. It is preferable for landscaping to reinforce Cloverly's rural character and be consistent with the streetscape standards (see page 49 in Transportation Chapter) of the Master Plan and the landscaping standards for special exceptions.
- When special exceptions are adjacent to each other or to commercial properties, review whether it is feasible and reasonable to consolidate driveways and connect parking areas.
- Any special exception application that exceeds the recommended imperviousness level for a particular watershed in a SPA must be reviewed to determine compliance with the appropriate laws.