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Approved & Adopted Master Plan for the

# POTOMAC SUBREGION

May 1980

## Appendix

### Containing all Amendments through February 1989

March 1989

The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

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\* Amendment 4, regarding the Percontee (now Traville) property at Travilah Road and Md. Route 28, is part of the *Approved and Adopted Gaithersburg Vicinity Master Plan*, January 1985. Figures 24 and 25 of the Gaithersburg Plan show the property as the Conference Center Staging District of the Shady Grove West area. Table 5, Proposed Staging for Shady Grove West Area of the MD 28 Corridor, places the property in Stage III and states "A Master Plan Amendment will determine Stage III recommendations for these areas." Refer to the *Approved and Adopted Gaithersburg Vicinity Master Plan* for more detail.



**AMENDMENT #1**

**APPROVED AND ADOPTED AMENDMENT TO THE MASTER PLAN FOR THE  
POTOMAC SUBREGION**

**September 1982**

**Designating Receiving Areas for the Transfer of Development Rights**





## SUMMARY

This Amendment to the Master Plan for the Potomac Subregion:

- Reaffirms the concept of a low-density residential wedge for most of the Subregion, but recognizes the need to provide for some additional growth in order to implement a County-wide farmland preservation policy.
- Designates a maximum of 29 TDR receiving area sites, totaling approximately 4,029 acres.
- Permits a maximum of 3,210 TDR units in the Subregion without the Advanced Wastewater Treatment Plant (AWT).
- Estimates the maximum residential density by 1995 to be:

### Darnestown Planning Area

Without TDR's	.22 Dwelling Unit/Acre
With TDR's	.23 Dwelling Unit/Acre

### Travilah Planning Area

Without TDR's	.34 Dwelling Unit/Acre
With TDR's	.36 Dwelling Unit/Acre

### Potomac Planning Area

Without TDR's	1.1 Dwelling Unit/Acre
With TDR's	1.18 Dwelling Unit/Acre (w/o AWT)
With TDR's	1.13 Dwelling Unit/Acre (with AWT)

## FOREWORD

The purpose of this Master Plan Amendment is to implement the recommendations contained in the approved and adopted *Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County* ("Agricultural Preservation Plan"), October 1980. This Amendment designates specific sites throughout the Potomac Subregion as Transferable Development Rights (TDR) receiving areas. The sites designated are either undeveloped or uncommitted and are a reasonable extension of the land use and density patterns shown on the approved and adopted *Master Plan for the Potomac Subregion*, May 1980 ("1980 Master Plan").

Since the *Master Plan for the Potomac Subregion* was subjected to intensive public review prior to its adoption in 1980, the only issue to be addressed here is the extent and degree of density increase to be provided for the TDR receiving areas. The designation of sites is a sequential step in the implementation of the adopted County-wide *Functional Master Plan for the Preservation of Agriculture and Open Space*. The County's *General Plan for the Physical Development of the Maryland-Washington Regional District in Montgomery County, Maryland* provides over-riding policy guidance to area master plans; it states that a large designated land area in the upper County, now being used for farming and/or open space, should be protected for the benefit of the local food supply, the general environment, and the well-being of future generations. The TDR program allows farmland owners to sell their development rights and still retain title to their land. The sale of development rights can help to finance farm improvements and operations without the necessity of selling off small residential lots to raise capital. This approach, unlike traditional zoning techniques, offers farmland owners an economic incentive to resist development pressure. The *Agricultural Preservation Plan* provides for possible sale and

transfer of development rights from the Agricultural Reserve area to other parts of the County. Owners of land in "receiving areas" shown on adopted master plans, will be able to develop to the densities shown on these plans after purchase of TDR's from farmland located in the Agricultural Reserve. The sale of such TDR's puts the "sending area" farmland under a permanent easement restricting future non-agricultural development. The receiving areas will be identified in approved and adopted master plans and will be consistent with environmental, transportation, housing, and population guidelines of those master plans.

## PRINCIPLES

In preparing plans for receiving areas in the Olney and Eastern Montgomery Subregion areas, the Planning Board and Council developed some principles as background to decisions on individual parcels. These are outlined in greater detail in this report. Included are the concepts that: (1) the overall pattern of both the base density and the TDR bonus density should be "reasonable," with the latter not exceeding the carrying capacity of the general area; and (2) that areas shown for a bonus density under the Transferable Development Right provisions should generally be designated separately from areas shown for a bonus density under the Planned Development Zone provisions.

## ISSUES

In the Darnestown and Travilah areas, the *1980 Master Plan* shows a number of areas along MD 28 as suitable for the Planned Development Zone at a density of three dwelling units per acre (PD-3). By converting the recommended PD-3 areas to TDR receiving areas at the same density (TDR-3), the public pur-

pose objectives of the *Agricultural Preservation Plan* are achieved with no change in the density bonus pattern. Therefore, from a density perspective, this Amendment represents essentially no change. However, three other parcels are included herein which are extensions of the TDR-3 density into areas not previously recommended for PD-3; one is in Darnestown (site 2) and two are in Travilah (sites 5 and 6). In each case, the rationale for extension of the slightly higher density is that the property around them is already developed or committed. Furthermore, because the extension is suitably related to existing development as well as to roads and parkland, it does not constitute a major change to the *1980 Master Plan*.

In the northeastern portion of the Potomac area (generally north of Kentsdale Road and Democracy Boulevard extended, and east of the southern section of the Cabin John Stream Valley Park) the sites included are, in general, relatively small scattered parcels surrounded by existing development. Again, the rationale for the slightly higher TDR densities is that the increase is a marginal addition to an area that is already predominantly built out or committed to suburban housing at densities predominantly in the range of two units per acre or higher. The marginal increases on each site are generally compatible with the adjacent development and do not constitute a major change to the *1980 Master Plan*.

In the southeastern portion of the Potomac area (generally south of Kentsdale Drive and West of the southern section of Cabin John Stream Valley Park) the available uncommitted sites are generally much larger than in the other areas. This creates a potential for a significant number of TDR units in support of the *Agricultural Preservation Plan's* objectives. It also generates the potential for changing the character of the area to a greater degree than in other areas.

The general development pattern of the *1980 Master Plan* steps down in residential density from a "plateau" of R-90 zoning (four to five units per acre) along the edge of the Bethesda and North Bethesda areas to an intermediate "ledge" strip of R-200 zoning (two units per acre). It then extends into a wedge "valley" of RE-2 and RE-2C Zones (less than one-half unit per acre) and continues westward along the River Road area from Cabin John Creek to Muddy Branch Creek (with the exception of the R-200 area around the commercial uses at Potomac Village and the Brickyard Road R-200 area backed up against the expanse of Great Falls Park). Much of the existing development in this area is on lots larger than two acres. Historically, the area has supported private recreational horsemanship opportunities, as evidenced by the white-picket-fence visual character of River Road from Cabin John Creek to beyond the Village. Private bridle trails thread through the area, especially south of River Road along the Rock Run stream valley tributaries. A rationale for increasing the maximum bonus density on the Avenel Farm (site 33) and around the Sisters of Mercy property (sites 31,32,33, 37, and 38) to TDR-1 (one unit per acre) as shown on Map 30, is that the parcels offer convenient, close-in accessibility. Furthermore, because they are large sites, they can

be developed compatibly with innovative and attractive site planning.

Another factor that was considered in the case of the Avenel Farm property was the recent decision by the County Council to approve the County Executive's recommendation to proceed with the next steps in planning for the proposed Advanced Wastewater Treatment Plant (AWT) at that location. The County has reaffirmed its policy that this plant will be needed, sooner or later, to safeguard the ability of the County to continue economic and housing development without a return to the sewer moratoria of the early 1970's. In considering the impact of the AWT plant in the immediate vicinity, the Board and Council have ruled out for the present the use of the residential portions of the Avenel Farm for TDR receiving areas. This Amendment recommends continuing the RE-2C zone on the tract if the AWT is located there. However, if the Avenel Farm should be discarded as the site for the AWT plant, then this Amendment permits development with TDR's of up to 1,000 units including Moderate Priced Dwelling Units (MPDU's).

# AMENDMENT TO THE MASTER PLAN FOR THE POTOMAC SUBREGION DESIGNAT- ING RECEIVING AREAS FOR TRANSFER OF DEVELOPMENT RIGHTS

## I. BACKGROUND

Throughout history, the conflict between town and country has been recognized and recorded both in fiction and in official chronicles. It has also been documented that both communities are dependent upon each other. The producers and the consumer, the buyers and the sellers, must find an accommodation that permits each to live and work without unbearable interference.

As metropolitan areas in the United States have spread, they have encroached upon the farming areas, pushing them further and further away from their markets. The conflict is felt, not only in the coming of more people and their baggage (which includes children, pets, and cars—in general, lifestyles which make farming difficult if not impossible), but also in the temptation to take advantage of the value of farmland for development, a value that is often greater than what could be realized for farm use.

Montgomery County expressed its concern with this conflict in 1969 when it adopted the County's *General Plan* which set aside certain areas for open space and agricultural facilities, while confining denser development within recognized "corridors."

In 1973, the County Council adopted the "Rural Zone" of 5-acre minimum lot size for approximately one-third of the Coun-

ty including most of the western area and the northern and eastern parts of the County which were undeveloped.<sup>1</sup>

This restrictive measure did not prevent efforts to develop subdivisions in the rural areas of the County. The County recognized that further measures would have to be taken if the agricultural industry was to survive. In the fall of 1979, the Council adopted an emergency, interim law which restricted development in an area designated as prime agricultural land to one dwelling unit per 25 acres. The Council instructed the Planning Board to provide, within one year, a comprehensive plan to preserve farmland while giving owners of such land an equitable method to recover the development potential of their property.

The Planning Board's response was the *Functional Master Plan for the Preservation of Agriculture and Rural Open Space*. It proposed that a contiguous area, large enough to ensure the continuation of a viable agricultural system, should be designated as an Agricultural Reserve and rezoned to the Rural Density Transfer Zone (RDT). The purpose of this zone would be to protect the farmland in the Agricultural Reserve from fragmentation. Development in the area would be limited to one dwelling per 25 acres. However, property owners would have the right to sell the "development rights" of their land, based on the old Rural Zone density of one unit per five acres. These could be sold to people who control property in other areas of the

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1 Much of the western part of the Darnestown area was rezoned from a 2-acre minimum to the 5-acre Rural Cluster Zone to implement the recommendations of the 1980 *Master Plan for the Potomac Subregion*.

# Amendment to the Master Plan FOR THE Potomac Subregion

## LOCATION MAP

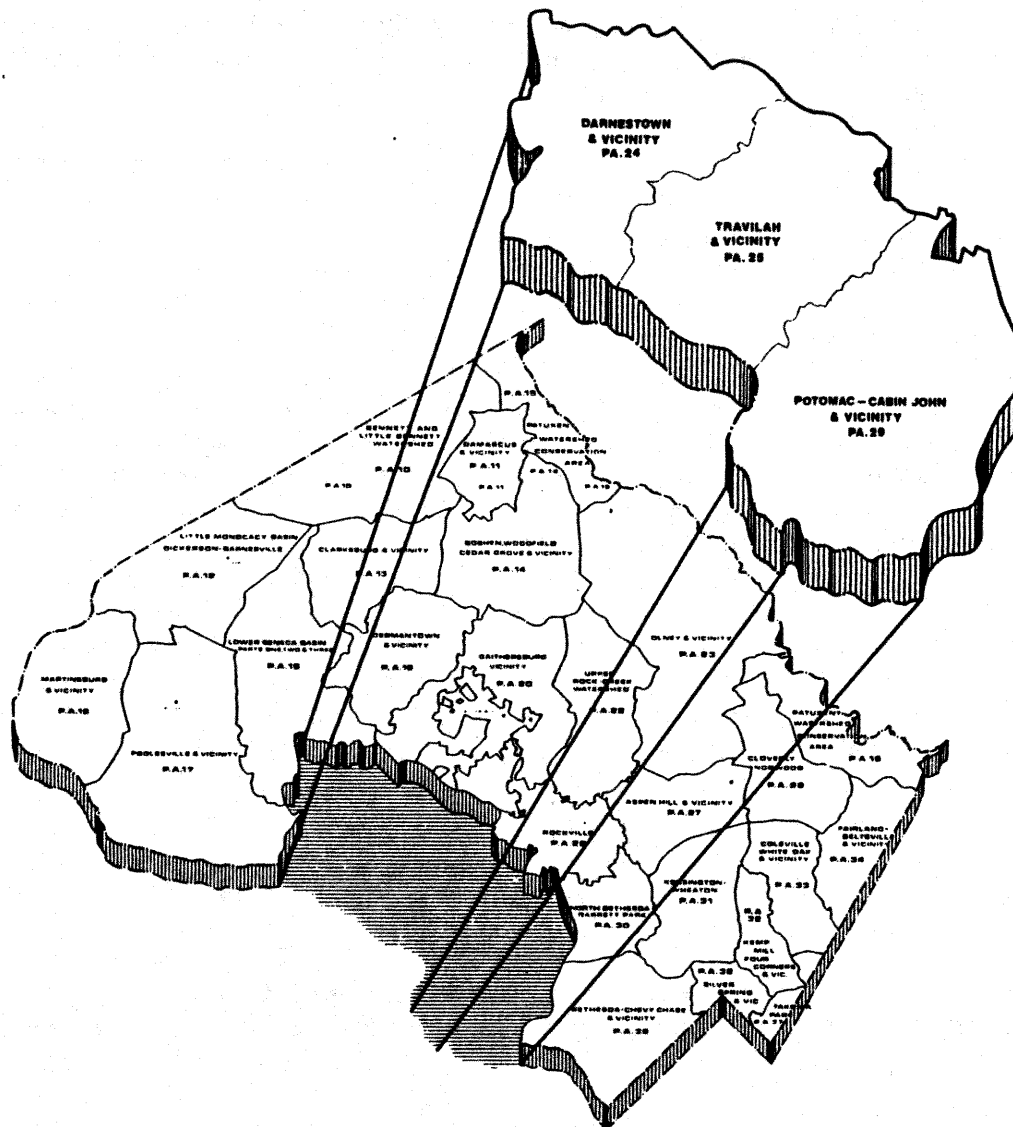


FIGURE 1



County specifically designated on the area master plans as TDR "receiving areas" for densities higher than the base density allowed by the existing zones. Alternatively, they could sell to anyone interested in purchasing the development rights on a speculative basis for later use in an unspecified receiving area. The purpose is to make it possible for land in the Agricultural Reserve to be maintained in agricultural use, while giving owners of land an opportunity to realize the development value of their land by selling the development rights. This *Agricultural Preservation Plan* was approved by the County Council in the summer of 1980 and adopted by the Planning Board and Commission in October 1980.

Implicit in that plan is the necessity to designate other areas of the County, more suitable for suburban growth, as TDR receiving areas. Prior to adoption of this Plan Amendment, TDR receiving areas were designated in the *Olney Master Plan*, the *Eastern Montgomery County Master Plan*, and the *Damascus Master Plan*. As other master plans are reviewed and updated, they will be considered for possible receiving area designations.

This Amendment to the *Master Plan for the Potomac Subregion* identifies those areas within the Subregion that are suitable to receive development rights transferred from the Agricultural Reserve. Those areas so designated as receiving areas are subject to the regulations contained in the "Zoning and Subdivision Ordinances," as well as the standards established by this Master Plan Amendment.

## II. FRAMEWORK FOR PLANNING

### The General Plan

All land use planning in Montgomery County is based upon the County's *General Plan*. The *General Plan* is the guiding

plan for the entire County except as it is amended by the adoption of a local area master plan, a sector plan, a subregional plan, or a County-wide functional master plan. These master plans provide a vehicle for a detailed study of each area of the County by citizens and public officials. Local area master and other plans are intended to develop policies that best implement the *General Plan*.

The Montgomery County *General Plan*..., "On Wedges and Corridors," was adopted in 1964 and updated in December 1969. Its purpose was to help establish overall policies for development of the Maryland-Washington Regional District and to relate these policies to the metropolitan framework.

The *General Plan* envisioned development radiating outward from the Federal City in a series of corridor cities along the major transportation corridors, with wedges of lower density between them. The *General Plan* seeks to prevent urbanization of the open spaces, i.e., the wedges, that now exist between the radial corridors it describes.

The *General Plan* recognizes the importance of estate zoning as a means of providing a "step down" in development between the urban and rural areas. It states that "estate zoning should be employed in buffer areas between the corridor cities and the natural resource wedge to provide a reasonable transition and reduce pressures for the continuation of urban zones beyond their optimum limits."

### Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County

As noted previously, the County took a large step toward implementing this aspect of the *General Plan* in 1980 when it adopted the *Functional Master Plan for the Preservation of Agricul-*

*ture and Rural Open Space.* It identifies those areas of the County where rural open space and agriculture should continue to be the dominant pattern of land use. As part of the implementation process, two new zones were developed: the Rural Cluster (RC) Zone and the Rural Density Transfer (RDT) Zone.

The RC Zone is designed to be used in areas which have a mixture of agricultural and residential uses. The permitted development density is one dwelling unit per five acres. However, under a cluster option, individual lots may be reduced to 40,000 square feet (slightly less than one acre) as long as the total number of houses does not exceed one for each five acres of land in the total tract. Plan review provisions of the zone help insure that those areas of the tract most suitable for farming are left open for possible farm use. Use of the cluster option requires that a minimum of 60 percent of the land be left in open space and that up to 40 percent of the land may be developed. The Rural Cluster Zone has been applied to portions of the Darnestown planning area within the Potomac Subregion.

The RDT Zone has been applied to those areas of the County containing a "critical mass" of farmland. The primary land use activity should be farming, but other rural open space land which is not actively farmed is also included. The development density in the RDT Zone is one dwelling unit per 25 acres (40,000 sq. ft. minimum lot size). This zone establishes the mechanism for the transfer of development rights to areas capable of absorbing increased density. These areas are called TDR receiving areas. The preservation program benefits all County residents, not just farmers and rural landowners. Urban sprawl is arrested, a high-quality "airshed" is preserved, surface and ground waters are enhanced, and suburban residents are assured of a perpetual, nearby rural environment.

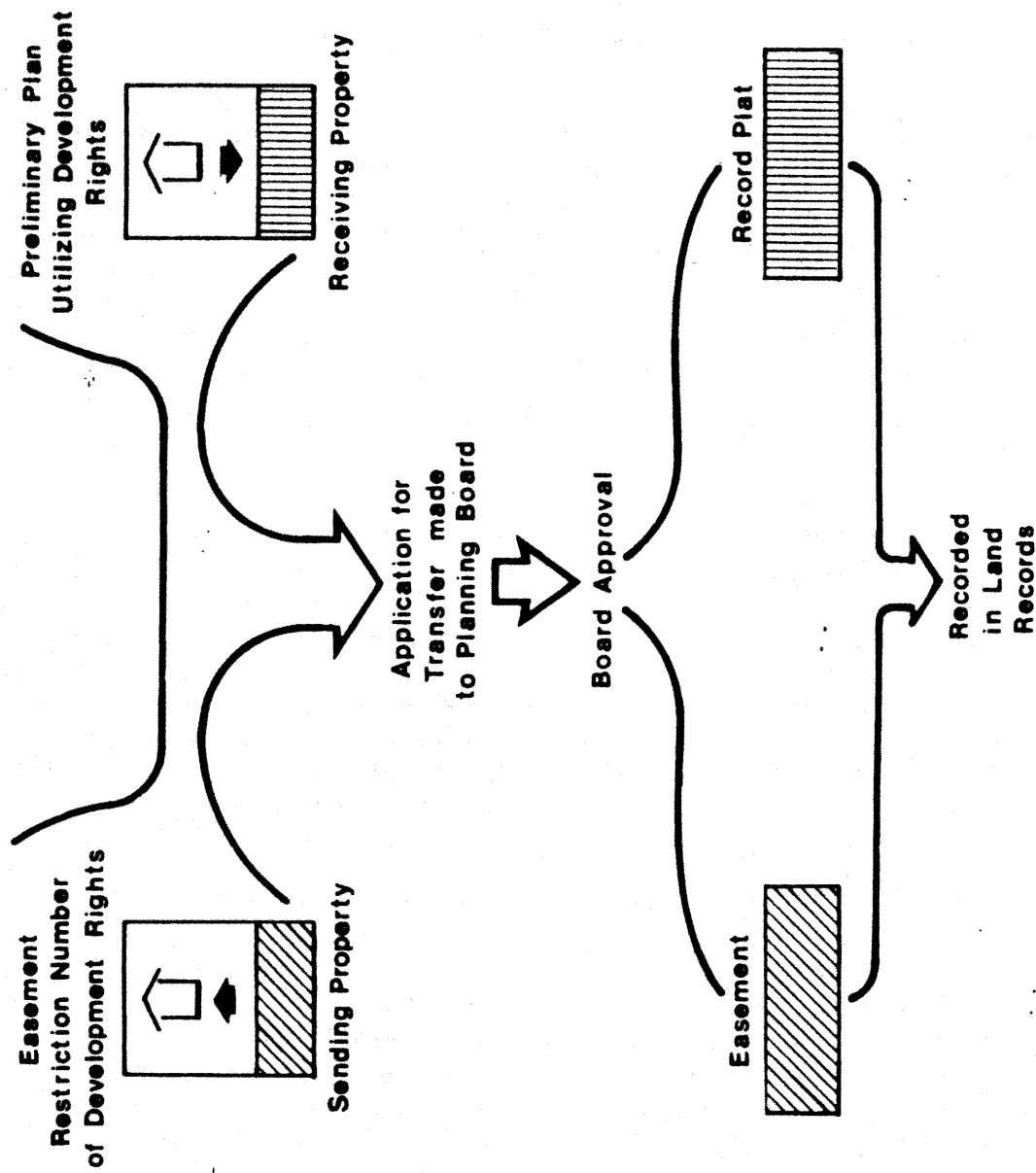
## Master Plan for the Potomac Subregion

The *Master Plan for the Potomac Subregion* was adopted in May 1980, prior to the adoption of the *Agricultural Preservation Plan*. (See Figure 1). It reflects the basic intent of the *General Plan* to provide a buffer between the dense corridor areas and the agricultural areas west of Seneca Creek. In terms of land area, the predominant use is now, and will remain, estate-type residential development on lots of one to five acres. If growth in the Subregion occurs at the rate projected in the *1980 Master Plan* (P.41), the average residential density by 1995 will be 1.1 units per acre in Potomac, .34 units per acre in Travilah, and .22 units per acre in Darnestown. On page 106, the the *1980 Master Plan* states the following:

"This Plan reaffirms the concept of a low-density residential wedge for most of the Subregion, but recognizes that there will be, and should be, some additional growth in the Subregion. Intermediate population forecasts show a 33 percent growth in the Subregion for the period 1978-1995. This growth rate is 4.6 percent of the overall growth in Montgomery County."

The overall increase in density throughout the Subregion authorized by this Amendment will have a minimal influence upon previously authorized residential densities. If growth in the Subregion occurs with all of the additional TDR units authorized in this Amendment, and at the same growth rate projected in the *Master Plan for the Potomac Subregion*, the average residential density by 1995 will be 1.18 units per acre in Potomac, .36 units per acre in Travilah, and .23 units per acre in





## 2-TRANSFERABLE DEVELOPMENT RIGHTS

This illustration depicts, first, the sale of development rights by a farmer to a developer. The developer then files, with the Montgomery County Planning Board, a preliminary plan of subdivision for property in the receiving area using at least two-thirds of the possible development rights transferable to the property. Once the preliminary plan is approved, a restrictive easement on the farmer's property is filed among the county's land records limiting the development potential of the farmer's property to the number of rights retained. The restrictive easement is "owned" by the government; once the preliminary plan for development in the receiving area is recorded, the TDR density bonus can be realized.

**AMENDMENT TO THE MASTER PLAN  
FOR THE POTOMAC SUBREGION**

Montgomery County, Maryland

Darnestown. The 1980 Master Plan holding capacity, expressed as the number of units resulting from development of all residentially-zoned property, would be 42,428 dwelling units. If all TDR receiving areas were developed to the maximum and the Advanced Wastewater Treatment Plan (AWT) were not built, the additional dwelling units in the Subregion would be 1,163 units, an increase of only 2.7 percent above the projected holding capacity. If the AWT plant is constructed, then the increase in units would only be 542, an increase of 1.3 percent over the holding capacity. It must be pointed out that the actual increase is likely to be lower, as not all property owners may wish to utilize TDR's in their development programs. Also, the Planning Board may reduce the number of units permitted on a given site due to environmental and other constraints. Furthermore, much of the remaining area in conventional zones will not develop to full capacity.

### III. TRANSFER OF DEVELOPMENT RIGHTS - THE PROCESS

The *Agricultural Preservation Plan* and the subsequent sectional map amendment have included approximately 73,000 acres of land in the Rural Density Transfer Zone (excluding the *Olney Master Plan* area). It is estimated that about 15,000 development rights could be generated from those 73,000 acres. However, various mitigating circumstances will probably reduce the number of development rights actually transferred to about 10,000. These 10,000 development rights are to be spread throughout the remainder of the County in designated receiving areas.

As noted previously, development in the RDT Zone area is restricted to one dwelling unit per 25 acres. However, an agricultural land owner may sell one development right for each five acres. The sale of development rights leaves the farmer

still owning his farmland, but with the development capability of the farmland greatly restricted. The land may be bought and sold, but since it has no speculative value for residential development its value is reduced to actual farmland value. Once a development right is incorporated in a subdivision within a receiving area, a permanent easement on the sending area property is recorded in the County land records. This easement limits the future use of the farmland.

Specific receiving areas are designated in area master plans. Development rights may be utilized only on such sites. These sites reflect a base density, i.e., the density allowed as a matter of right in a given zoning classification and a density option available by using TDR's. Prior to this Amendment, receiving areas were designated in the *Olney Master Plan* (adopted in June 1980), the *Eastern Montgomery County Master Plan* adopted in November 1981), and the *Damascus Master Plan* adopted in June 1982). As of September 1982, the proposed amendment to the *Gaithersburg Master Plan* recommends including TDR receiving areas for approximately 3,000 TDR's.

In the *Olney Master Plan*, receiving areas totaling 1,220 acres have been designated which may accommodate up to 2,137 development rights. The average density option permits an increase from 0.6 units to the acre up to 1.75 units to the acre. Eleven sites have been designated in the *Eastern Montgomery County Master Plan*. The density options permit a range of increases from two to three units per acre, up to an increase of from five to nine units per acre. A total of approximately 3,700 development rights may be accommodated in the eastern County area. The *Damascus Master Plan* can accommodate up to 430 TDR's.

In order to make use of the increased density allowed by the TDR option, a developer who wants to develop in a receiv-

ing area shown on a master plan buys development rights from an owner of land located in the RDT Zone. The use of TDR's does not require the receiving area to be rezoned. Instead, the developer files a preliminary plan of subdivision for the property with the Montgomery County Planning Board, using at least two-thirds<sup>2</sup> of the possible development rights transferable to that property, in accordance with a specific designation on an approved and adopted area master plan. Site plan review is required once the preliminary subdivision plan is approved. Prior to recordation of a record plat, a restrictive easement on the farmland owner's property is filed among the County's land records. Such an easement will limit the development potential of the property to the number of rights retained. The restrictive easement is conveyed to the County government. (See Figure 2).

Transferable development rights need not be utilized in any particular time period. They may be bought and sold like a commodity. Thus, if Developer A owned 50 development rights but could only utilize 25 of them for his own project, he could sell the other 25 rights to Developer B, who needs them to implement his development proposals.

For a complete discussion of how the entire TDR process works, refer to the Functional Master Plan for the Preservation of Agriculture and Rural Open Space. Copies may be obtained at the Planning Board's Montgomery Regional Office or are available for reference at local libraries. An abbreviated discus-

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2 This requirement may be waived by the Planning Board where unique environmental problems exist.

sion appears in the pamphlet, *Plowing New Ground*, available from the same sources.

#### IV. GUIDELINES FOR TDR DENSITY OPTIONS

The identification of receiving areas must be consistent with the 1980 *Master Plan's* limitations on the ability and desirability of development in certain areas. These limits must be within the ability of planned public facilities (such as roads, utilities, parks, and schools) to serve such development. Receiving areas must be compatible with existing and planned development on adjacent or surrounding areas. Also, they must meet the County-wide criteria previously established by the Planning Board and approved by the County Council for the designation of receiving areas. These criteria are:

- The base of minimum density recommended by the master plan for a receiving area would not be below the minimum that would be reasonable from a planning perspective.
- The optional density through the TDR program should not exceed the ability of the planned public facilities to serve the area or the ability of the land and the environment to accommodate the optional density, including moderate priced dwelling units (MPDU's); and the optional density and related land uses shall be compatible with the density and uses planned for the surrounding areas.
- In general, property proposed in a new plan for down-zoning from its existing zoning should not be designated as a receiving area.

- A property may be recommended for either a PD (planned development) or TDR option, but not for both. The PD and TDR options permit an increase over the base density. This increase is matched, however, by requirements to meet a particular public purpose or group of public purposes.

This Amendment designates a maximum of 29 sites or areas as receiving areas. They will be allowed to develop to designated densities or numbers of dwelling units greater than that permitted as a matter of right by applicable zoning categories. This increase in density, however, can be attained only by the transfer of development rights from the Agricultural Reserve area of the County. The Planning Board may permit an increase in density up to the maximum recommended in the master plan when TDR's are utilized. However, the maximum density may not always be allowed due to environmental or other site constraints.

Some of these areas are currently in sewer Categories S-4, S- 5, of S-6. Category S-6 designates no planned community sewerage service. In Category S-5, sewerage service is planned for within seven to ten years; Category S-4 represents a three to six year time span before community sewer service is scheduled to be provided. The County's Comprehensive Water Supply and Sewerage Systems Plan includes the following policy regarding category changes for TDR receiving areas:

"Transferable Development Rights - Land that is designated in an Adopted Master Plan for automatic provision of sewerage and water service upon assembly of transferable development rights shall be automatically changed from Category 4, 5 or 6 to Category 3 upon approval by the Planning Board of a

preliminary subdivision plan. The subject development must have passed the Adequate Public Facilities test and secured at least 2/3 of the maximum number of TDR's permitted to be used under the Master Plan designation, or a lesser number equal to the maximum permitted by the Planning Board upon preliminary subdivision plan approval. The DEP Director shall change category designations in areas of subdivisions which meet the above requirements."

All receiving areas designated by this Amendment are eligible for an automatic change to Category 3 if TDR's are utilized in approved subdivision plats.

The individual receiving areas were selected for one or more of the following reasons:

- They are located on or adjacent to existing or planned roadways which provide adequate access.
- They are located on the fringe of a commercial center which contains sufficient services to support the increased density.
- They are adjacent to areas of equivalent or greater density.
- They are, or can be, well-buffered and screened from existing development.
- They are generally adequately served by existing or planned public facilities.

## V. PLAN GUIDELINES

This Master Plan Amendment recommends certain guidelines concerning the identified TDR receiving areas in the Potomac Subregion. These guidelines are critical to understanding this Plan Amendment, since they provide the basis for the specific Amendment recommendations:

### Plan Guideline 1

Planning recommendations reflected in this Amendment are generally consistent with the following general goals and objectives in the *Master Plan for the Potomac Subregion* (p. 26):

- Maintenance of a low-density residential "wedge" through the use of zoning policies which confine the most intense development to those areas which can be adequately and test-served by existing or planned public facilities.
- Preservation and protection of existing single-family neighborhoods by providing appropriate transitions between areas of different lot sizes and/or densities.

### Plan Guideline 2

This Amendment's TDR receiving area policy is designed to "spread out" the TDR optional densities at relatively low intensities as opposed to concentrating on a small number of sites. This should enable site plans to require that units on TDR sites adjoining existing single-family development

will be of a similar character to the adjoining zone with regard to type of unit, lot size, and setbacks.

### Plan Guideline 3

TDR receiving areas will be subject to the appropriate regulations in the Subdivision and Zoning Ordinances, which include site plan review as well as the Environmental Guidelines for new development, as expressed in the previously adopted *Master Plan for the Potomac Subregion* (p. 53):

- Subdivision plans, new roads, and road widenings must conform to noise guidelines. Design modifications will be recommended as needed.
- Development on severely limited soils is discouraged, particularly where steep slopes or mature woodlands are involved. Use of low density residential zoning and clustering are encouraged to permit development on more suitable soils.
- Prohibition of development on 100-year floodplains and within areas of stream valley park acquisition, implementation of policies recommended in the watershed plans for various basins, and reduction of potential development at the headwaters of streams are encouraged in order to minimize stormwater management concerns and protect watersheds.
- Future construction of new or widened roadways must be carefully reviewed to minimize negative environmental impacts.

- The conservation area along Rock Run shall include all officially delineated 100-year floodplains and an additional 25-foot building restriction line.
- Revisions to the *Ten Year Water Supply and Sewage Systems Plan* should be guided by the staging proposals of this Plan Amendment.

#### Plan Guideline 4

Most parcels previously identified as suitable for optional development at a density of three dwelling units per acre (PD-3) are now designated as TDR receiving areas and are required to utilize TDR's to achieve the optional density. The *Master Plan for the Potomac Subregion* recommends these optional densities to "provide for a balanced housing supply so that persons of varying income levels, age backgrounds, and household characteristics may find suitable housing appropriate to their needs." Several residential parcels in the areas recommended for PD-3 were rezoned before the 1980 *Master Plan* was adopted and may proceed through development under the PD-3 Zone standards.

#### Plan Guideline 5

Property designated for the TDR density option, but with an already approved preliminary subdivision plan, will be permitted to develop at the approved base density, if so desired. However, it will be permitted to reapply for subdivision approval using the TDR density option. Application for resubdivision is not likely for a property already governed by an approved development plan.

#### Plan Guideline 6

Adequate Public Facilities testing for roadway capacity may affect the development of those TDR receiving area parcels MD 28 trafficshed. Full utilization of proposed TDR units in the MD 28 trafficshed is dependent upon the programming and implementation of adequate improvements to MD 28. The following guidelines from the 1981 *Report on Comprehensive Planning Policies* remain in effect (p. 99):

"The Master Plan for the Potomac Subregion, adopted in 1980, specified retaining two-lane cross-section for most roads, even though congestion will occur. It further specified that, when the extensions of Democracy Boulevard and Montrose Road are at least 50 percent programmed for construction, the remaining vacant land in the area can develop to the extent allowed by the proposed zoning. This results in thresholds of approximately 6,300 dwelling units and 3,200 employees. The Plan notes that the full zoning development will result in traffic congestion in excess of standards for that level of policy area ...

"...In the Potomac Policy Area part of the Potomac Subregion Master Plan, local area congestion reviews will not be required. This is in accord with the master plan which indicates that since the area is in effect a "cul-de-sac" with little through traffic, the Board recognized that this will produce levels of traffic congestion during peak periods greater

than that considered acceptable in other areas of the County, but feels that this is a legitimate trade-off in order to maintain the character of the area."

## VI. PLAN RECOMMENDATIONS

In accordance with Planning Board and County Council policy of examining all master plans for possible TDR receiving area identification, this Amendment designates a maximum of approximately 2,756 TDR units over the base density allowed by present zoning, accounting for some 3,081 acres, assuming that the Advanced Wastewater Treatment Plant (AWT) is built on Site 33.<sup>3</sup> This amounts to a net overall increase of 542 dwelling units or 1.3 percent above what is possible under the 1980 Master Plan. In actuality, the final TDR unit total is very likely to be less because of the difficulty of developing to the theoretical maximum extent possible on all parcels due to topographic constraints, environmental constraints, requirements for buffers, etc.

### Methods of Calculating TDR Development Densities

Each receiving area described in the following text is accompanied by a table showing the difference in development densities between the existing Euclidean (conventional) Zone and designated TDR density option. The "maximum units without TDR" assumes the maximum density (the cluster op-

<sup>3</sup> Should the AWT plant not be built, then total TDR's over the zoning base could be 3,177 units. This would be an increase over the 1980 Master Plan density of 1,163 units or 2.7 percent of the previously planned holding capacity.

tion) permissible in the existing zone, including a 20 percent bonus wherever MPDU's are provided. For those sites identified in the 1980 Master Plan as suitable for PD-3 the same density is used in calculating the density difference between the 1980 Master Plan and this adopted Amendment. (See Fig. 4.)

The regulations governing the application of TDR's require only the purchase of the net difference in units between the base density and the TDR density option, exclusive of the MPDU bonus.

The net effect of this is that the developer obtains a few extra market-price units from the MPDU bonus as an added incentive to utilize the TDR option. A sample calculation is shown below:

Size of tract	100 acres
Base density	2 DU/acre (R-200 zoning)
TDR designation	TDR-3

TDR density x acres	3x100 =	300	DU's
Base Density x acres	2x10 =	-200	DU's
Net TDR's to be purchased		100	DU's*

### MPDU Bonus

TDR option	300 + 20% =	360	DU's
Base Density	200 + 20% =	-240	DU's
Net increase in density		120	DU's

\* Note: A developer must acquire at least two-thirds of the TDR's in order for a preliminary subdivision application utilizing TDR's to be approved, unless the Planning Board waives the minimum requirement for environmental reasons, or un-

less the increased density cannot be used abutting the adjoining zone.

#### MPDU's Required

TDR option  $360 \times 12.5\% = 45$  DU's  
Base density  $240 \times 12.5\% = 30$  DU's

#### Final Project Calculation

Base density 200 DU's  
TDR's to be purchased +100 DU's

Total with TDR's 300 DU's  
MPDU bonus (20%) + 60 DU's

Total project 360 DU's  
MPDU's required (12.5%) - 45 DU's

Bonus market price units -15 DU's

ACRES OF FARMLAND PRESERVED --  $100 \text{ D.U.} \times 5 \text{ ac/TDR} = 500 \text{ ACRES}$ .

When developing at the TDR optional densities, the standards for the nearest comparable zone with cluster option govern. Thus TDR-1 would equate to RE-1, TDR-2 to R-200, TDR-3 to R-150, and TDR-6 to RT-6. In all cases, the designated density is the maximum allowable. In many cases the actual density will be less due to site constraints, access problems or other problems identified during the site plan review process.

## PROPOSED TDR RECEIVING AREAS

As a result of detailed study and analysis resulting from public hearing testimony on the Preliminary Draft and Final Draft Amendments, several receiving areas being proposed were deleted by the Planning Board and Council and are therefore excluded from the adopted Amendment: Areas 1 and 4B (Darnestown): Areas 10,12,13,19, and 20 (Travilah): Areas 24,25,29,34, and 35 (Potomac-Cabin John).

### DARNESTOWN PLANNING AREA (9,751 Acres)

#### Proposed TDR Units: 496

The westernmost area in the Subregion is in the rural lower reach of the Seneca Creek Valley. (See Map 28.) In order to provide a suitable transition between the Rural Cluster Zone and the more suburban areas to the east, the 1980 *Master Plan for the Potomac Subregion* designated portions of the area east of the PEPCO power lines (zoned R-200) as suitable for the Planned Development Zone, at a density of three dwelling units per acre. The use of this zone was recommended for those areas which could be served by a feeder bus system when Metrorail service is extended out to Shady Grove.

All areas previously recommended as suitable for PD-3 development must now utilize TDR's to achieve the same development density, provided:



a) properties are assembled into parcels of at least 10 acres (preferably larger); and



# Amendment to the Master Plan FOR THE Potomac Subregion

## DARNESTOWN AND VICINITY P.A. 24

### PROPOSED TDR RECEIVING AREAS (Generalized Location)

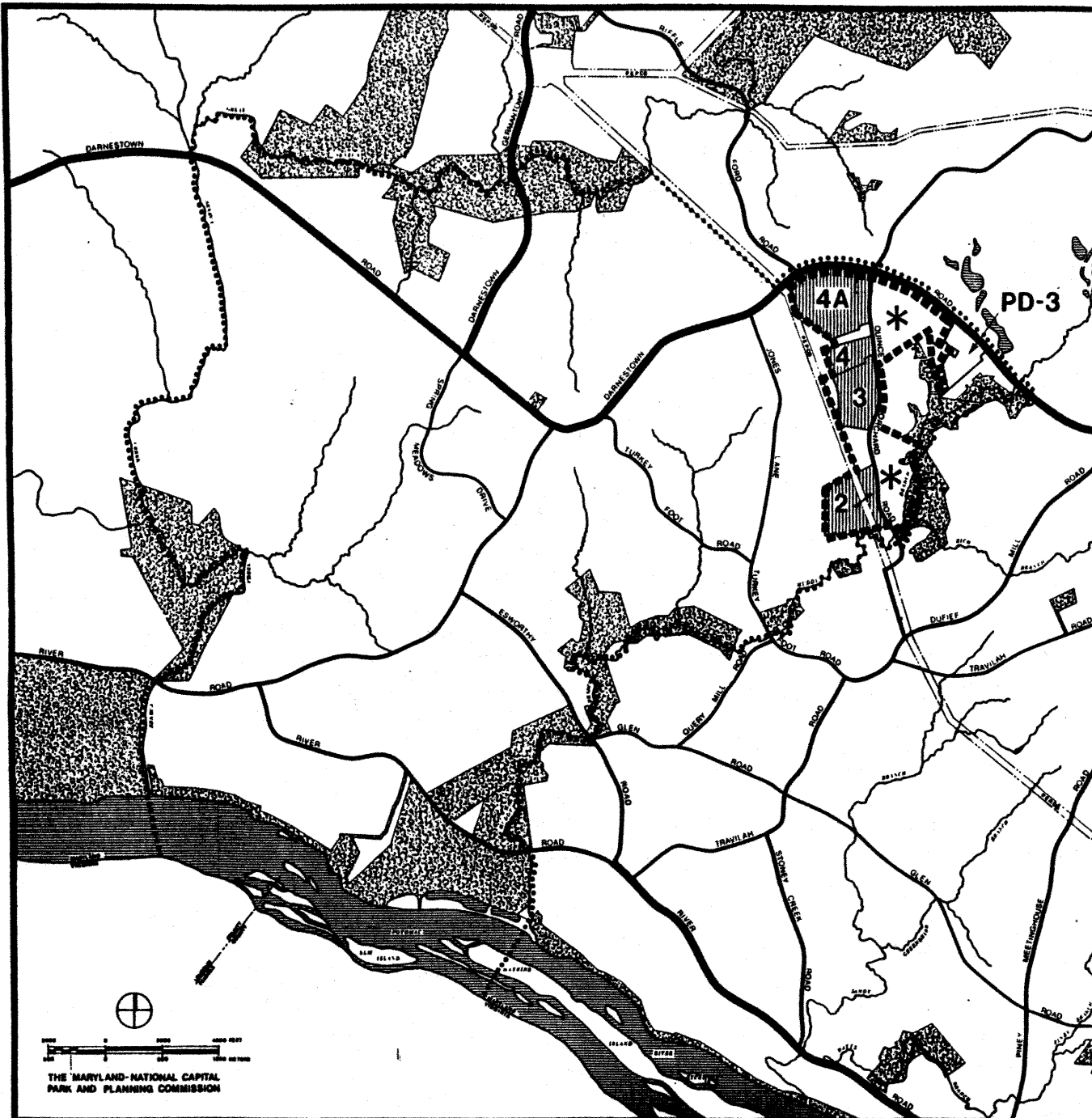
-  Specifically Identified  
TDR Receiving Areas
-  Balance of Area Recommended  
for TDR Receiving Area -  
Suitable for TDR-3 for 10 Acres  
or more

#### TDR AREA

2  
3  
4  
4A

#### RECOMMENDED TDR DENSITY

TDR-3  
TDR-3  
TDR-3  
TDR-3



**MAP 28**

b) only TDR's may be utilized to achieve the increased density.

Otherwise, properties may develop only at the R-200 base density.

A portion of Receiving Area 2 extends beyond the area recommended as suitable for development at three units per acre in the 1980 *Master Plan*. This was done so that a suitable transition would be provided to existing development to the west. A restriction producing less than three units per acre is applied to this site.

#### RECEIVING AREA 2:

- Size	93 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	223 Units incl. 28 MPDU's
- Proposed TDR Optional Density	TDR-3 (limited)
- Maximum Units w/TDR	300 Units incl. 38 MPDU's - 77 Increase
- Net TDR's	64
- Water and Sewer Category	W-3: S-3

Area 2 is bordered by the Fox Hills Green subdivision on the west, Quince Orchard Road on the east, and Muddy Branch Stream Valley Park on the south. The site is currently zoned R-200. It is a 93-acre tract of land split by the PEPCO power lines. At the time this Amendment was adopted, an approved preliminary cluster subdivision plan permitted 223 units on the entire 93-acre tract. However, only 45 lots were recorded on the east side. The owner of the land proposed to abandon the record plat

east of the PEPCO lines and re-subdivide the entire site using TDR's. After considering the public hearing testimony and determining that a suitable transition was needed west of the PEPCO lines, the adopted Amendment designated Area 2 as suitable for TDR-3 development, limited to a total of 300 units including MPDU's. It also required that, under the TDR option, the density west of the PEPCO lines be less than could be achieved under the R-200 cluster standards. Furthermore, all new lots that adjoin existing subdivided lots shall be of the same size and character as the existing lots.

#### RECEIVING AREA 3:

- Size	62.5 Acres
- Present Zoning (Base Zone)	R-200
- Maximum Units w/o TDR (PD-3)	225 Units incl. 28 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	225 Units incl. 28 MPDU's - 0 Increase
- Net TDR's	63
- Water and Sewer Category	W-4: S-6

Area 3 is bounded by Area 4 on the north, Quince Orchard Road on the east, and Area 1 on the west. The site is currently zoned R-200. The 1980 *Master Plan* recommended this area as suitable for PD-3 development. This Amendment allows Area 3 to achieve the same density but only by utilizing TDR's.

#### RECEIVING AREA 4:

- Size	32 Acres
- Present Zoning (Base Zone)	R-200

- Maximum Units w/o TDR (PD-3) 115 Units incl. 14 MPDU's
- Proposed TDR Optional Density TDR-3
- Maximum Units w/TDR 115 Units incl. 14 MPDU's - 0 Increase
- Net TDR's 32
- Water and Sewer Category W-3: S-3

Area 4 is bounded by Quince Orchard Road on the east, Area 3 on the south, and Area 1 on the west. The site is currently zoned R-200. The 1980 *Master Plan* recommended this area, which includes Area 4, as suitable for PD-3 development. This Amendment allows Area 4 to achieve the same density but only by utilizing TDR's.

#### RECEIVING AREA 4A:

- Size 115 Acres
- Present Zoning (Base Zone) R-200
- Maximum Units w/o TDR (PD-3) 414 Units incl. 52 MPDU's
- Proposed TDR Optional Density TDR-3
- Maximum Units w/TDR 414 Units incl. 52 MPDU's - 0 Increase
- Net TDR's 115
- Water and Sewer Category W-4: S-6

Area 4A is bordered on the north by MD 28, on the east by Quince Orchard Road, and the PEPCO power lines on the west. Areas 3 and 4 are just to the south of the site. The site is currently zoned R-200. The 1980 *Master Plan for the Potomac Subregion* recommended this area, which includes Area 4A, as suitable for

PD-3 development. This Amendment allows Area 4A to achieve the same density but only by utilizing TDR's.

#### **TRAVILAH AND VICINITY PLANNING AREA (12,759 Acres)**

**Proposed TDR Units: 1,968**

The midsection of the Subregion is characterized by gently rolling land sloping toward the Potomac River. (See Map 29.) The zoning classifications become less dense as the river is approached. Land zoned R-200, recommended in 1980 is suitable for PD-3 zoning, is located to the north along MD 28. Land zoned RE-1 is located to the east along Watts Branch. The zoning classification shifts to a wide band of RE-2 zoning between Watts and Muddy Branches, RE-2C zoning occurs in two locations between River Road and the Potomac River.

The previously recommended development pattern in the Travilah Planning Area will not be significantly altered as a result of the TDR receiving area proposals. All areas previously recommended as suitable for PD development at a density of three units per acre will now be required to utilize TDR's to achieve the recommended density option already sanctioned by the 1980 *Master Plan for the Potomac Subregion*. Development under the R-200 standards may continue to be approved under current procedures. The sewerage improvements needed to accommodate these density options are significant for some site. No receiving areas are designated south of River Road because of the desirability of stepping down in density as the river is approached and the environmental sensitivity of the area becomes more critical.

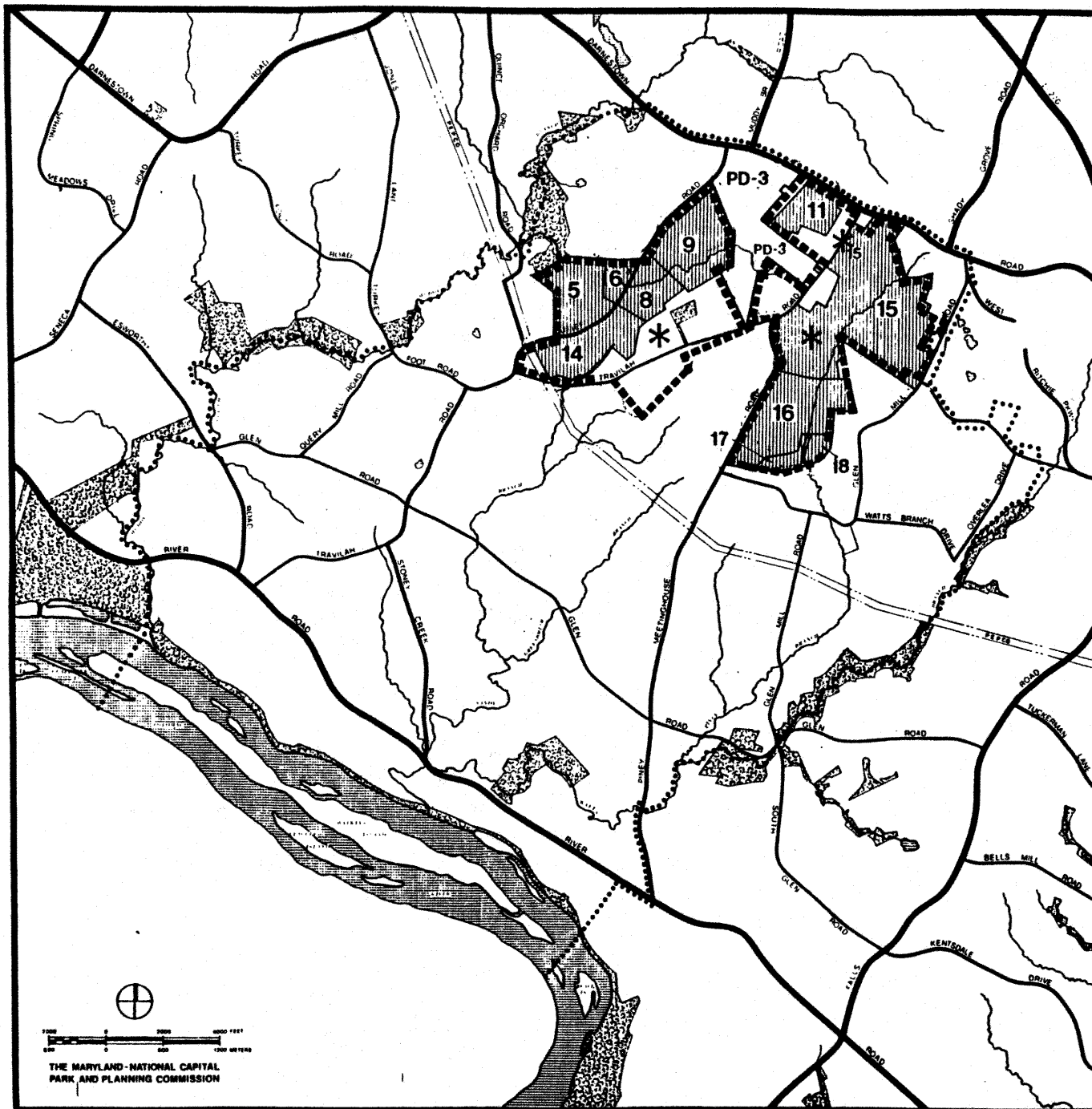
# Amendment to the Master Plan FOR THE Potomac Subregion

## TRAVILAH AND VICINITY P.A. 25

### PROPOSED TDR RECEIVING AREAS (Generalized Location)

- ⑤ Specifically Identified  
TDR Receiving Areas
- [\*] Balance of Area Recommended  
for TDR Receiving Area-  
Suitable for TDR-3 for 10 Acres  
or more

<u>TDR AREA</u>	<u>RECOMMENDED TDR DENSITY</u>
5	TDR-3
6	TDR-3
8	TDR-3
9	TDR-3
11	TDR-3
14	TDR-3
15	TDR-3
16	TDR-3
17,18	TDR-3



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

**MAP 29**

Ten sites have been specifically identified as TDR receiving areas. All but two were previously designated in 1980 as suitable for development at a density of three units per acre. This Amendment also recommends that other parcels within the three units per acre area remain suitable for this density if:

a) they are assembled into parcels of at least 10 acres (preferably larger); and

b) only TDR's are utilized to achieve the increased density.

The only exception is the area (identified as Areas 10, 12, and 13 on Map 29, page 20) which has been approved for the PD-3 Zone and, therefore, is authorized to develop under the PD-3 standards.

Two of the receiving areas (Areas 5 and 6) located in the vicinity of the PEPCO power lines are zoned R-200. This is an area where an extension of higher density zoning via the TDR mechanism is logical. These areas are located between the Dufief subdivision and the Potomac Horse Center. These two sites will accommodate 148 TDR units.

#### RECEIVING AREA 5:

- Size	118 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	283 Units incl. 35 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	425 Units incl. 53

- Net TDR's
- Water and Sewer Category

MPDU's - 142 Increase  
118  
W-3: S-3

Area 5 is bounded by Area 7 on the north, Dufief Mill Road on the east and south, and the Potomac Horse Center and Muddy Branch Stream Valley Park on the west. The site is currently zoned R-200 and is adjacent to an area recommended as suitable for PD-3 development in the 1980 *Master Plan for the Potomac Subregion*. This Amendment recommends that Area 5 achieve the same density, but only by utilizing TDR's. In reviewing development plans for this site, the Planning Board will follow its usual policy of requiring that new lots adjacent to existing developed lots be similar.

#### RECEIVING AREA 6:

- Size	30 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	72 Units incl. 9 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	108 Units incl. 13 MPDU's - 36 Increase
- Net TDR's	30
- Water and Sewer Category	W-4: S-6

Area 6 is bounded by Area 7 on the north, Dufief Mill Road on the east, and Area 5 on the south and west. The site is currently zoned R-200 and is adjacent to an area recommended as suitable for PD-3 development in the 1980 *Master Plan*. This Amendment recommends Area 6 as suitable for TDR-3 develop-

ment because of its proximity to similarly zoned land. In reviewing development plans for this site, the Planning Board will follow its usual policy of requiring that new lots adjacent to existing developed lots be similar.

#### RECEIVING AREA 8:

- Size	59.6 Acres
- Present Zoning (Base Zone)	R-200
- Maximum Units w/o TDR (PD-3)	215 Units incl. 27 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	215 Units incl. 27 MPDU's - 0 Increase
- Net TDR's	60
- Water and Sewer Category	W-4: S-6

This site is bordered by Area 9 on the north, Area 14 on the south, and Dufief Mill Road on the west. This Amendment designates Area 8 as suitable for TDR-3 development.

#### RECEIVING AREA 9:

- Size	160.6 Acres
- Present Zoning (Base Zone)	R-200
- Maximum Units w/o TDR (PD-3)	578 Units incl. 72 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	578 Units incl. 72 MPDU's - 0 Increase
- Net TDR's	161
- Water and Sewer Category	W-3: S-3

This site is bordered by Area 10 on the north and east, Area 8 on the south, and Dufief Mill Road on the west. At the time

this Amendment was adopted, the site had an approved preliminary subdivision plan allowing 366 dwelling units. This Amendment designates Area 9 for TDR-3 development.

#### RECEIVING AREA 11:

- Size	65.6 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	236 Units incl. 30 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	236 Units incl. 30 MPDU's - 0 Increase
- Net TDR's	66
- Water and Sewer Category	W-2: S-3

Area 11 is bounded by MD 28 on the north, and partially by Areas 12 and 13 to the south. This Amendment designates Area 11 for TDR-3 development.

#### RECEIVING AREA 14:

- Size	109 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	392 Units incl. 49 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	392 Units incl. 49 MPDU's - 0 Increase
- Net TDR's	109
- Water and Sewer Category	W-3: S-6

Area 14 is bordered by Area 8 on the north, the PEPCO power line on the south, and Dufief Mill Road on the west. The site area totals 109 acres. A preliminary subdivision plan was

filed on this property in 1978, but no action had been taken on the application at the time this Amendment was adopted. This Amendment designates Area 14 for TDR-3 development. A sewage pumping station will be needed to serve this site if developed to the allowable density.

#### RECEIVING AREAS 15 THROUGH 18 - GENERAL COMMENTS

Areas 15 through 18 are generally bounded by MD 28 on the north, Glen Mill Road on the east, Boswell Lane on the south, and Piney Meetinghouse and Travilah Roads on the west. All undeveloped areas currently zoned R-200 were recommended as suitable for TDR-3 development in the 1980 *Master Plan for the Potomac Subregion*. As a result of this Amendment, TDR-3 is required to achieve the same density. A major sewer extension along Piney Branch will be needed to serve these sites.

#### RECEIVING AREA 15:

- Size	441.4 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	1,589 Units incl. 199 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	1,589 Units incl. 199 MPDU's - 0 Increase
- Net TDR's	441
- Water and Sewer Category	W-2: S-6

Area 15 is bounded by MD 28 on the north, Glen Mill Road on the east, Area 6 on the south, and Piney Meetinghouse and Travilah Roads on the west. This Amendment allows Area 15 to achieve the previously recommended density of three units per

acre but only by utilizing TDR's. Area 15 has frontage on MD 28 directly opposite the Shady Grove medical center complex. The Planning Board may wish to include some portion of Area 15 as part of a master plan update for the Gaithersburg vicinity. This would permit reconsideration of the relationship of Area 15 to the higher intensity development planned in the medical center area.

#### RECEIVING AREA 16:

- Size	183 Acres
- Present Zoning	R-200
- Maximum Units w/o TDR	659 Units incl. 82 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	659 Units incl. 82 MPDU's - 0 Increase
- Net TDR's	183
- Water and Sewer Category	W-2: S-6

Area 16 is bounded by Area 15 on the north, Areas 17 and 18 on the south, and Piney Meetinghouse Road on the west. This Amendment recommends that Area 16 achieve the 1980 recommended PD-3 density, but only by utilizing TDR's.

#### RECEIVING AREAS 17 & 18:

- Size	82 (95) Acres
- Present Zoning (Base Zone)	R-200 (RE-2-23 Acres)
- Maximum Units w/o TDR (PD-3 + RE-2)	268 Units incl. 32 MPDU's
- Proposed TDR Optional Density	TDR-3 on R-200 zoned portion
- Maximum Units w/TDR	268 Units incl. 32 MPDU's - 0 Increase

- Net TDR's 72
- Water and Sewer Category W-2: S-6

When this Amendment was adopted, Areas 17 and 18 were under one ownership and were considered together. They totaled 95 acres, of which approximately 72 acres are zoned R-200. The balance of the property is zoned RE-2. In order to provide for a transition between the denser development to the north and the lower density residential to the south and east, this Amendment designates the R-200 portions of Area 17 and 18 as a TDR-3 receiving area. The RE-2 portions of the area will retain the RE-2 classification.

#### POTOMAC - CABIN JOHN PLANNING AREA (13,348 Acres)

**Proposed TDR Units (w/o AWT): 745**

**Proposed TDR Units (w/AWT): 324**

The Potomac-Cabin John Planning Area is the easternmost part of the Subregion. Because of its proximity to the Beltway, the "down-County" and "downtown" areas, it is more fully developed than the other two planning areas and contains a variety of housing types. (See Map 30.) Just under 50 percent of the total Planning Area is currently developed in residential uses. The largest numbers of dwelling units are located in the eastern and northern sections of the Planning Area. The 1980 *Master Plan* recommends the filling-in of the remaining vacant properties with residential development essentially similar to what is now there.

Designated TDR receiving areas are dispersed throughout the planning area. The resulting minor increase in overall density is directed toward the already higher density zoned areas

so as not to encroach significantly into RE-2 and RE-2C zoned areas. Most sites are located within Sewer Service Area-Stage I as shown in the 1980 *Master Plan*, thereby retaining the recommended water and sewer envelope. However, several sites have been designated for TDR's on the fringe of the water and sewer envelope west of Falls Road, thereby allowing for a slight expansion of the sewer envelope if the TDR density option is exercised. The Avenel Farm, currently in Sewer Service Category 6, is also designated as a TDR receiving area, provided the currently proposed AWT plant is not located on that site.

The Avenel Farm is considered to be the only possible TDR area east of Falls Road and south of River Road. This site is an appropriate TDR receiving area because of its proximity and access to the "down-County," the Beltway, and "downtown" areas. The site is favorably located so as to minimize commuting time and distance. It can be buffered from surrounding uses given the topographical nature of the property, and it is one of the largest parcels of vacant land in the southern portion of Potomac which can provide for an innovative site development. The site is designated a TDR receiving area provided the proposed AWT plant is not located on the site. If the AWT plant is built on the site, the owners may request consideration of an additional plan amendment to designate the remaining portions of the site as TDR receiving area. (See Receiving Area 33.)

#### RECEIVING AREA 21:

- |                                 |  |
|---------------------------------|--|
| - Size                          | 75.5 Acres                             |
| - Present Zoning                | R-200                                  |
| - Maximum Units w/o TDR         | 181 Units incl. 23 MPDU's              |
| - Proposed TDR Optional Density | TDR-3                                  |
| - Maximum Units w/TDR           | 227 Units incl. 8 MPDU's - 46 Increase |



# Amendment to the Master Plan FOR THE Potomac Subregion

## POTOMAC-CABIN JOHN AND VICINITY P.A. 29

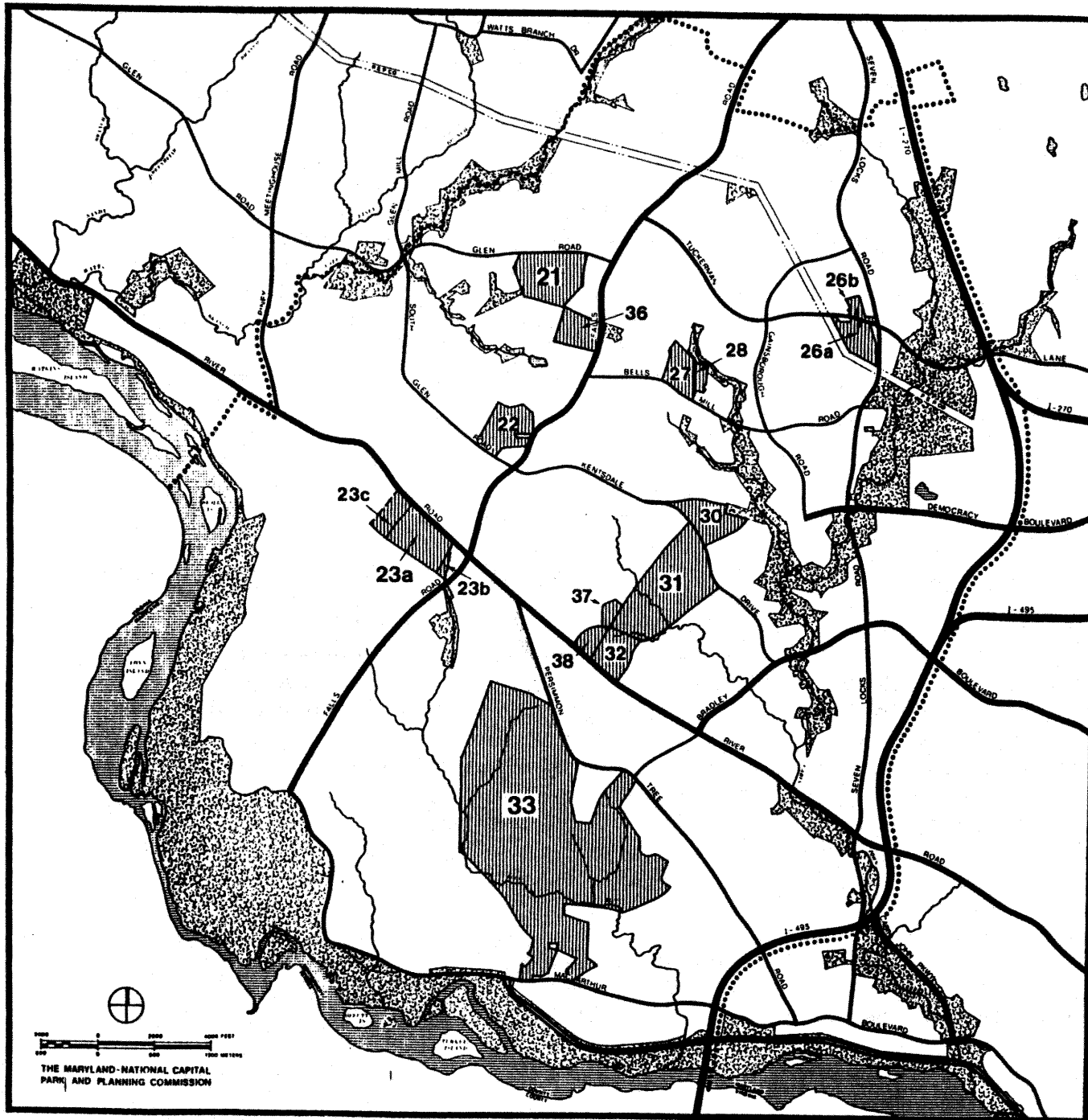
### PROPOSED TDR RECEIVING AREAS (Generalized Location)

 TDR Receiving Area

TDR AREA	RECOMMENDED TDR DENSITY
21	TDR-3
22	TDR-1
23 *	TDR-1
26	TDR-6
27,28	TDR-3
30	TDR-3
31	TDR-1
32	TDR-1
33 %AWT *	TDR-1
36	TDR-3
37 *	TDR-1
38 *	TDR-1

\* SEE TEXT

**MAP 30**



- Net TDR's 38
- Water and Sewer Category W-2: S-2

Area 21, currently zoned R-200, is a working farm fronting on the south side of Glen Road just west of Great Falls Road. The site is bordered on three sides by the Bedfordshire subdivision. This Amendment encourages the continuation of the current farm use, but recognizes the probability of eventual development. This Amendment designates Area 21 as a TDR-3 receiving area, but at less than the maximum yield; the Amendment allows only up to 227 dwelling units, including MPDU's. This development shall be at the TDR-3 standard with suitable site plan controls to concentrate the density in the center of the tract. This density limitation is appropriate in light of the R-200 zoning of the Bedfordshire subdivision.

#### RECEIVING AREA 22:

- Size 41 Acres
- Present Zoning R-2-38.7 Acres; R-200  
-2.3 Acres
- Maximum Units w/o TDR 20 Units
- Proposed TDR Optional Density TDR-1
- Maximum Units w/TDR 35 Units - 15 Increase
- Net TDR's 15
- Water and Sewer Category W-2: S-2

This area has frontage on the west side of Falls Road and the north side of South Glen Road; approximately 2.3 acres of the site is zoned R-200. The balance is zoned RE-2. The site is adjacent to and fronts properties developed at R-200 density along South Glen Road; the parcel also faces the Bullis School and Falls Road Golf Course across Falls Road. This Amendment designates Area 22 as acceptable for up to 35 units at the TDR-1 standards. Site plan controls shall be used to provide an ap-

propriate transition to existing two acre development. TDR-1 is considered appropriate because of the existing R-200 and RE-2 zoning and proximity to R-200 zoning.

The Normandy Farm restaurant is located on this site. It must be noted that the density of the 15 acres included in the current special exception for the restaurant may not be transferred to the rest of the site.

#### RECEIVING AREA 23a, b & c:

- Size 83 Acres
- Present Zoning RE-2
- Maximum Units w/o TDR 33 Units
- Proposed TDR Optional Density TDR-1
- Maximum Units w/TDR 53 Units - 20 Increase
- Net TDR's 20
- Water and Sewer Category W-2: S-2, S-6

Area 23 includes parcels in three separate ownerships. It is the intent of this Amendment to encourage the consolidation of these parcels to provide for unified development. These three parcels are identified as Areas 23a, b, and c. Parcel 23a consists of a 60.7-acre tract with frontage on River Road just west of the Potomac Village Center. Because of its size and location, parcel 23a may stand by itself as a receiving area. Parcel 23b adjoins the east side of parcel 23a and consists of a triangular shaped piece of property of approximately 3.9 acres. Due to its shape and floodplain problems, parcel 23b has limited development potential when considered by itself; it should be combined with parcel 23a. Parcel 23c consists of 20 acres adjoining the west side of parcel 23a.

Currently all parcels are zoned RE-2. This Amendment designates parcels 23a plus 23b as suitable for 16 additional units

at TDR-1 standards. Appropriate site plan controls shall be utilized to concentrate higher density development on the east side of the area, closest to Potomac Village Center but without impacting the Rock Run floodplain. Fifteen TDR's are allocated to parcel 23a and one TDR to parcel 23b. Parcel 23c may utilize four TDR's only if it is consolidated with parcel 23a under a unified development plan. Development of Area 23 with TDR's shall be at the standards of the RE-1 Zone without the cluster option. This requirement, along with an appropriate transition to adjoining lower density development, will provide for the same character of development as the surrounding RE-2 development. In addition, adequate landscaping and screening shall be provided along the area boundary and the frontage on River Road.

#### RECEIVING AREAS 26a & b:

- Size	37.9 Acres
- Present Zoning	R-90
- Maximum Units w/o TDR	164 Units incl. 21 MPDU's
- Proposed TDR Optional Density	TDR-6
- Maximum Units w/TDR	254 Units incl. 32 MPDU's - 90 Increase
- Net TDR's	76
- Water and Sewer Category	W-2: S-2

Areas 26a and b consist of two parcels under one ownership located on both sides of Tuckerman Lane west of its intersection with Seven Locks Road. Parcel 26a totals 29.9 acres on the south side of Tuckerman Lane. Parcel 26b totals 8 acres on the north side. Parcel 26a is the subject of an approved preliminary cluster subdivision for 127 units, including 13 MPDU's. Parcel 26b is the subject of an approved preliminary cluster subdivision for 35 units, including six MPDU's. Both parcels are

zoned R-90. This Amendment requires that both parcels be considered together in order to mitigate the environmental constraints on parcel 26b.

This Amendment designates Areas 26a and b as suitable for up to 254 units including 32 MPDU's. Development shall utilize the TDR-6 standards in order to allow for innovative housing types will provide maximum protection to environmentally sensitive areas. Single-family detached houses should adjoining the existing homes in the Regency Estates subdivision on lots of similar size. In addition, there shall be not direct access to Seven Locks Road. The TDR-6 designation allows for development flexibility, but does not guarantee that the full density can be achieved. This density increase is site specific and especially intended to serve the public purpose of implementing the agricultural and open space preservation plan. It shall not be construed or cited as justification for granting townhouse zoning in the Seven Locks Road corridor.

#### RECEIVING AREAS 27 & 28:

- Size	43.5 Acres
- Present Zoning	R-200-15 Acres; R-150-28.5 Acres
- Maximum Units w/o TDR	125 Units incl. 6 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	157 Units incl. 20 MPDU's - 32 Increase
- Net TDR's	27
- Water and Sewer Category	W-2: S-2

Areas 27 and 28 consist of two parcels under one ownership. Area 27 is 33 acres, of which 15 acres are zoned R-200 and 18 acres are zoned R-150. Area 28 is 10.5 acres, zoned R-150. Both

parcels have been the subject of a preliminary subdivision plan for 125 units, granted in 1977. Since both parcels are under one ownership, this Amendment requires that they be consolidated if the TDR development option is elected. The parcels adjoin existing residential subdivisions in the R-150 and R-200 Zones on three sides. This Amendment specifies TDR-3 as an appropriate density because of the area's proximity to R-150 and R-200 zoned land.

#### RECEIVING AREA 30:

- Size	40 Acres
- Present Zoning	R-200-32.3 Acres; RE-2-7.7 Acres
- Maximum Units w/o TDR	76 Units incl. 10 MPDU's
- Proposed TDR Optional Density	TDR-3
- Maximum Units w/TDR	120 Units incl. 15 MPDU's - 44 Increase
- Net TDR's	32
- Water and Sewer Category	W-2: S-2

Area 30 is located on the north side of Kentsdale Drive, west of Warde Terrace. It is part of a 100-acre tract owned by the Sisters of Mercy Generalate. Approximately 68 acres are zoned RE-2, while the balance of 32 acres adjoins the McAuley Park subdivision and is zoned R-200. Across Kentsdale Drive are the new Postal Service Training and Development Center and Area 31. Only the 40-acre portion of the tract bounded by Kentsdale Drive, the existing development along Warde Terrace, and the proposed right-of-way of Democracy Boulevard extended is designated as a TDR receiving area.

Because this parcel adjoins existing R-200 land on two sides and does not confront any existing development on Kentsdale

Drive, this Amendment designates Area 30 as suitable for up to 120 units, including MPDU's. Development shall utilize the TDR-3 standards with sufficient site plan controls to provide an appropriate transition to existing development.

#### RECEIVING AREA 31:

- Size	162 Acres
- Present Zoning	RE-2-151.5 Acres; R-200-10.5 Acres
- Maximum Units w/o TDR	81 Units
- Proposed TDR Optional Density	TDR-1
- Maximum Units w/TDR	121 Units - 40 Increase
- Net TDR's	40
- Water and Sewer Category	W-2: S-2

Area 31 consists of 162 acres located on the south side of Kentsdale Drive, across from Area 30 and the McAuley Park Subdivision. It adjoins the new Postal Service Management Training and Development Center on the west side and Area 32 on the south side. A 200-foot wide strip along Kentsdale Drive, totaling 10.5 acres, is zoned R-200. The balance of the site is zoned RE-2. This site, together with Area 30, was the subject of a pre-preliminary subdivision plan that would provide 70 dwelling units. Because this site adjoins an R-200 subdivision on the north and a public institutional use for a portion of the west side, this Amendment designates Area 31 as suitable for up to 121 units utilizing the TDR-1 development standards. Appropriate site plan controls shall provide for the necessary transition to existing development.

#### RECEIVING AREA 32:

- Size	42.5 Acres
- Present Zoning	RE-2

- Maximum Units w/o TDR 71 Units
- Proposed TDR Optional Density TDR-1
- Maximum Units w/TDR 29 Units - 12 Increase
- Net TDR's 12
- Water and Sewer Category W-2: S-2

Area 32 is adjacent to Area 31 on the north, the right-of-way of Congressional Parkway on the east, and River Road on the south. The site is zoned RE-2. Because this site is between I-495 and the Potomac Village Center, it meets the general criteria of the *Master Plan for the Potomac Subregion* which are to concentrate higher densities to the south and east of the region. This Amendment designates Area 32 as suitable for up to 29 units utilizing TDR-1 development standards.

#### RECEIVING AREA 33:

- Size 948 Acres
- Present Zoning RE-2C
- Maximum Units w/o TDR 379 Units
- Proposed TDR Optional Density TDR-2 (limited)
- Maximum Units w/TDR 1,000 Units incl. 25 MPDU's - 621 Increase
- Net TDR's 454
- Water and Sewer Category W-2: S-6

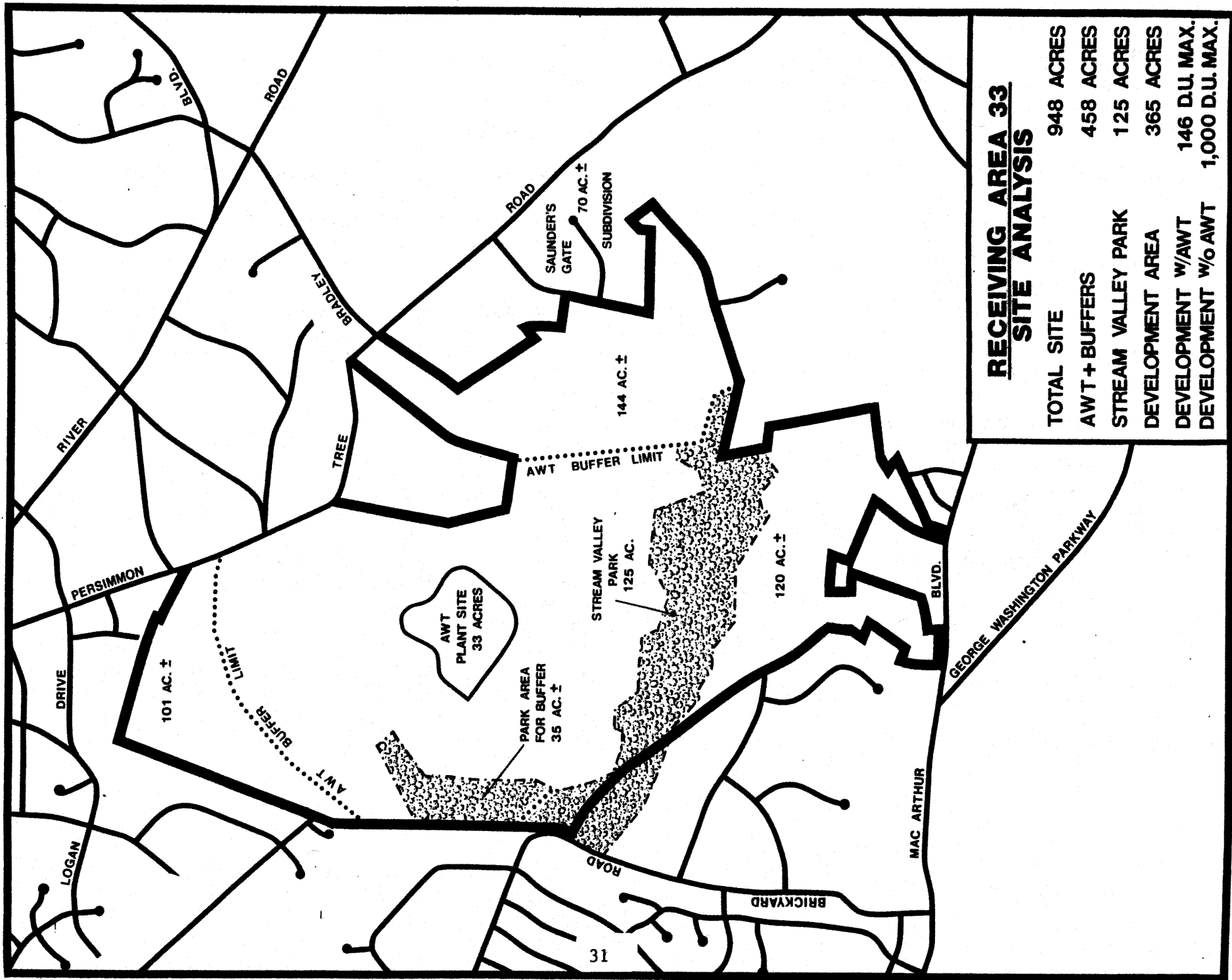
Area 33 is known as the Avenel Farm, a 948-acre site located between Persimmon Tree Road and McArthur Boulevard. The site is currently zoned RE-2C. Two preliminary subdivision plans for 101 dwelling units have been approved for portions of the site.

This Amendment designates Area 33 as a TDR receiving area. Development shall be limited to no more than 1,000 dwelling units, including MPDU's. Development with TDR's should utilize the TDR-2 standards in order to provide a wider range of housing types. This will allow a development plan that can better respond to topographic and environmental conditions on the site. The TDR designation applies only if the site is not used for AWT.

Area 33 is currently designated by the County as the site for a proposed Rock Run Advanced Wastewater Treatment (AWT) Plant for sewage disposal. The design proposed by the consulting engineers calls of using approximately 583 acres (including 160 acres of proposed stream valley park) for the plant and associated buffers. This would leave about 365 acres for residential development. This remaining acreage consists of three separate parcels of 101, 144, and 120 acres. (See Figure 3.)

If Area 33 is used for the AWT plant, this Amendment disallows TDR's on the remainder of the site. With the AWT plant and associated buffers occupying the center of the site, less desirable areas for development would remain on the edges of the site. These areas would make it difficult to effect a transition to surrounding development. Therefore, development should occur under the RE-2C zoning standards without the use of TDR's. However, because of the uncertainties of the AWT plant, including the size of the total area to be utilized and the most appropriate use of any buffer area, the Planning Board may initiate a master plan amendment to consider utilization of TDR's on the remaining portions of Area 33 when the AWT plant and buffer area decisions have been made.

FIGURE 3



### RECEIVING AREA 33 SITE ANALYSIS

TOTAL SITE	948 ACRES
AWT + BUFFERS	458 ACRES
STREAM VALLEY PARK	125 ACRES
DEVELOPMENT AREA	365 ACRES
DEVELOPMENT W/AWT	146 D.U. MAX.
DEVELOPMENT W/O AWT	1,000 D.U. MAX.

Under any development procedure, with or without TDR's, this Amendment recommends that little or no development occur in the area south of Rock Run due to the severe environmental constraints in that area.

**RECEIVING AREA 36:**

- Size 38 Acres
- Present Zoning R-200
- Maximum Units w/o TDR 91 incl. 11 MPDU's
- Proposed TDR Optional Density TDR-3
- Maximum Units w/TDR 114 incl. 125 MPDU's  
- 23 Increase
- Net TDR's 19
- Water and Sewer Category W-2: S-6

Area 36 is located at the northwest corner of Falls Road and Eldwick Way. It is bordered by subdivisions in the R-200 zone on two sides and is adjacent to Area 21. The site faces the Falls Road Golf Course across Eldwick Way. This Amendment recommends Area 36 as suitable for up to 114 units, including MPDU's. Development shall be at the TDR-3 standards, with the understanding that the full increase in density may not be allowed by the Planning Board, due to the need to provide an adequate transition to the surrounding development.

**RECEIVING AREA 37:**

- Size 16 Acres
- Present Zoning RE-2
- Maximum Units w/o TDR 6

- Proposed TDR Optional Density TDR-1
- Maximum Units w/TDR 16-10 increase
- Net TDR's 10
- Water and Sewer Category W-2: S-2

Area 37 is the former Bradley Junior High School site. It consists of 16 acres fronting on Logan Drive. The site is bordered on two sides by Area 35 and on another side by Area 31. The 1980 *Master Plan* identified this site as a possible Public Facility Area, if and when it is declared surplus by the Board of Education. Under the assumption that this site is sold for private development, this Amendment designates Area 37 as suitable for TDR-1. Utilization of TDR's on this site should only occur if either Area 31 or Area 35 develop with the TDR density option.

**RECEIVING AREA 38:**

- Size 8.6 Acres
- Present Zoning RE-2
- Maximum Units w/o TDR 3
- Proposed TDR Optional Density TDR-1
- Maximum Units w/TDR 5
- Net TDR's 2
- Water and Sewer Category W-2: S-2

Area 38 is the site of the German School, owned and operated by the Federal Republic of Germany. Since the site is adjacent to Receiving Areas 32 and 37, this Amendment designates Area 38 as suitable for two additional units at TDR-1 standards upon redevelopment, if one or more of the adjoining areas also developers with the TDR option.

FIGURE 4

**POTOMAC SUBREGION TDR RECEIVING AREAS  
SUMMARY TABLE**

TDR Receiving Areas	Acreage	Existing Base Density	Existing Zoning Option	Max. D.U. Yield Under Recon. <sup>†</sup> Density	Existing Sewer and Water Category	Designated TDR Option	Maximum DU's with TDR's <sup>†</sup>	Net TDR's Over Base Density	Net Density Increase from Master Plan (incl. all PD-3's) <sup>†</sup>
<b>DARNESTOWN</b>									
2	93.0	R-200	-	223	S-3, W-3	TDR-3	300 (max.)	64	30
3	62.5	R-200*	PD-3	225	S-6, W-4	TDR-3	225	63	-
4	32.0	R-200*	PD-3	115	S-3, W-3	TDR-3	115	32	-
4A	115.0	R-200*	PD-3	414	S-6, W-4	TDR-3	414	115	-
Balance	222.5	R-200*	PD-3	801	S-6, W-4	TDR-3	801	222	-
Subtotal	525.0			1,778 DU			1,855 DU	496 DU	30 DU
<b>TRAVILAH</b>									
5	118.0	R-200	-	283	S-3, W-3	TDR-3	425	118	142
6	30.0	R-200	-	72	S-6, W-4	TDR-3	108	30	36
8	59.6	R-200*	PD-3	215	S-6, W-4	TDR-3	215	60	-
9	160.6	R-200*	PD-3	578	S-3, W-3	TDR-3	578	161	-
11	65.5	R-200*	PD-3	236	S-3, W-2	TDR-3	236	66	-
14	109.0	R-200*	PD-3	392	S-6, W-3	TDR-3	392	109	-
15	441.4	R-200*	PD-3	1,589	S-6, W-2	TDR-3	1,589	441	-
16	183.0	R-200*	PD-3	659	S-6, W-2	TDR-3	659	183	-
17, 18	72.0(95)	R-200*, (RE-2)	PD-3	268	S-6, W-2	TDR-3	268	72	-
Balance	728.9	R-200*	PD-3	2,624	S-2, S-6, W-2	TDR-3	2,624	729	-
Subtotal	1,968.0			6,916 DU			7,094 DU	1,969 DU	178 DU
<b>POTOMAC</b>									
21	75.5	R-200	-	181	S-2, W-2	TDR-3	227 (max.)	38	46
22	41.0	R-200, RE-2	-	20	S-2, W-2	TDR-1	35 (max.)	15	15
23a,b,c	83.0	RE-2	-	33	S-2, S-6, W-2	TDR-1	53 (max.)	20	20
26a,b	38.0	R-90	-	164	S-2, W-2	TDR-6	254 (max.)	76	90
27, 28	43.5	R-200, R-150	-	125	S-2, W-2	TDR-3	157	27	32
30	40.0	R-200, RE-2	-	76	S-2, W-2	TDR-3	120 (max.)	32	44
31	162.0	RE-2	-	81	S-2, W-2	TDR-1	121 (max.)	40	40
32	42.5	RE-2	-	17	S-2, W-2	TDR-1	29 (max.)	12	12
33 (w/o AWT)**	948.0	RE-2C	-	379	S-6, W-2	TDR-2	1,000 (max.)	454	621
36	38.1	R-200	-	91	S-2, W-2	TDR-3	114 (max.)	19	23
37	16.0	RE-2	-	6	S-2, W-2	TDR-1	16	10	10
38	8.6	RE-2	-	3	S-2, W-2	TDR-1	5 (max.)	2	2
Subtotal (w/o AWT)	1,536.2			1,176 DU			2,131 DU	745 DU	955 DU
Subtotals (w/AWT)	588.2			797 DU			1,131 DU	324 DU	334 DU
<b>TOTALS</b>									
(w/o AWT)	4,029.2			9,870 DU			11,080 DU	3,210 DU	1,163 DU
TOTALS (w/AWT)	3,081.2			9,491 DU			10,080 DU	1,789 DU	542 DU

\* The 1980 Master Plan for the Potomac Subregion recommends these sites as suitable for PD-3.

\*\* Area 33 will be used as a TDR receiving area only if the AWT plant is not located on that site.

† With the MPDU bonus included for appropriate properties.



**APPENDIX TO  
APPROVED AND ADOPTED  
AMENDMENT 1  
to the  
MASTER PLAN FOR THE POTOMAC  
SUBREGION**

The following is an amendment to the *Approved and Adopted Master Plan for the Potomac Subregion*, dated May 1980; being also an amendment to the *General Plan for the Physical Development of the Maryland-Washington Regional District*.

1. Page 15, paragraph 4, is amended to read as follows:

The Plan also recommends that approximately 578 525 acres located south of Maryland Route 28, between the PEPCO powerline Jones Lane and Muddy Branch, be designated suitable for a Planned Development Zone as Transferable Development Rights (TDR) receiving areas at a density of three dwelling units per acre (PD-3) (TDR-3). This land is currently in the R-200 (20,000 square foot minimum lot size) residential classification. The Planned Development Zone is recommended as Transferable Development Rights (TDR's) in this area will help preserve prime farmland in the County and will also provide a means of increasing the supply of moderately-priced dwelling units to allow preservation of the unique and environmentally sensitive natural features in the Planning Area.

2. Page 15, paragraph 6, is amended to read as follows:

In the Travilah Planning Area (25), the Master Plan recommends that approximately ~~1,820~~ 1,968 acres of land be designated as suitable for PD-3 TDR-3 receiving areas. This is the area currently in the R-200 zoning classification located between

~~Duffief Mill Road~~ Muddy Branch and the City of Rockville boundary.

3. Page 15, insert a new paragraph to following paragraph six, to read as follows:

In the Potomac Planning Area (29) the Master Plan recommends that thirteen sites, totaling approximately 1,536 acres, be designated as TDR receiving areas. These sites are scattered throughout the planning area.

4. Page 26, under the heading General Goals and Objectives of the Plan, a sixth item is added as follows:

Designate certain sites within the Subregion as suitable for TDR receiving areas.

5. Page 106, under the heading Plan Objectives, add a fourth item, as follows:

Designation of certain sites throughout the Subregion as suitable for TDR receiving areas. This is necessary to implement the recommendations of the Approved and Adopted Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County, Maryland, adopted in October, 1980.

6. Page 107, paragraph 5, is amended to read as follows:

wherever possible in adopted area master plans. It is the intent of this Plan to designate certain sites as suitable TDR receiving areas.

7. Page 107, paragraph 7, is amended to read as follows:

To meet this objective, the Plan recommends the use of ~~Planned Development Zone~~ Transferable Development Rights at varying densities in specific locations throughout the Sub-region and the use of the Residential-Townhouse (R-T) Zones. It is also recommended that the Bradley Junior High School site be designated as a potential "Public Facility Area" for future investigation as to suitability for public uses including recreation, ~~and affordable housing,~~ or a TDR receiving area. The Bradley Junior High School site should only be considered for designation as a Public Facility Area if the site is surplussed by the Board of Education. The site is designated as a TDR receiving area in the event that no public uses are found to be suitable. It is recommended that TDR's only be utilized on this site if one or more of the adjacent receiving areas develop under the TDR option.

8. Page 114, paragraph 6, is amended to read as follows:

The Plan also designates a portion of the area east of Jones Lane which is currently zoned R-200 as suitable ~~for the Planning Development Zone~~ a TDR receiving area at a density of three dwelling units per acre ~~((PD-3) (TDR-3))~~ (TDR-3). The use of ~~this zone~~ TDR's is recommended particularly for those areas within one mile of Maryland Route 28 which could easily be served by a "feeder bus" system upon the opening of Metro to Rockville and Shady Grove. To facilitate the use of mass transit, development ~~plans densities~~ densities for those parcels ~~applying for the PD-3 Zone~~ utilizing TDR's should show density clustered on the northern portion of the property. Those sites recommended as suitable for designation as TDR receiving areas, with the recommended development density, are shown on Map 28. Receiving Area 2, consisting of 93 acres, is restricted to a maximum of 300 units, including MPDU's, if development with TDR's occurs.

9. Page 119, paragraph 2, is amended to read as follows:

The Plan strongly recommends the use of the cluster development option in those areas where ~~the Planned Development Zone is~~ TDR's are not used. The purpose of the cluster method...

10. Page 121, paragraph 3, is amended to read as follows:

In addition to areas recommended for two-acre development, the Plan does recommend the use of ~~the Planned Development Zone~~ TDR's at ~~a density~~ densities of three units per acre ~~(PD-3) (TDR-3)~~ in the relatively denser area in the northern part of the Planning Area, which is currently zoned "One Family Detached-Large Lot" (R-200) with a minimum lot size of 20,000 square feet. Again, it is recommended that the more dense development within this area be within one mile of Maryland Route 28 so as to be easily served by feeder buses when Metro becomes operational in this area. Additional sites recommended as suitable for designation as TDR receiving areas, with recommended development densities, are shown on Map 29.

11. Page 121, paragraph 4, is amended to read as follows:

The area is characterized by gently rolling land which is, or had been, cultivated fields. The area is traversed by several streams including Rich Branch and Piney Branch. The Plan, therefore, recommends that the land which ~~is not developed in the PD-3 classification~~ does not utilize the TDR development option should be considered for development under the cluster option of the R-200 Zone. The cluster option...

12. Page 124, amend the text, under the heading Residential Areas, to add a new paragraph following paragraph 2, to read as follows:

A number of sites throughout the Planning Area are recommended as suitable for TDR receiving areas by reason of their proximity to existing compatible development, access to through roads, or proximity to higher density development to the east of Cabin John Creek. These TDR receiving areas and their recommended development densities, are shown on Map 30.

13. Page 125, following the second full paragraph, insert three new paragraphs, to read as follows:

TDR Receiving Area 23 consists of three separate parcels, identified as 23a, b, and c. Receiving Area 23a may develop under the TDR option at any time. Sites 23b and 23c may only develop under the TDR option if one or both are combined with 23a to provide a unified development.

TDR Receiving Area 33, known as the Avenel Farm, is a 948-acre tract located between Persimmon Tree Road and MacArthur Boulevard. This site has been selected by the County as the location for a 20 mgd advanced wastewater treatment (AWT) plant. The AWT, if built, would occupy approximately 458 acres, including buffers. The proposed Rock Run Stream Valley Park would take another 125 acres, for a total site reduction of 583 acres. The remainder of the site would consist of three separate parcels of approximately 101, 120, and 144 acres.

This Plan recommends the development on the remaining property at the RE-2C standards if the AWT is built. Most, if not all, development should occur north of Rock Run.

Because of the uncertainties of the AWT, including the size of the total area to be utilized and the most appropriate use of any buffer area, the Planning Board may initiate a master plan amendment to consider utilization of TDR's on the remaining portions of Area 33. This amendment would only be considered after the AWT and buffer area decisions have been made.

Should the AWT not be built, then the entire 948-acre tract becomes available for development. Because of its size and location, the Plan recommends Receiving Area 33 as suitable for TDR-2 development. Development of not more than 1,000 units, including MPDU's may be permitted. TDR-2 standards may be utilized to provide a variety of housing types to better respond to the environmental constraints of the site. Most, if not all, development should occur north of Rock Run.

NOTE: Underlining indicates text to be added.

~~Dashes~~ indicate text to be deleted.

APPENDIX B: DISTRICT COUNCIL RESOLUTION  
OF APPROVAL

Resolution No. 9-1958  
Introduced: August 10, 1982  
Adopted: August 10, 1982

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

By: District Council

SUBJECT: Final Draft Amendment to the Potomac Subregional Master Plan  
re TDR Receiving Areas

WHEREAS, on May 20, 1982, the Montgomery County Planning Board transmitted to the Montgomery County Council the Final Draft Amendment to the Potomac Subregion Master Plan concerning the designation of Transfer Development Rights (TDR) Receiving Areas; and

WHEREAS, on July 1, 1982, the Montgomery County Council held a public hearing wherein oral and written testimony was received concerning the Final Draft Amendment to the Potomac Subregion Master Plan; and

WHEREAS, on July 23 and 28, 1982, the Montgomery County Council held worksessions on the Final Draft Amendment to the Potomac Subregion Master Plan at which time detailed consideration was given to the evidence of record developed at the public hearings and to the comments and concerns of interested parties attending worksession discussions.

NOW, THEREFORE, BE IT RESOLVED by the County Council sitting as the District Council for that portion of the Maryland-Washington Regional District within Montgomery County that the Final Draft Potomac Subregion Master Plan concerning Transfer Development Rights (TDR) Receiving Areas is hereby approved as amended.

Council changes to the Final Draft Amendment to the Potomac Subregion Master Plan concerning Transfer Development Rights (TDR) Receiving Areas are identified by chapter, section and page number as set forth below:

PLAN ASSUMPTIONS

- V. PLAN ASSUMPTIONS, Page 12  
Change "assumption" to "guideline" throughout.

Plan Assumption 1, Page 12

Plan Assumption Guideline 2

This plan's TDR receiving area policy is designed to "spread out" the TDR optional densities at relatively low intensities as opposed to concentrating on a small number of sites. This should enable site plans to require that units on TDR sites adjoining existing single-family development will be of a similar character to the adjoining zone with regard to type of unit, lot size, spacing— and setbacks.

PLAN RECOMMENDATIONS

DARNESTOWN PLANNING AREA

Receiving Area 2, Page 18

\*\*\*

Area 2 is bordered by the Fox Hills Green subdivision on the west, Quince Orchard Road on the east, and Muddy Branch Stream Valley Park on the south. The site is currently zoned R-200. It is a 93-acre tract of land split by the PEPCO power lines. An approved preliminary cluster subdivision plan permits 223 units on the entire 93-acre tract. However, only 45 lots have been recorded on the east side. The owner of the land proposes to abandon the record plat east of the PEPCO lines and resubdivide the entire site using TDR's. After considering the public hearing testimony and determining that a suitable transition was needed west of the PEPCO lines, ~~the Planning Board has recommended-~~ this plan designates Area 2 as suitable for TDR-3 development but limited to 300 units, including MPDU's. For the area west of the power lines the density shall be no greater than could occur under the R-200 cluster development. It is further recommended that most of the density be concentrated east of the PEPCO lines.

TRAVILAH AND VICINITY PLANNING AREA

- Receiving Areas 5 and 6, Page 21

Add a phrase for each site indicating that the Planning Board, in administering subdivision regulations, will follow its usual policy of requiring new lots adjacent to existing developed lots to be similar.

- Receiving Area 15, Page 23

Add language to indicate that the north part of this site is to be reexamined and included as part of the Gaithersburg Master Plan study.

POTOMAC - CABIN JOHN PLANNING AREA

- Receiving Area 21, Page 26

Make necessary revisions to indicate this site is proposed for a maximum of 227 total dwelling units with the use of TDR's.

- Receiving Area 22, Page 26

Make necessary revision to indicate this site is proposed for a maximum of 35 total dwelling units with the use of TDR's, and that the Planning Board in administering the subdivision regulation will follow its usual policy of requiring lots adjacent to existing lots developed to be similar.

- Receiving Areas 23a, b, and c, Page 27

Make necessary revisions to indicate these sites are proposed for a maximum of 53 total dwelling units with the use of TDR's. In accordance with this recommendation, the 20 TDRs suitable for this site are to be apportioned as follows: 15 TDR's from Site 23a, 1 TDR from Site 23b, and 4 TDR's from Site 23c.

- Receiving Areas 26a and b, Page 28

Make necessary revisions to indicate these sites are proposed for a maximum of 254 total dwelling units with the use of TDR's, and to revise text as follows:

This plan recommends Area 26a and b as suitable for TDR-6. This provides the potential for development utilizing innovatively housing types that will provide maximum protection to environmentally sensitive areas. Similar size single-family lots for single-family detached houses should adjoin the existing homes in the Regency Estates subdivision. In addition, there shall be no direct access to Seven Locks Road. Recommending TDR-6 provides for development flexibility, but does not guarantee that the full density can be achieved. In addition, this density increase is site specific and especially intended to serve the public purpose of implementing the agricultural and open space preservation plan. It shall not be construed or cited as justification for granting townhouse zoning in the Seven Locks Road corridor.

- Receiving Area 30, Page 29

Make necessary revisions to indicate this site is proposed for a maximum of 120 total dwelling units with the use of TDR's.

- Receiving Area 31, Page 29

Make necessary revisions to indicate this site is proposed for a maximum of 121 total dwelling units with the use of TDR's.

- Receiving Area 32

Make necessary revisions to indicate this site is proposed for a maximum of 29 total dwelling units with the use of TDR's.

- Receiving Area 33, page 30

Eliminate the second, third, and fourth paragraphs under Area 33 discussion and substitute the following:

This amendment designates Area 33 as a TDR receiving area. Development shall be limited to no more than 1,000 dwelling units, including MPDUs. Development with TDR's should utilize the R-200 standards in order to provide a wider range of housing types. This will allow a development plan that can better respond to topographic and environmental conditions on the site. TDR development will be permitted only if AWT is not built on the site.

Area 33 is currently designated by the County as the site for the proposed Rock Run Advanced Wastewater Treatment (AWT) Plant for sewage disposal. The design proposed by the consulting engineers calls for the utilization of approximately 383 acres (including 160 acres of stream valley park) for the plant and associated buffers. This would leave about 365 acres for residential development. This remaining acreage consists of three separate parcels of 101, 144, and 120 acres (see Figure 3).

If Area 33 is used for the AWT plant, this plan recommends that TDR's not be utilized on this site. With the AWT and associated buffers occupying the center of the site, less desirable areas for development would remain on the edges of the site. These areas would make it difficult to effect a transition to surrounding development. Therefore, development should occur at the RE-2C density recommended in the Approved and Adopted Potomac Subregion Master Plan. However, because of the uncertainties of the AWT, including the size of the total area to be utilized and the most appropriate use of any buffer area, the Planning Board may initiate a master plan amendment to consider utilization of TDR's on the remaining portions of Area 33 when the AWT and buffer area decisions have been made.

- Receiving Area 35, Page 32

Amend Plan to eliminate TDR designation for this site.

- Receiving Area 36, Page 32

Make necessary revisions to indicate this site as proposed for a maximum of 114 total dwelling units with the use of TDR's.

- Receiving Area 38, Page 33

Make necessary revisions to indicate this site as proposed for a maximum of 5 total dwelling units with the use of TDR's.

APPENDIX A

Number 13, Page 37, Add new Paragraph 3 as follows:

Because of the uncertainties of the AWT, including the size of the total area to be utilized and the most appropriate use of any buffer area, the Planning Board may initiate a master plan amendment to consider utilization of TDRs on the remaining portions of Area 33. This amendment would only be considered after the AWT and buffer area decisions have been made.

GENERAL

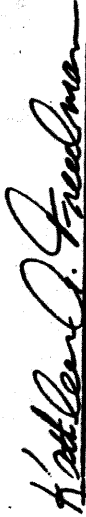
All figures, tables, and maps are to be revised where appropriate to reflect County Council changes to the Final Draft Potomac Subregional Master Plan and to reflect the FY 82-87 Capital Improvement Programs. The text is to be edited as necessary to achieve clarity and consistency, to update factual information, and to convey the actions of the County Council. All identifying references pertain to the Final Draft Amendment to the Potomac Subregion Master Plan dated May 6, 1982.

**EXPLANATIONS:** Underlining indicates text to be added.

~~Deletions~~ indicate text to be deleted.

A True Copy.

ATTEST:



Kathleen A. Freedman, Deputy Secretary  
of the County Council for  
Montgomery County, Maryland



APPENDIX C: M-NCPPC RESOLUTION OF  
ADOPTION

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB 82-45  
M-NCPPC 82-28

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 66D of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend, and add to a General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission held public hearings on March 30 and April 7, 1982, on a preliminary draft amendment to the Potomac Subregion Master Plan, being also a proposed amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways; and

WHEREAS, the Montgomery County Planning Board, after said public hearings and due deliberation and consideration, at the meeting held on May 6, 1982, approved a final draft amendment and recommended that it be approved by the Montgomery County Council; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, on July 1 and July 15, 1982, held public hearings wherein testimony was received concerning the Final Draft Master Plan Amendment; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, on August 10, 1982, approved the final draft amendment of said plan by Resolution 9-1958.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt said amendment to the Potomac Subregion Master Plan, together with the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways as approved by the Montgomery County Council in the attached Resolution 9-1958.

BE IT FURTHER RESOLVED that this amendment be reflected on copies of the aforesaid plan and that copies of such amendment shall be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Krahnke, seconded by Commissioner Heimann, with Commissioners Christeller, Krahnke, Heimann, and Granke voting in favor of the motion; and with Commissioner Brennan voting against the motion at its regular meeting held Thursday, August 12, 1982, in Silver Spring, Maryland.

*Thomas H. Countee, Jr.*  
Thomas H. Countee, Jr.  
Executive Director

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner Granke, seconded by Commissioner Brown, with Commissioners Brown, Christeller, Dukes, Granke, Heimann, Keller, Krahnke, and Shoch voting in favor of the motion; with Commissioner Brennan voting against the motion; and with Commissioner Cumberland being absent at its regular meeting held Wednesday, September 8, 1982 in Silver Spring, Maryland.

*Thomas H. Countee, Jr.*  
Thomas H. Countee, Jr.  
Executive Director

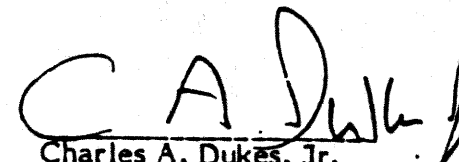
\* \* \* \* \*

## CERTIFICATE OF APPROVAL AND ADOPTION

This amendment to the Master Plan for the Potomac Subregion, being also an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District in Montgomery County, Maryland, and to the Master Plan of Highways within Montgomery County, Maryland has been approved by the Montgomery County Council, sitting as the District Council, by Resolution 9-1958 on August 10, 1982 and has been adopted by the Maryland-National Capital Park and Planning Commission by Resolution 82-28 on September 8, 1982 after a duly advertised public hearing pursuant to Article 66D of the Annotated Code of Maryland, 1982 Supplement.

The Maryland-National Capital Park and Planning Commission

  
Norman L. Christeller  
Chairman

  
Charles A. Dukes, Jr.  
Vice Chairman

  
A. Edward Navarre  
Secretary-Treasurer

**AMENDMENT #2**

**APPROVED AND ADOPTED AMENDMENT TO THE MASTER PLAN FOR THE  
POTOMAC SUBREGION**

**July 1984**

**Designating the Avenel Farm for the AWT Plant, a private golf course, and establishing  
a residential area for receiving TDR's.**

## Highlights

In summary, this Amendment will:

Provide for the AWT Plant site and create the necessary buffer area.

Allow for a private golf course, partly within the Secondary buffer area, subject to easements for public pedestrian and equestrian access.

Limit residential development to a maximum of 850 units.

Require that a public local park be provided in a suitable location and configuration according to Parks Department criteria.

Remove the Rock Run Gold Mines from the Locational Atlas.

Provide for the conservation and protection of the Rock Run Stream Valley.

Change the alignment of the proposed extension of the arterial street A-39 within the tract.

Expand Area 33 to include the former high school site on Persimmon Tree Road.

## Background

The Avenel Farm is a 948-acre parcel of land within the Rock Run drainage basin. It is located north of MacArthur Boulevard and west of Persimmon Tree Road. The 1980 *Master Plan for the Potomac Subregion* identifies the Avenel Farm as a site for a proposed advanced wastewater treatment (AWT) plant. (See page 76 and the Environmental Features Map.) It also indicates that Rock Run is an environmentally sensitive area (page 73). The *Plan* recommends the RE-2C zoning category for the farm; it proposes an extension of an arterial street A-39 and indicates the presence of several bridle trails. The *Plan* shows two historic sites in this area. One is on the farm—the Rock Run Gold Mines. The Ellerslie/Saunders Home is adjacent to the farm and has been designated a Historic Site on the County's functional *Master Plan for Historic Preservation*. The land use portion of the *Plan* shows the Avenel Farm for single-family detached houses and proposes a public park along the stream valley and adjoining steep slopes of Rock Run.

In 1982, the *Potomac Master Plan* was amended to designate a number of "receiving areas" for the transfer of development rights (TDR) in furtherance of the County's agricultural preservation policy. The designation of TDR sites is a sequential step in the implementation of the adopted County-wide *Functional Master Plan for the Preservation of Agriculture and Open Space*. The County's *General Plan for the Physical Development of the Maryland-Washington Regional District in Montgomery County, Maryland* provides general policy guidance for the County's land use plans. It states that a large, designated land area in the upper County, now being used for farming and/or open space, should be protected for the benefit of the local food supply, the general environment, and the well-being of future generations. The

TDR program allows farmland owners in the Rural Density Transfer (RDT) Zone to sell their development rights and still retain title to their land. The sale of development rights can help to finance farm improvements and operations without the necessity of selling off small residential lots to raise capital. This approach, unlike traditional zoning techniques, offers farmland owners an economic incentive to resist development pressure.

The *Agricultural Preservation Plan* provides for the possible sale and transfer of development rights from the Agricultural Reserve area to other parts of the County. Owners of land in "receiving areas" shown on adopted master plans will be able to develop to the densities up to those shown on these plans after purchase of TDR's from farmland located in the Agricultural Reserve and after approval of subdivision and site plans by the Planning Board. The sale of such TDR's puts the "sending area" farmland under a permanent easement restricting future non-agricultural development. The receiving areas will be identified in approved and adopted master plans and will be consistent with environmental: transportation, housing, and population guidelines of those master plans.

The 1982 Amendment designated the Avenel Farm (Area 33, page 28) as a potential TDR receiving area provided that the AWT Plant was not located there. The Amendment also identified 583 acres of the farm as being needed for the AWT Plant and buffer (including a portion of the proposed stream valley park) if it were to be built there. In that Amendment the Planning Board and County Council noted uncertainties associated with the AWT Plant and the size and use of the buffer area. The 1982 Amendment left open the possibility of a further master plan amendment to consider the utilization of TDR's on the remaining portions of the farm whenever decisions about the AWT Plant and the buffer area became more certain.

A decision has now been made by the County and the Washington Suburban Sanitary Commission (WSSC) to locate the AWT Plant on a central portion of the Avenel Farm. Furthermore, a proposal has been made to construct a private, stadium golf course within the farm. Part of the golf course is to be located on land that is designated in the *Master Plan* for a public park known as the Rock Run Stream Valley Park, and part of it will be in what was originally shown as a portion of the buffer area for the AWT Plant.

## This Amendment

The AWT Plant will be located within a 50-acre area. Trees, berms, and shrubs will provide visual screening. Portions of this 50-acre area, as well as the buffer, will remain accessible to the public for hiking and equestrian trails. Any modification to the plant's configuration beyond this 50 acre site will require an additional master plan amendment.

Surrounding the 50-acre plant site is a buffer area of approximately 120-acres, consisting of a 500-foot deep primary buffer and a 300-foot deep secondary buffer. While most of this buffer area, as well as the plant site, will be owned by the WSSC, a portion of the buffer area may be owned and/or used by the proposed golf course. Overall, the AWT site, buffer, and golf course will fulfill the objectives described in the Project Development Report (PDR) for visual, sound, and odor screening.

Early in the facility planning process, an area of 583 acres was identified for acquisition or dedication to provide for the Rock Run AWT site and buffer. This land area was to be purchased largely with public funds. The currently proposed AWT

site and buffer, the portion of the golf course contiguous to the AWT site and buffer, and the adjoining recreation and stream valley park areas form a roughly rectangular area of approximately 400 acres with the AWT site in the center. This expanse of open space will be achieved with public moneys paying for approximately one-half of the acreage (i.e., the AWT site and buffer) and private money paying for one-half (the golf course).

The County Government and WSSC have reviewed the Environmental Project Report for Rock Run in detail and concluded that the 170-acre AWT site and buffer, along with small areas of the golf course that intrude into the secondary buffer are more than adequate to provide for a 20 million gallons per day Rock Run AWT facility and desirable setbacks from existing and planned residential development. In reaching the revised acreage needs for the AWT site and buffer, the assumptions used in odor dispersion modeling contained in the PDR were reviewed and found to be extremely conservative. The PDR assumed that a total plant upset would occur where all surfaces containing sludge solids would be exposed to the atmosphere and generating odors at the highest level ever measured anywhere and that this upset would occur under the worst atmospheric conditions possible for dispersion. It further assumed no mitigating interaction of odor molecules with surrounding vegetation or other elements of the atmosphere and no control devices or measures that may be incorporated into the design of the AWT plant.

In actuality, plant upsets are extremely rare at well run facilities and, even if occurring, would not produce the level of odors modeled. In the case of Rock Run, where sewage is withdrawn from the Dulles Interceptor Sewer and pumped up to the plant for treatment, if conditions conducive to a plant upset were to occur, then flows could be bypassed to the Blue Plains

Sewage Treatment Plant for treatment. Other odor protection measures, if necessary, can also be employed at Rock Run. Furthermore, contrary to the conservative assumptions of the model odor molecules do dissipate by diffusion, do undergo destructive processes in the air, and the vegetative screening to be provided is an effective mitigating measure to control odors.

Nonetheless, the 1600 feet from center of site maximum odor detection limit that resulted from the modeling was used as a guide for the delineation of the outer boundary of the secondary buffer, and will be the closest distance where residential development will be allowed. The golf course, in most directions, provides an additional odor and aesthetic buffer and further improves the compatibility of the plant with the community.

## Open Space

A buffer area adjacent to the 50-acre AWT Plant site is proposed to have the open space land use designation. A  $260 \pm$  acre golf course is to be partially located within a portion of the buffer area and partially surrounding the plant site and buffer. Because the buffer of open space is needed to prevent houses from being built too close to the AWT Plant, golf course development would be compatible with this purpose. This golf course also provides additional buffer between the AWT site and some of the residential development. It also provides an economic use for this portion of the farm, thus eliminating the need to acquire this part of the buffer area at public expense. Therefore, this Amendment regards a portion of the Avenel Farm as suitable for the private golf course subject to obtaining a special exception use permit. This Amendment also calls for public access through the portion of the Rock Run Stream Valley Park oc-

cupied by the golf course, limited however to hikers and equestrians in the area of the equestrian trails. This area will retain the designation of public park. The golf course in the Rock Run Stream Valley will need to be developed and maintained in accordance with the same environmental criteria that are applicable to the public park system in stream valley park areas.

Reflecting action taken by the Historic Preservation Commission upon review of research and materials relevant to the criteria of the historic preservation ordinance, this Amendment removes the Rock Run Gold Mines from the *Locational Atlas and Index of Historic Sites in Montgomery County Maryland*.

This Plan Amendment still requires a public local park (previously designated for the former high school site on Persimmon Tree Road). However, this Amendment allows for the park to be located elsewhere within the Avenel Farm at a site equally suitable in size, topography, configuration, and access.

## Residential Development

The remaining acreage is suitable for residential use. This Amendment removes from the AWT Plant site, its buffers, and other open spaces any potential for future residential development because the overall density will have been used for residential development in the area designated for residential development. This will ensure that the undeveloped portion of the farm will remain open space and will be accessible to the public in perpetuity should the golf course not be built or the activity ever be discontinued.

As an additional safeguard, a mechanism to restrict the use of the golf course in perpetuity to a recreational open space use,

available to the public, and no more intensive than a golf course must be agreed upon by the owner and the M-NCPPC.

The Avenel Farm is located in a community that is developed with low and medium residential densities ranging in intensity between the RE-2 and the R-200 zoning categories. The 1982 Amendment placed a maximum capacity of 1,000 dwellings, including TDR's and moderately priced dwelling units (MPDU's), on the Avenel Farm. However, the decision to devote a part of the Avenel Farm to a future AWT plant coupled with open space utilization still requires some reduction in the total amount of allowable dwelling units. Given the previous planning history, the large amount of open space, and public benefit considerations, the maximum residential capacity is reduced to 850 units by this Amendment. This represents a maximum density that may be applied to the ground in a fashion that will reflect good land use practices for this location, given open space utilization.

The use of TDR's can be accomplished without adversely changing the character of this portion of Potomac. Compatibility with adjacent development can be achieved by having a range of densities starting with the lowest at the outside perimeter and clustering increasing density toward the interior open space areas. This increase in density would further the agricultural preservation program while also helping to preserve a portion of the secondary buffer without a public expenditure.

This *Plan* requires a traffic analysis at the time of subdivision. The Planning Board will examine traffic conditions within the context of the *Approved and Adopted Master Plan for the Potomac Subregion*. If a need is demonstrated by the traffic analysis, some operational and paving improvements may be made a condition of subdivision approval.



## **Notification**

This Plan Amendment recommends that potential homebuyers be made aware of the presence of the AWT plant site prior to their purchasing a home on the Avenel Farm. Under the master plan disclosure provisions of the Montgomery County Code, a homebuyer has an opportunity to review the applicable master plan. Thus, the information provided in this Plan Amendment will assist in notifying prospective home purchasers of the presence of the AWT plant site. This Plan Amendment also recommends that a formal disclosure of the presence of the AWT plant site be made.

These measures occur late in the home selection process, generally after one has selected a particular home. Therefore, the Plan Amendment further recommends that the Department of Environmental Protection place well-designed signs in the area indicating the AWT site. These signs will inform early in the prospective homebuyer's selection that the AWT site is in the vicinity.

## **Environmental Protection**

The Avenel Farm is the largest remaining undeveloped parcel in the Rock Run watershed. Development of this parcel for golf course, residential, recreational, and AWT uses could add to the nonpoint source pollutant loading of Rock Run unless appropriate best management practices are employed. In order to maintain the existing stream quality in Rock Run, this Master Plan Amendment recommends that the developer(s) of the Avenel Farm be required to provide a detailed water quality analysis demonstrating how nonpoint source pollutant loadings will be kept at or near existing levels. In addition, the fol-

lowing guidelines must be used in the development of the Avenel Farm:

- 1) The disturbance of mature woodland areas is strongly discouraged and should be avoided wherever possible. The Planning Board should give attention to the establishment of conservation easements along small tributaries at the time of subdivision.
- 2) All clearing and grading activities shall strictly adhere to the U.S. Soil Conservation Service guidelines pertaining to erosion and sediment control. Phased clearing and grading shall be employed whenever/wherever feasible. In addition, the use of higher trapping efficiency sediment basins and/or oversized sediment traps is recommended.
- 3) Strict adherence to the Environmental Planning Division's "Steep Slope" guidelines should be required at the time of site plan review.
- 4) Effective energy dissipation techniques shall be employed at all storm drainage outfalls to reduce upland and channel erosion.
- 5) Stormwater management ponds shall be constructed in synchronization with or ahead of the residential units. These ponds shall intercept runoff from the entire tract.
- 6) For water quality reasons, wet ponds with a minimum of 6 to 12 hours detention time should be used. In the areas where wet ponds are not feasible or desirable, the use of extended detention dry ponds (having a minimum detention time of 12 hours), porous pavement, or infiltration devices will be considered.

7) The overall maintenance of the proposed golf course and open space areas along the stream valleys shall conform to the same environmental standards that are applicable to the M-NCPPC. Furthermore, the Maryland Department of Agriculture, Cooperative Extension Service and M-NCPPC Department of Parks shall be consulted in the appropriate application rates of fertilizers, pesticides, and herbicides in the operation of the golf course. This application history shall be kept in recorded form and be available to appropriate County and State agencies.

No development will be allowed within the ultimate 100-year floodplain, on steep slopes (25% or greater), or on soils with poor drainage properties. The actual residential unit yield may be less than the 850 maximum indicated in this Amendment based on reductions imposed during further review.

Furthermore, it is anticipated that the proposed private golf course will be the location, in part, for open space and storm-water management that will serve the future occupants and needs of the proposed residential area. Since the golf course design and the residential development are interconnected, their layout must complement each other. In order to assure this, this Master Plan Amendment calls for the site plan and subdivision processes of each to be coordinated (including concurrent scheduling if possible) to ensure compatibility and adequacy of all environmental and recreational objectives.

## Zoning

The effect of this Amendment designating Area 33 for TDR development is to allow for a maximum of 850 dwelling units (DU's) upon approval by the Planning Board of a preliminary

plan of subdivision. This is allowed under the existing RE-2C and RE-2 Zones when TDR's have been purchased from the RDT-zoned areas elsewhere and applied to the Avenel Farm. The TDR-2 designation allows for the development standards and housing types of the R-200 Zone. These standards are needed to achieve good design and provide for a variety of housing types, including both single-family detached and attached.

The section under "Receiving Area 33" on page 28 of the September 1982 Amendment to the *Master Plan for the Potomac Subregion* is recommended to be changed to read as follows:

### Receiving Area 33

Size (including surplus school site)	978 acres
Present Zoning	RE-2C and RE-2
Maximum Units w/o TDR	391 DU's
Proposed TDR Optional Density	TDR-2 (limited)
Maximum Units w/TDR's and MPDU's	850 DU's
Maximum TDR's (to be reduced by the number of MPDU's)	459
Water and Sewer Category	W-2; S-6 (automatic change to S-3 with TDR's <sup>2</sup> )

Area 33, in addition to the Avenel Farm, a 948-acre site located between Persimmon Tree Road and MacArthur

Boulevard, is expanded to include a 30-acre surplus school site on Persimmon Tree Road. The Avenel Farm is currently zoned RE-2C and the former school site is zoned RE-2.

This Amendment designates Area 33 as a TDR receiving area, the site of an AWT plant, and recommends a private golf course. Development shall be limited to no more than 850 dwelling units, including MPDU's and TDR's. The TDR-2 designation means that development may utilize the R-200 standards in order to provide a wider range of housing types. This will allow a development plan that can better respond to topographic and environmental conditions on the site. Under any development procedure, with or without TDR's, this Amendment recommends that any development in the area south of

Rock Run must address the severe environmental constraints in that area.

This Amendment removes from the AWT Plant site, its buffers, and other open spaces any potential for future residential development because the overall density will have been used for residential development in the area designated for residential development. This will ensure that the undeveloped portion of the farm will remain open space in perpetuity should the golf course not be built or the activity ever be discontinued.

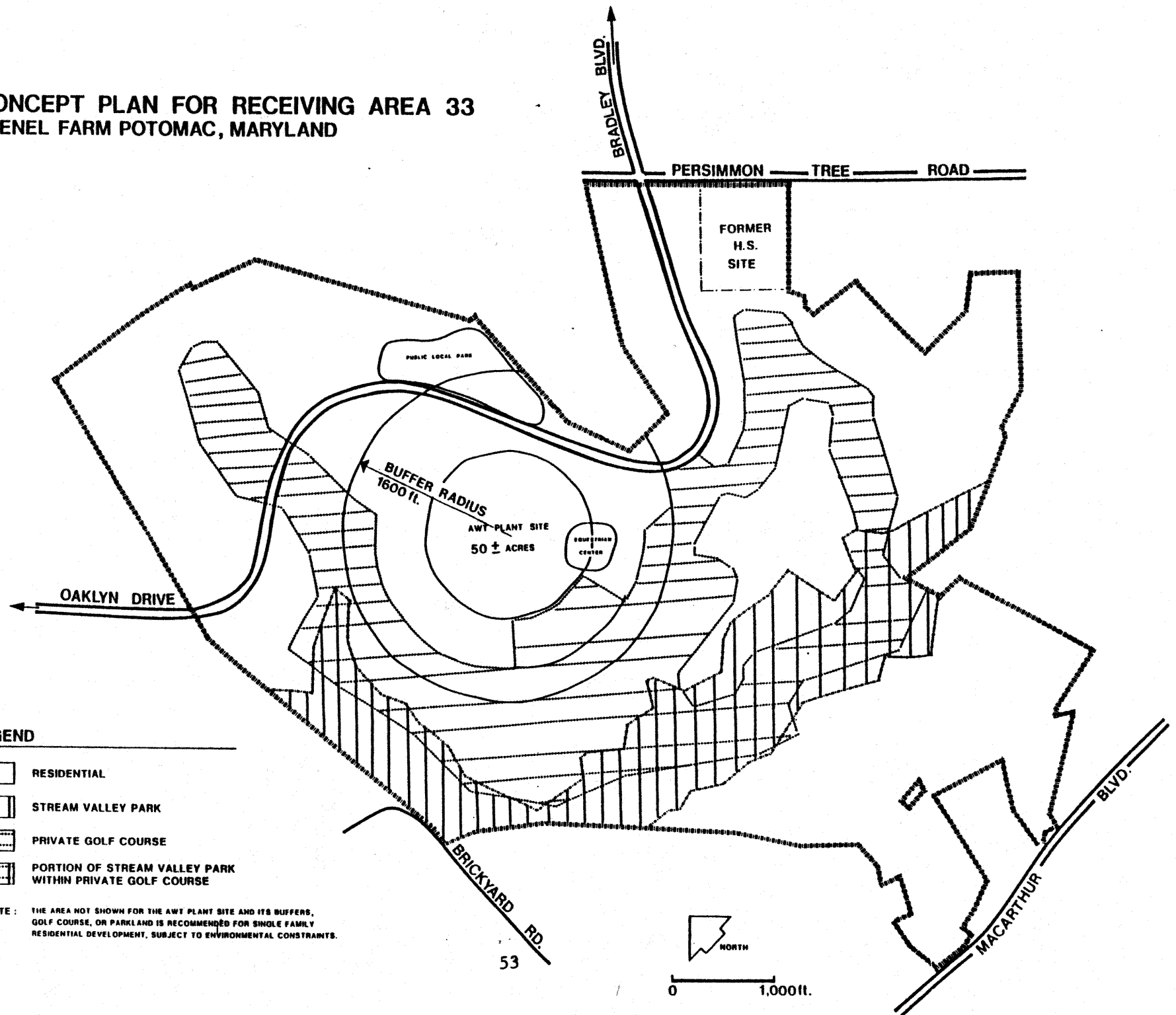
As an additional safeguard, a mechanism to restrict the use of the golf course in perpetuity to a recreational open space use, available to the public and no more intensive than a golf course, must be agreed upon by the owner and the M-NCPPC.

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1 See appendix 1.

2 Based on Planning Board approval of a preliminary plan of subdivision utilizing the TDR option.

# CONCEPT PLAN FOR RECEIVING AREA 33 AVENEL FARM POTOMAC, MARYLAND



# APPENDIX 1

## Rock Run Water Quality

The average values of water quality parameters for different flow categories, at the mouth of Rock Run, are presented in summarized form in table 1:

TABLE 1  
OBSERVED WATER QUALITY DATA IN ROCK RUN\*  
(1971-1979)

Montgomery County Identification No.	Miles Above Mouth	Water Quality Parameters	Minimum Value	Lowest Flows Mean	Low Flows Mean	All Flows Mean	High Flows Mean	Highest Flows Mean	Maximum Value
00100 - Mouth of Rock Run	0.0	Water Temp. (*C)	-1.0	13.9	12.4	11.7	8.7	7.7	26.0
		Air Temp. (*C)	-11.0	15.3	14.4	13.5	10.1	8.3	29.0
		Turbidity (JTU)	1.0	1.2	3.4	4.5	-	-	15.0
		pH	2.3	7.4	7.5	7.5	7.4	7.6	9.4
		D.O (mg/l)	5.8	10.0	10.7	10.9	11.6	11.8	15.3
		D.O. ( sat.)	61.1	85.5	95.3	94.8	96.1	93.8	128.5
		BOD (5-day mg/l)	0.1	1.3	1.3	1.4	1.8	1.9	4.0
		Fecal Colif. (MM:/100 ml)	9	174	147	200	418	453	23,000
		Tot. Residue (mg/l)	51	82	102	104	139	179	222
		Tot. NO <sub>2</sub> +NO <sub>3</sub> -N (mg/l)	0.1	1.6	1.4	1.4	1.8	1.9	4.0
		Tot. PO <sub>4</sub> -P (mg/l)	0.0	0.05	0.06	0.05	0.06	0.06	1.48

\*Source: Cabin John, Rock Run, Little Falls Watershed Study, July, 1982 from data contained in Montgomery County Department of Environmental Protection (MCDEP) report. Fecal coliform values are geometric means.

The recorded water quality data since 1971 indicate no violations of State standards for temperature, dissolved oxygen or turbidity. Of the 122 pH readings, only 9 are outside the acceptable range of 6.5 to 8.5 and there have been no violations recorded since 1972. Violations of the State fecal coliform standard (200 MPN/100 mL) do occur in more than half the readings.

It should be noted that the Rock Run basin remains largely undeveloped with most of the existing urbanization being located around the headwaters. Also, there are no large densely urbanized zones or point source discharges where large quantities of pollutants are delivered to the stream. Rock Run was rated by the MCDEP as having "good" water quality in 1980.

**FIGURE 4 REVISED FOR 1984 AMENDMENT**  
**POTOMAC SUBREGION TDR RECEIVING AREAS**  
**SUMMARY TABLE**

TDR Receiving Areas	Acreage	Existing Base Density	Existing Zoning Option	Max. D.U. Yield Under Recommendation <sup>1</sup>	Existing Sewer and Water Category	Designated TDR Option	Maximum DU's with TDR's <sup>1</sup>
<b>DAIRNESTOWN</b>							
2	93.0	R-200	-	223	S-3, W-3	TDR-3	300 (max.)
3	62.5	R-200*	PD-3	225	S-6, W-4	TDR-3	225
4	32.0	R-200*	PD-3	115	S-3, W-3	TDR-3	115
4A	115.0	R-200*	PD-3	414	S-6, W-4	TDR-3	414
Balance	222.5	R-200*	PD-3	801	S-6, W-4	TDR-3	801
Subtotal	325.0			1,778 DU			1,855 DU
<b>TRAYLVAH</b>							
5	118.0	R-200	-	283	S-3, W-3	TDR-3	425
6	30.0	R-200	-	72	S-6, W-4	TDR-3	108
8	59.6	R-200*	PD-3	215	S-6, W-4	TDR-3	215
9	160.6	R-200*	PD-3	578	S-3, W-3	TDR-3	578
11	65.5	R-200*	PD-3	236	S-3, W-3	TDR-3	236
14	109.0	R-200*	PD-3	392	S-6, W-3	TDR-3	392
15	441.4	R-200*	PD-3	1,589	S-6, W-2	TDR-3	1,589
16	183.0	R-200*	PD-3	659	S-6, W-2	TDR-3	659
17, 18	72.0(95)	R-200*, (RE-2)	PD-3	268	S-6, W-2	TDR-3	268
Balance	728.9	R-200*	PD-3	2,624	S-2, S-6, W-2	TDR-3	2,624
Subtotal	1,968.0			6,916 DU			7,094 DU
<b>POTOMAC</b>							
21	75.5	R-200	-	181	S-2, W-2	TDR-3	227 (max.)
22	41.0	R-200, RE-2	-	20	S-2, W-2	TDR-1	35 (max.)
23a,b,c	83.0	RE-2	-	33	S-2, S-6, W-2	TDR-1	53 (max.)
26a,b	38.0	R-90	-	164	S-2, W-2	TDR-6	254 (max.)
27, 28	43.5	R-200, R-150	-	125	S-2, W-2	TDR-3	157
30	40.0	R-200, RE-2	-	76	S-2, W-2	TDR-3	120 (max.)
31	162.0	RE-2	-	81	S-2, W-2	TDR-1	121 (max.)
32	42.5	RE-2	-	17	S-2, W-2	TDR-1	29 (max.)
33 (w/AWT)	978.0	RE-2C, RE-2	-	391	S-6, W-2	TDR-2(limited)	850 (max.)
36	38.1	R-200	-	91	S-2, W-2	TDR-3	114 (max.)
37	16.0	RE-2	-	6	S-2, W-2	TDR-1	16
38	8.6	RE-2	-	3	S-2, W-2	TDR-1	5 (max.)
Subtotal	1,566.2			809 DU			1,850 DU
TOTALS (w/AWT)	4,059.2			9,503 DU			10,799 DU

\* The 1980 Master Plan for the Potomac Subregion recommends these sites as suitable for PD-3.

† With the MPDU bonus included for appropriate properties. 55

Resolution No. 10-821

Introduced: June 26, 1984

Adopted: June 26, 1984

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

SUBJECT: Approval of Final Draft Master Plan Amendment (Avenel Farm) Potomac  
Subregion

WHEREAS, on April 18, 1984, the Montgomery County Planning Board transmitted to the County Council the Preliminary Draft Amendment to the Potomac Subregion Master Plan (Avenel Farm); and

WHEREAS, the County Council jointly with the Montgomery County Planning Board conducted a public hearing on May 22, 1984, on the Preliminary Draft Amendment to the Potomac Subregion Master Plan (Avenel Farm); and

WHEREAS, a joint worksession was held by the County Council and the Montgomery County Planning Board on June 5, 1984, at which time consideration was given to the public hearing testimony and the comments and concerns of interested and affected parties; and

56

WHEREAS, as a result of this process certain revisions were made to the Preliminary Draft Amendment to the Potomac Subregion Master Plan (Avenel Farm) and on June 22, 1984, the Montgomery County Planning Board submitted to the County Council the Final Draft Amendment to the Potomac Subregion Master Plan (Avenel Farm) dated June 1984; and

WHEREAS, the principal issues addressed by the Planning Board and County Council at the June 5, 1984, worksession included examination of:

1. The size and nature of the parcel of land to be reserved for the sewage treatment plan, including consideration of whether it is adequate to safely accommodate the long term needs of the County as related to the entire regional sewage treatment system.

2. The proper buffer distance to be preserved around the site of the treatment plant itself, in order to adequately allow for any odor ameliorization and avoid conflict with residential development and/or golf course uses.
3. The maximum residential density to be established by the master plan, and the nature of master plan language to guide the Planning Board in evaluating the subdivision and site plan application.

WHEREAS, the County Council has reviewed the Final Draft Amendment to the Potomac Subregion Master Plan (Avenel Farm) and is satisfied that it contains all revisions requested by the County Council as a result of the Council's participation in the preliminary master plan process.


NOW, THEREFORE, BE IT RESOLVED by the County Council for Montgomery County, Maryland that -

57

The Final Draft Amendment to the Potomac Subregion Master Plan (Avenel Farm), dated June 22, 1984, is hereby APPROVED.

A True Copy.

ATTEST:

  
Kathleen A. Freedman, Acting Secretary  
of the County Council for  
Montgomery County, Maryland



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20907

MCPB No. 84-29  
M-NCPPC No. 84-25

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time to make and adopt, amend, extend, and add to the General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission and the Montgomery County Council held a joint public hearing on May 22, 1984 on a preliminary draft amendment to the Approved and Adopted Master Plan for the Potomac Subregion, being also a proposed amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, at the meeting held on June 14, 1984, approved a final draft amendment and recommended that it be approved by the Montgomery County Council; and

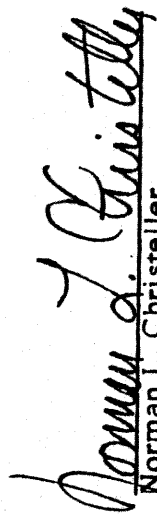
WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, on June 26, 1984 approved the final draft amendment of said plan by Resolution No. 10-821.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt said amendment to the Approved and Adopted Master Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways as approved by the Montgomery County Council in the attached Resolution No. 10-821.

## CERTIFICATE OF APPROVAL AND ADOPTION

This Amendment, being an amendment to the Approved and Adopted Master Plan for the Potomac Subregion, 1980, Montgomery County, Maryland; the General Plan for the Physical Development of the Maryland-Washington Regional District; and the Master Plan of Highways within Montgomery County, Maryland, has been adopted by The Maryland-National Capital Park and Planning Commission by Resolution Number 84-25 on July 11, 1984, after a duly advertised Public Hearing held on May 22, 1984, pursuant to the provisions of Article 28 of the Annotated Code of Maryland, and has been approved by the Montgomery County Council, sitting as the District Council, by Resolution Number 10-821 on June 26, 1984.

### THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

  
Norman L. Christeller  
Chairman

  
A. Edward Navarre  
Secretary-Treasurer



**AMENDMENT #3**

**APPROVED AND ADOPTED AMENDMENT TO THE MASTER PLAN FOR THE  
POTOMAC SUBREGION**

**July 1984**

**Establishing the right-of-way for the realignment of Seven Locks Road in the vicinity of  
River Road and designating Seven Locks Road as a Principal Secondary Road between  
River Road and Bradley Boulevard.**

**APPROVED AND ADOPTED AMENDMENT  
TO THE MASTER PLAN FOR THE  
POTOMAC SUBREGION  
July 11, 1984**

**REALIGNMENT OF SEVEN LOCKS ROAD**

The following is an amendment to the *Approved and Adopted Master Plan for the Potomac Subregion*, dated May 1980, as amended; being also an amendment to the *General Plan for the Physical Development of the Maryland-Washington Regional District*, and the *Master Plan of Highways*:

Page 94, paragraph 1, is amended to read as follows:

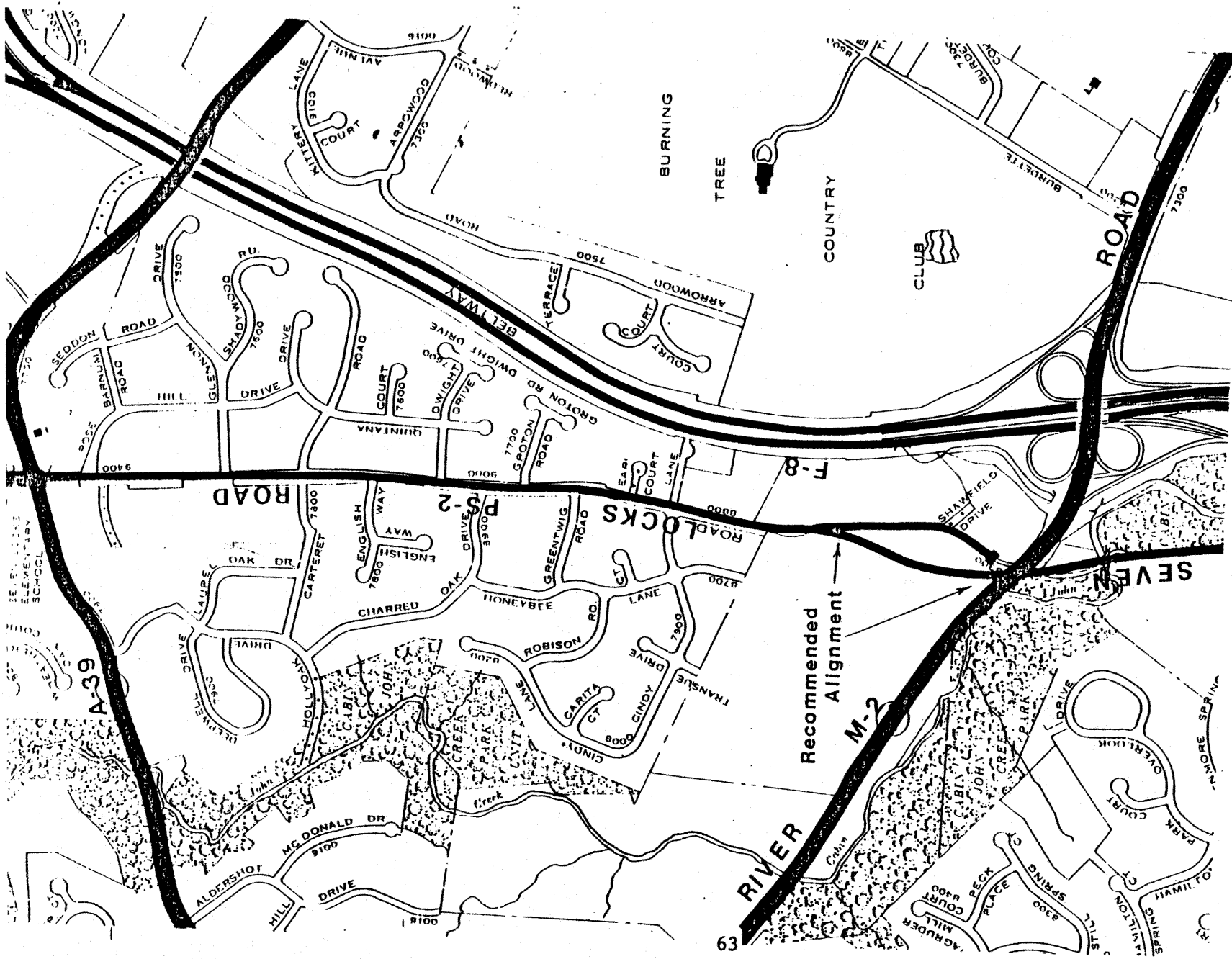
The section of Seven Locks Road from River Road north to Greentwig Road becomes hazardous during wet or icy weather due to the severe grade at River Road. Because of the locations of existing houses or driveways along Seven Locks Road, the existing grade cannot be changed enough to eliminate this condition if the existing alignment is retained. ~~If feasible from an engineering standpoint, the Plan recommends realignment of Seven Locks Road to the west, as shown on the Zoning and Transportation Plan (Map 26).~~ Therefore, this plan recommends realignment of Seven Locks Road to the west of the existing alignment. This plan also designates Seven Locks Road as a principal secondary road between Bradley Boulevard and MacArthur Boulevard. ~~The Plan recognizes that access to~~

~~existing and approved residences may be impaired or that other situations not consistent with good design practice may result from the proposed alignment and, therefore, recommends that if further engineering studies show that realignment is not feasible, the existing alignment should be considered as the Master Plan recommendation. In accordance with this, these properties which would have been affected by the realignment shall not be required to dedicate right-of-way nor be hampered from developing if the proposed realignment is found by the Planning Board to be not consistent with good design practice as a result of construction of the realignment.~~

Two designated Historic Sites are adjacent to the recommended realignment. These are the Stoneyhurst estate and the Magruder Blacksmith Shop. Both sites have been placed on the Master Plan for Historic Preservation in Montgomery County, Maryland. The engineering design of the road should respect the historic nature of these sites. The new alignment of Seven Locks Road near River Road should be adjusted, insofar as is practical, to minimize the impact on these sites. Any construction activity that affects the environmental setting of these sites will require issuance of a Historic Area Work Permit.

NOTE: Underlining indicates text to be added to the Master Plan.

~~Dashes~~ indicate text to be deleted.



**APPROVED & ADOPTED AMENDMENT to the**  
**Master Plan for the Potomac Subregion**  
**July 11, 1984**  
 Recommend Alignment of Seven Locks Road & its  
 Designation as a Principal Secondary Road North  
 to Bradley Boulevard

Resolution No. 10-849

Introduced: June 28, 1984  
Adopted: June 28, 1984

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

SUBJECT: Approval of Final Draft Master Plan Amendment Potomac Subregion -  
Realignment of Seven Locks Road

WHEREAS, on April 6, 1984, the Montgomery County Planning Board transmitted to the County Council the Preliminary Draft Amendment to the Potomac Subregion Master Plan - Realignment of Seven Locks Road; and

WHEREAS, the County Council jointly with the Montgomery County Planning Board conducted a public hearing on June 21, 1984, on the Preliminary Draft Amendment to the Potomac Subregion Master Plan - Realignment of Seven Locks Road; and

WHEREAS, a joint worksession was held subsequent to the public hearing by the County Council and the Planning Board at which time consideration was given to the public hearing testimony and the comments and concerns of interested and affected parties; and

WHEREAS, as a result of this process certain revisions were made to the Preliminary Draft Amendment to the Potomac Subregion Master Plan - Realignment of Seven Locks Road to:

1. Designate Seven Locks Road as a principal secondary road between River Road and Bradley Boulevard, in order to minimize the impacts associated with right-of-way acquisition and construction of the road; and
2. Minimize potential impacts on historic sites and associated environmental settings adjacent to the new alignment.

WHEREAS, on June 25, 1984, the Montgomery County Planning Board submitted to the County Council the Final Draft Amendment to the Potomac Subregion Master Plan - Realignment of Seven Locks Road dated June 21, 1984; and

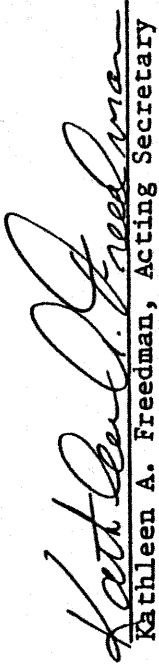
WHEREAS, the County Council has reviewed the Final Draft Amendment to the Potomac Subregion Master Plan - Realignment of Seven Locks Road and is satisfied that it contains all revisions requested by the County Council as a result of the Council's participation in the preliminary master plan process.

NOW, THEREFORE, BE IT RESOLVED by the County Council for Montgomery County, Maryland that -

The Final Draft Amendment to the Potomac Subregion Master Plan - Realignment of Seven Locks Road, dated June 21, 1984, is hereby APPROVED.

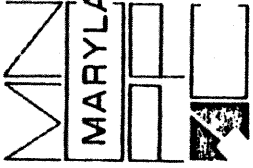
A True Copy.

ATTEST:

  
Kathleen A. Freedman, Acting Secretary

of the County Council for  
Montgomery County, Maryland





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB No. 84-28  
MNCPPC No. 84-24

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend, and add to a General Plan for the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission held a joint public hearing with the Montgomery County Council on June 21, 1984 on a preliminary draft amendment to the Potomac Subregion Master Plan, being also a proposed amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, at the close of the record of the public hearing on June 21, 1984, approved a final draft amendment and recommended that it be approved by the Montgomery County Council; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, on June 28, 1984 approved the final draft amendment of said plan by Resolution 10-849.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt said amendment to the Potomac Subregion Master Plan, together with the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways as approved by the Montgomery County Council in the attached Resolution 10-849.

MCPB No. 84-28  
MNCPPC No. 84-24

BE IT FURTHER RESOLVED that this amendment be reflected on copies of the aforesaid plan and that copies of such amendment shall be certified by the Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince Georges Counties, as required by law.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Heimann, seconded by Commissioner Krahnke; with Commissioners Krahnke and Heimann voting in favor of the motion, and with Commissioner Granke abstaining, and with Commissioners Brennan and Christeller absent at its regular meeting held on Thursday, June 28, 1984 in Silver Spring, Maryland.

*Thomas H. Countee, Jr.*  
Thomas H. Countee, Jr.  
Executive Director

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Heimann, seconded by Commissioner Yewell, with Commissioners Christeller, Dabney, Dukes, Heimann, Keller, Krahnke, and Yewell voting in favor of the motion, Commissioner Keeney voting against the motion, Commissioner Granke abstaining, and with Commissioner Brown absent, at its regular meeting held Wednesday, July 11, 1984 in Riverdale, Maryland.

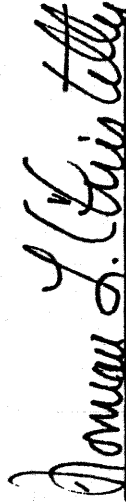
*Thomas H. Countee, Jr.*  
Thomas H. Countee, Jr.  
Executive Director

\* \* \* \* \*

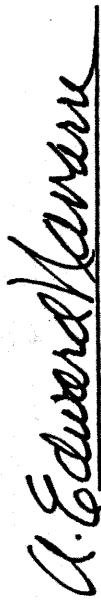
## CERTIFICATE OF APPROVAL AND ADOPTION

This Amendment, being an amendment to the Approved and Adopted Master Plan for the Potomac Subregion, 1980, Montgomery County, Maryland; the General Plan for the Physical Development of the Maryland-Washington Regional District; and the Master Plan of Highways within Montgomery County, Maryland, has been adopted by The Maryland-National Capital Park and Planning Commission by Resolution Number 84-24 on July 11, 1984, after a duly advertised Public Hearing held on June 21, 1984, pursuant to the provisions of Article 28 of the Annotated Code of Maryland, and has been approved by the Montgomery County Council, sitting as the District Council, by Resolution Number 10-849 on June 28, 1984.

## THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Norman L. Christeller  
Chairman



A. Edward Navarre  
Secretary-Treasurer

**AMENDMENT #5**

**APPROVED AND ADOPTED AMENDMENT TO THE MASTER PLAN FOR THE  
POTOMAC SUBREGION**

**June 1986**

**Designating criteria for the local retail commercial expansion of Potomac Village.**

## Goals and Objectives

It is the goal of this Amendment to increase local retail commercial space in the Potomac Village area in a fashion that will also improve traffic conditions, be environmentally sound, and visually pleasing. It is not a goal of this Amendment to provide for all of the retail commercial space the Potomac market could absorb, nor is it the intent to provide for individual small sites for commercial development. An objective of this Amendment is to provide for additional commercial zoning in the Potomac Village area in a fashion which assures a coordinated expansion of retail commercial uses in the Village instead of the provision of locations outside the Village to serve the Potomac market area. In addition, it is a goal of this Amendment to limit the growth of retail commercial development in the Village to the amount herein proposed.

## Amendment Concept

The portion of Potomac Village east of Falls Road has developed with retail commercial activity as the primary land use. West of Falls Road, however, a substantial portion of the Village contains office, public utility, and service land uses which preclude it from being utilized for local retail commercial purposes. It is therefore proposed that a limited expansion of retail commercial activity in Potomac Village occur within the guidelines of this Amendment.

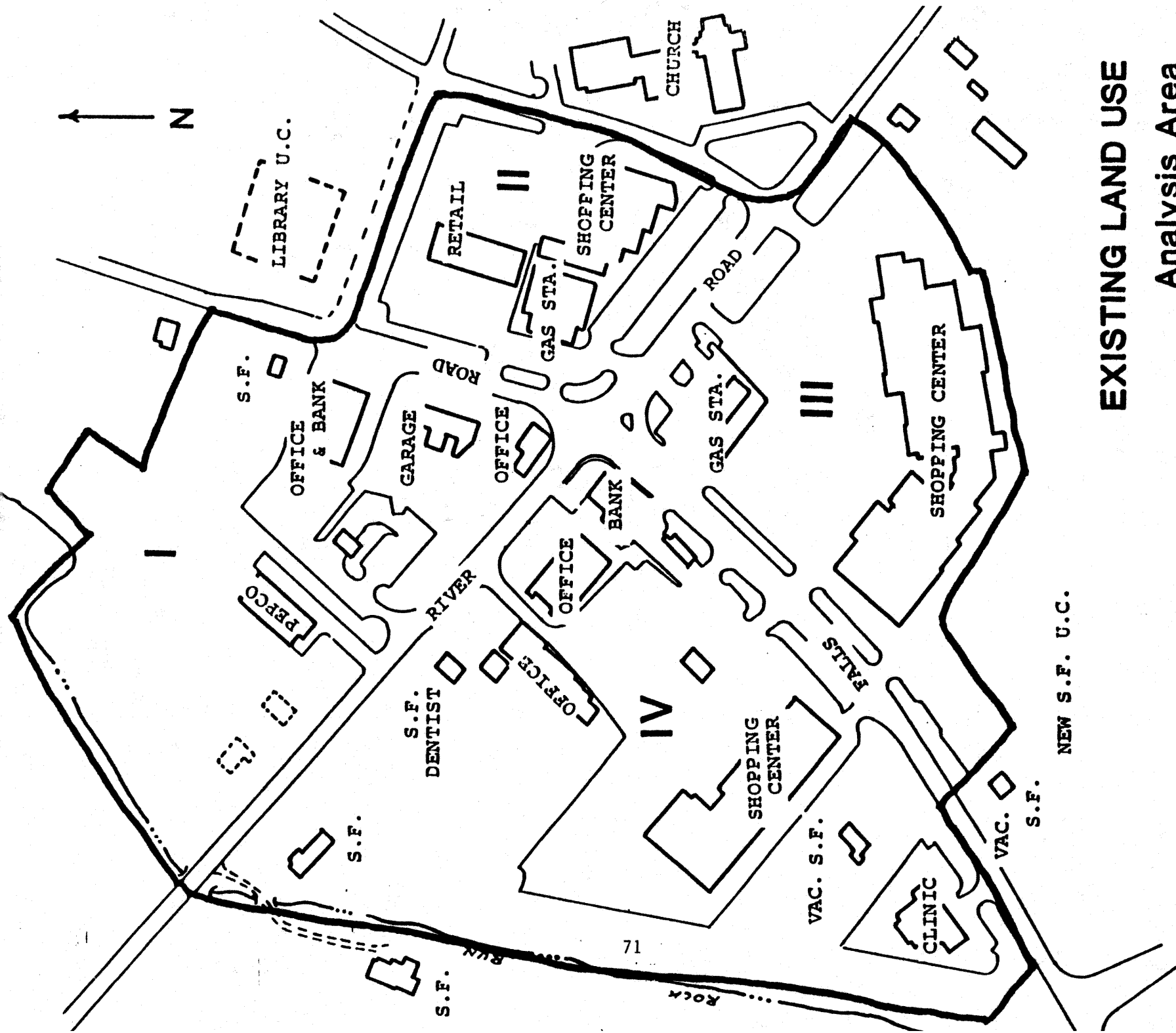
In reviewing Potomac Village for local retail expansion, consideration was given to each of the four quadrants. (See map 1.) The two quadrants east of Falls Road (II and III) are developed to serve community retail needs. Furthermore, new

development now under construction has combined with existing development to foreclose most expansion opportunities.

The two quadrants west of Falls Road (I and IV) revealed different characteristics than those on the east side (II and III). Large residential lots abut these quadrants. The quadrant north of River Road (I) is utilized for office, service, and public utility purposes with a branch of a savings and loan association also likely to be developed. West of this quadrant, the US Postal Service is proposing a post office on a site with significant environmental constraints to development. Environmental conditions alone are severe enough to preclude commercial expansion westward. This Amendment proposes to extend the Rock Run conservation area north of River Road, as shown on map 2.

Commercial expansion to the north of this quadrant (I) is not recommended because it would be difficult to provide compatible transition with adjacent residential development along Falls Road. Also, the lack of retail commercial activity at this quadrant makes expansion here unlikely to fulfill the goal of providing for a coordinated increase in retail space. In keeping with the recommendation against expansion of commercial activity in this quadrant, the PEPCO site is recommended to be rezoned to residential so that any change of use would be residential.

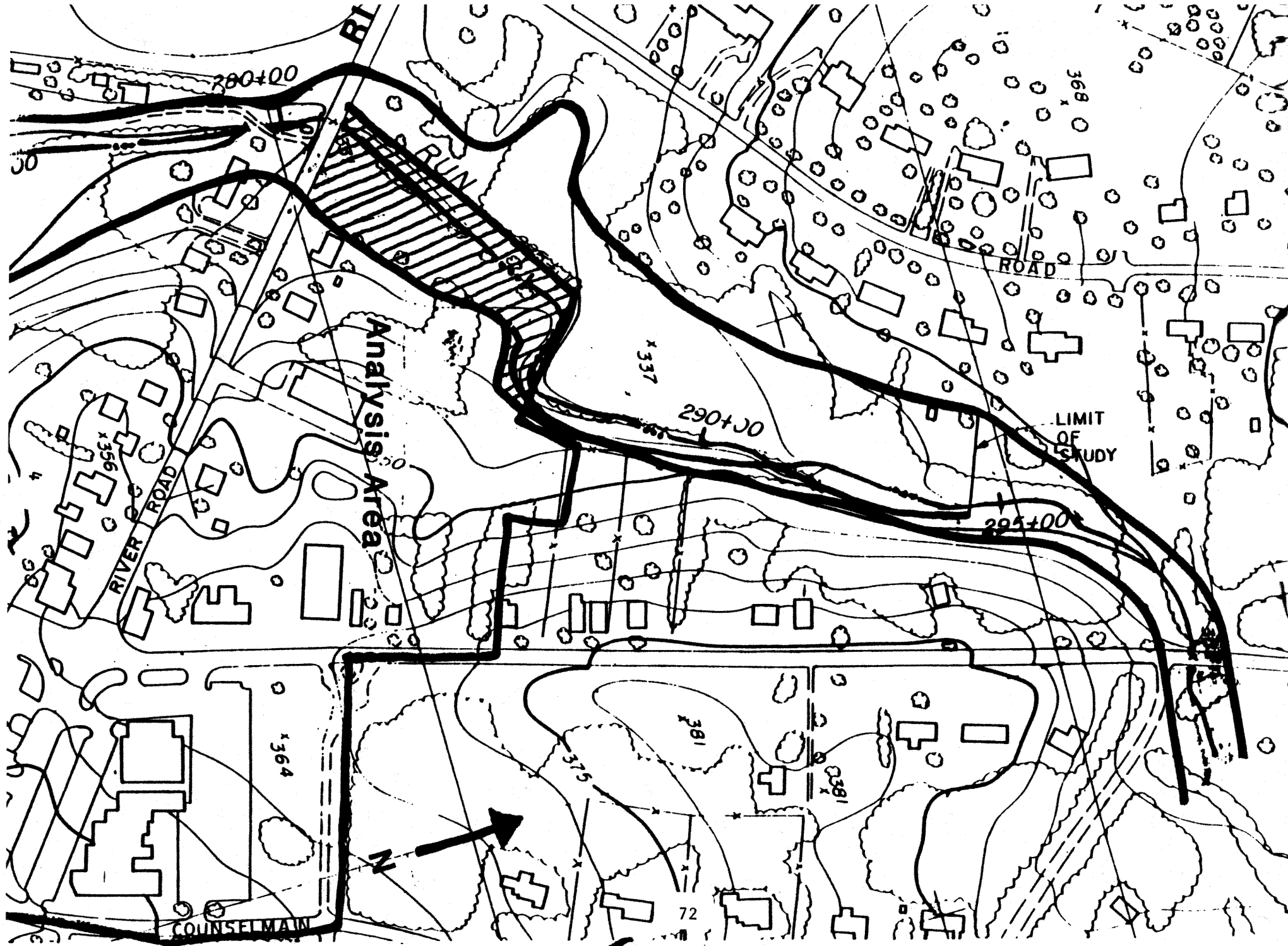
The west quadrant (IV) south of River Road is characterized by development that includes some existing retail commercial as well as office land uses. Retail expansion here can be more readily accommodated than in the other three quadrants. Space for it is available and the Rock Run conservation area provides a buffer. However, both traffic conditions and environmental protection must be satisfactorily addressed.



## EXISTING LAND USE Analysis Area

NOTE:  
Quadrants are numbered I, II, III and IV  
for ease of reference in the narrative.

MAP 1



CONSERVATION AREA AND FLOODPLAIN

MAP 2

## **Selected Alternative**

### **Land Use Proposal**

Further analysis of the Village west of Falls Road (I and IV) reveals that office uses are concentrated along Falls Road both north and south of River Road, the only retail uses being clustered in the Potomac Promenade shopping center. This retail space represents a logical focus for any additional local serving retail activities to be redeveloped in a coordinated fashion.

This Amendment designates the western quadrant as suitable for an expanded neighborhood commercial center. The demands of the commercial needs of the area, the availability of land in the Potomac Village, the traffic constraints and conditions in the Village, as well as the conditions surrounding the Village have been evaluated. This analysis concludes that the site of this proposed commercial expansion should be limited to the portion of the Village west of Falls Road and that the west quadrant is the only suitable quadrant for this expansion. This quadrant is well buffered from adjacent future development by the Rock Run conservation area. It is complementary to existing retail commercial development east of Falls Road. Currently, development in the west quadrant is poorly designed from visual, pedestrian, and motorist points of view. Therefore, a redesign of this area through the utilization of the expanded neighborhood commercial designation would also be functionally beneficial to the community. Adjacent to this quadrant are parcels of land which have been developed with single-family houses on large lots. These parcels offer locations for additional retail commercial land use subject to findings of compatibility with adjacent existing and proposed development, environmental protection of Rock Run, and land use recommen-

dations in the Potomac Master Plan for adjacent property. These parcels are displayed on map 3 and are identified as Parcels A, B, C, D and E.

Parcel A (1.50 acres) is located between the Promenade shopping center and a medical clinic. It abuts Rock Run on the west and faces a parking lot across Falls Road. Its location and surroundings make it a suitable site for commercial retail expansion provided the Rock Run conservation area and floodplain are maintained and protected.

The adjacent medical clinic will function as the transitional land use between residential development and the proposed expanded retail commercial area of Potomac Village. Therefore, it is not being recommended for commercial use.

Parcel B (.50 acre) is adjacent to office development and off-street parking on its east and south sides respectively. It faces a driveway across River Road that serves additional office development in that quadrant of the Village. West of Parcel B is Parcel C, which is a vacant lot. Parcel C (1.61 acres) is located north of existing off-street parking that serves the Promenade shopping center. It faces a public utility facility across River Road. Both Parcels B and C could be satisfactory sites for commercial retail expansion.





Parcel D (1.36 acres), like Parcel A, is adjacent to the Rock Run conservation area. Unlike Parcel A, Parcel D is not next to existing commercial development, nor is it facing a commercial use. An expansion of commercial activity to Parcel D would have to consider both the environmental protection of Rock Run and the impact upon the property north of River Road. Parcel D's utilization as an expansion site for commercial activity is further complicated by a potential post office location on the



# Master Plan Amendment FOR THE Potomac Subregion

## POTOMAC VILLAGE

### EXISTING ZONING

-  Local Commercial C-1
-  R-200 One-Family Detached
-  RE-2 Residential Estate, 2 Acre
-  Zoning Boundary

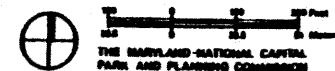
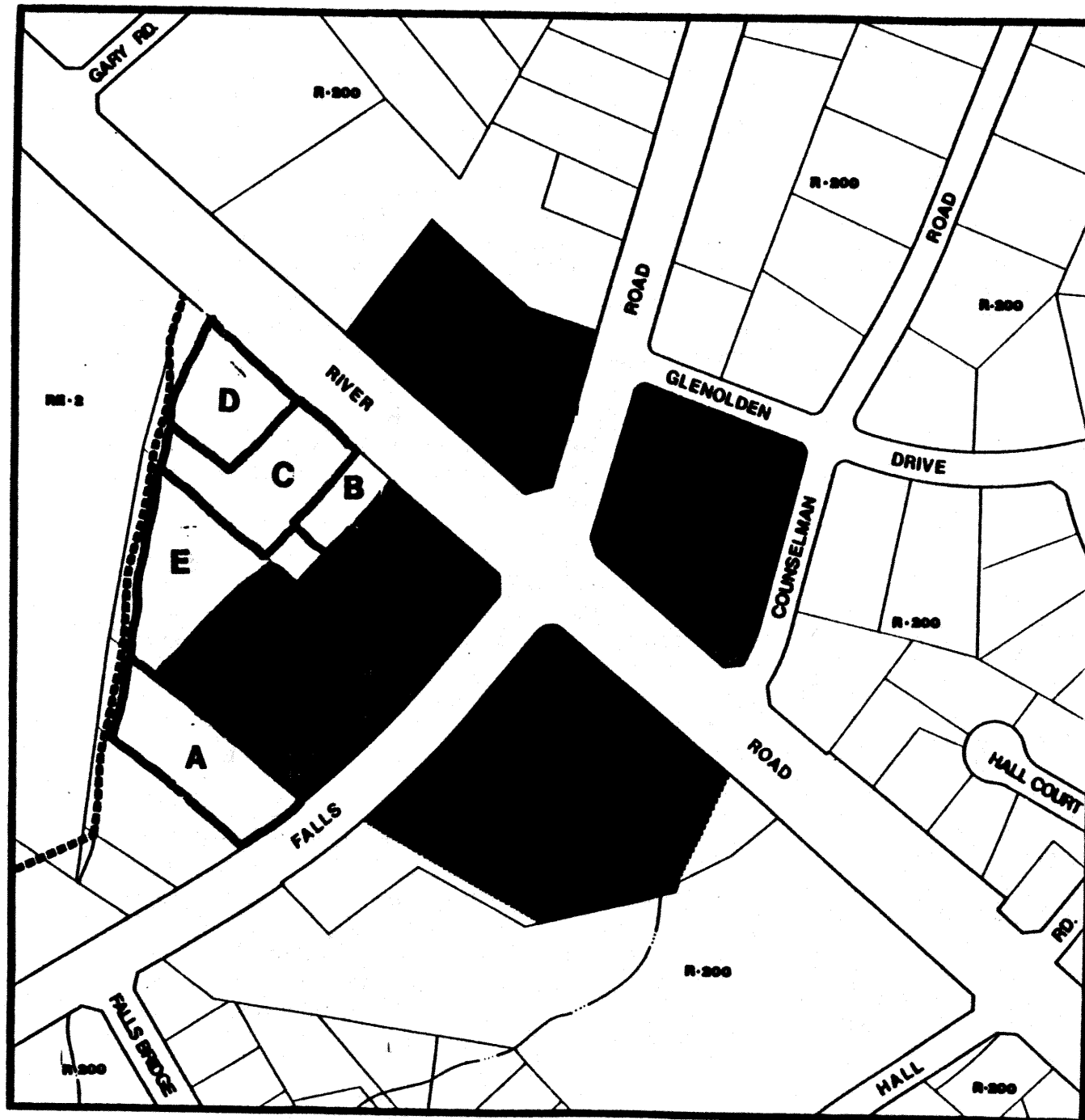
**Parcel A 1.50 acres**

**Parcel B .50 acres**

**Parcel C 1.61 acres**

**Parcel D 1.36 acres**

**Parcel E 1.30 acres**



property north of River Road. If the post office is placed on the property facing Parcel D, it would affect the character of the surrounding property -- especially Parcel D. The converse of this issue is also true. If Parcel D becomes a commercial area and the post office does not locate across River Road from it, then Parcel D's new commercial character would affect the property it faces. Since the Potomac Master Plan places the Village's edge at the public utility facility, utilization of Parcel D for commercial purposes could create a conflict with this Master Plan recommendation. However, some utilization of Parcel D, subject to environmental protection of Rock Run and compatibility with the property north of River Road, may be feasible. Since the proposed expansion of Potomac Village's commercial area would occur under site plan review by the Planning Board thus providing for a great amount of land use control, Parcel D is recommended for commercial use.

Parcel E (1.30 acres) consists of property that is already being utilized for commercial purposes under a special exception provision of the zoning ordinance which allows off street parking. Utilization of parcel E for expansion of the commercial area would also need to be done in a manner consistent with the protection of Rock Run.

### **Zoning Proposal**

The zoning plan for this Amendment proposes to reconfirm most existing C-1 zoning in Potomac Village. A 34,746 square foot parcel containing an electric utility substation is proposed to be rezoned from C-1 to R-200. This rezoning would further strengthen the edge function the substation plays without affecting the property's existing use. Parcels A, B, C, D, and E on map 3 are recommended for C-1 zoning under the provisions of Section 59-C-4.341.1, except for 2.02 acres within the

floodplain and conservation area which shall remain R-200. These C-1 areas are shown on map 4. Parcels A, B, C, D and E, when combined with the reconfirmed C-1 zoned property, comprise 20.42 acres and shall constitute all of the Potomac Village commercial area. Further expansion of the commercial area beyond this 20.42 acre designation is not desirable and it would exceed the recommendations contained in this Amendment. The remainder of the Amendment area is recommended for reconfirmation under existing zoning. Should this quadrant (IV) be the subject of a consolidated proposal for coordinated retail expansion, it would be favorably considered. No piecemeal rezoning is recommended and no transition zoning (either residential or commercial) is recommended between the C-1 and R-200 or RE-2 Zones anywhere in the Village. It is neither required nor desirable.

### **Criteria and Guidelines**

Any expansion of Potomac Village must meet the following conditions:

#### **Transportation**





The Potomac Master Plan contains the following language concerning the classification of highways:

"The proposed highway classification plan, Map 26, basically retains the highway classifications of the previous Master Plans and the Draft Master Plan of Highways. This will allow the retention and protection of rights-of-way and set-backs during the on-going subdivision process. It is possible that the perceived need or commitment to widen many of the area's roadways may never develop; however, preservation of high-



# Master Plan Amendment FOR THE Potomac Subregion

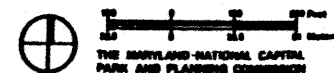
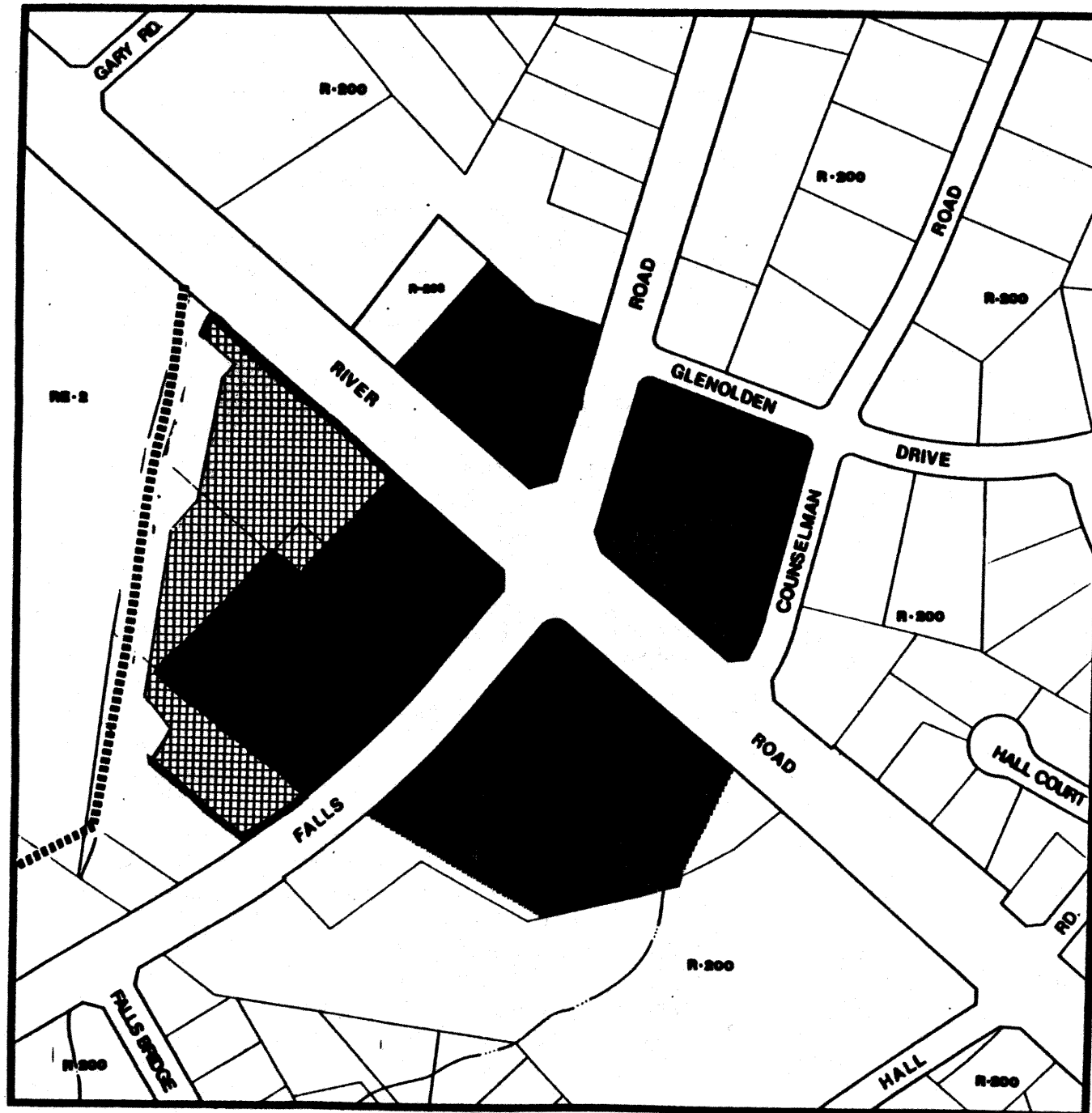
## POTOMAC VILLAGE

### EXISTING ZONING

-  Local Commercial C-1
-  One-Family Detached
-  Residential Estate, 2 Acre
-  Zoning Boundary

### Proposed Zoning

-  **LOCAL COMMERCIAL C-1**
-  R-200



way rights-of-way will allow these long-term needs to be accommodated in the event that a decision to widen the roadways is made by a future generation. Additionally, the availability of ample rights-of-way will enhance safety and allow for intersection improvements; they also provide space to offset possible effects of auto emissions and roadway noise. Visual screening for residences also becomes possible when ample rights-of-way are preserved."

The Potomac Master Plan also contains the following language recommending the preservation of the Perry House and Store:

### Historic Sites

"The Plan recommends that the Perry House and Store in the northwestern quadrant of the intersection be preserved, possibly as part of a Potomac Historic District. One of the buildings now houses Carrol Realty and Interiors by Edythe."

"These structures are probably the only remaining ones which have ties to the true "old" Potomac. The Plan recommends that the kinds of uses which are now in the structures continue and that the structures be restored so as to approximate their original appearance as much as possible."

These recommendations appear to be in conflict because the rights of way for Falls and River Roads are 100 feet and 150 feet respectively within the Village. These rights-of-way would include the Perry Store and may impose upon the Perry House. This Amendment proposes that the rights-of-way for both Falls Road (MD 189) and River Road (MD 190) within the the Village be 100 feet.

The 100-foot rights-of-way will provide for five (3) 12-foot travel lanes with 20 feet on each side of the roadway available for tree space, sidewalks, lighting. The 20 feet will also provide some flexibility in the roadway design; for example, if SHA decides that a four foot monolithic median is desirable to separate opposing traffic, that design will be possible.

Staff investigation indicates that both the Perry House and the Perry Store relocated can be retained under this proposal if the Perry Store is moved an additional ten (10) feet from Falls Road. The developer of the Perry Store site has proposed moving the historic building eleven (11) feet from Falls Road and five (5) feet from River Road. Such a move will leave the Perry Store ten (10) feet within the proposed 100-foot right-of-way for Falls Road. This plan recommends that the building be moved 21 feet so that the full right-of-way will be available for public use. The building will still intrude several feet into the right-of-way at the corner (this right-of-way is proposed to follow a thirty foot radius parallel to the roadway curbing). This intrusion is considered acceptable for this historic building.





The relocated Perry Store will not conform with the 10-foot setback line required in the C-1 Zone. This Plan recommends that a variance be granted to allow the building to be adjacent to the right-of-way line.

Bicycle paths shall be provided in accord with those shown on map 5. The 1980 *Potomac Master Plan* proposed a bicycle path along the west side of Falls Road through the Village. This plan relocates that path around the west quadrant along the Rock Run conservation area in a manner similar to the existing bicycle path around the north and east quadrants.

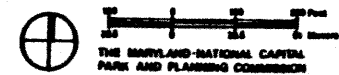
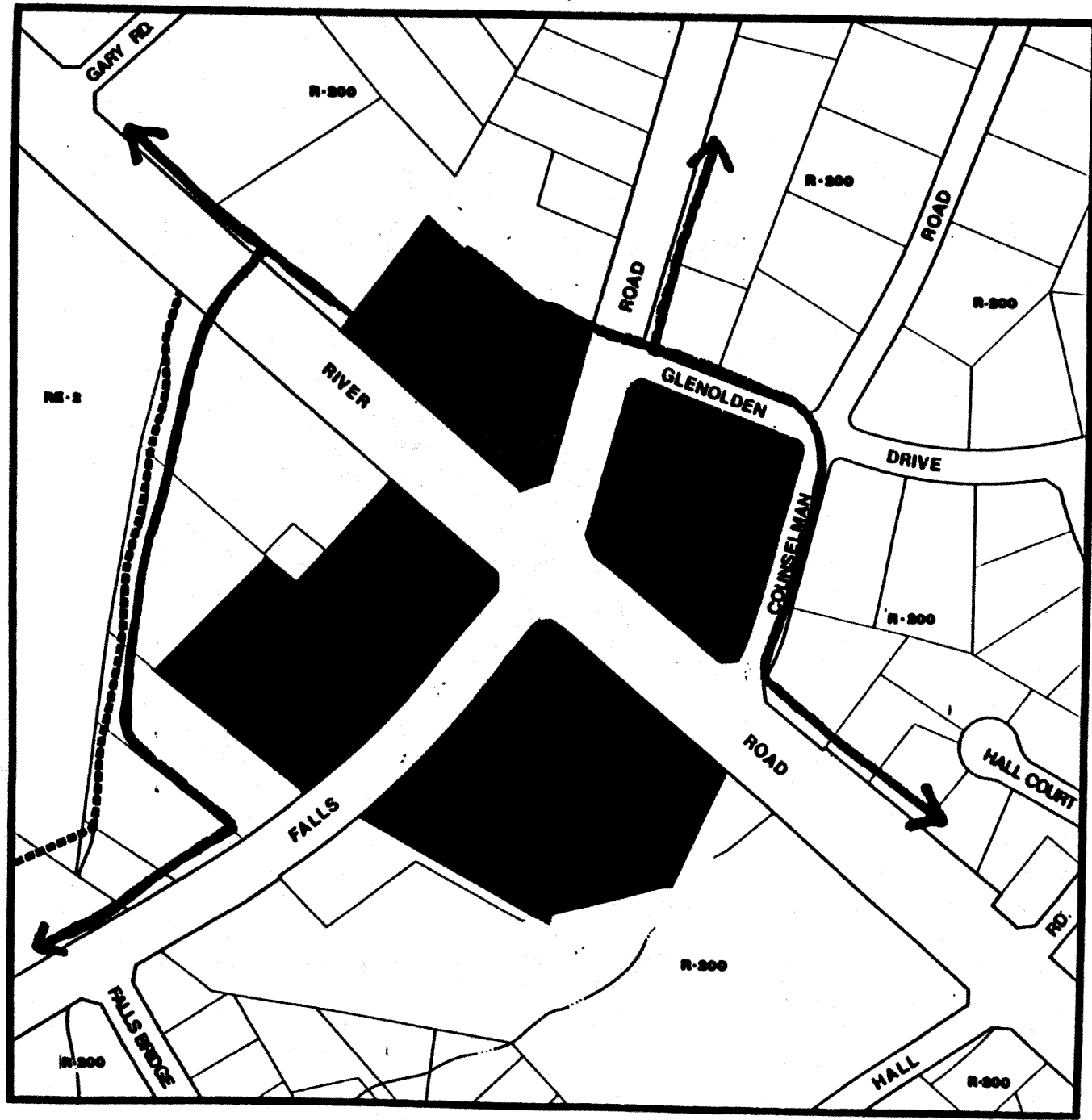
# Master Plan Amendment FOR THE Potomac Subregion

## POTOMAC VILLAGE

### EXISTING ZONING

-  Local Commercial C-1
-  R-200 One-Family Detached
-  RE-2 Residential Estate, 2 Acre
-  Zoning Boundary

 Bicycle Paths



Falls Road and River Road within the Village should be improved to the ultimate cross section prior to or concurrent with new development.

At the time of subdivision or resubdivision approval, the Planning Board will give careful attention to points of access to insure safety and circulation control and coordination. Although the Potomac area is not subject to the same APF staging policies as other areas, the preliminary plan should be reviewed for safety, adequacy of roads near the site, and access.

### **Environment**

The Rock Run tributary west of the proposed retail commercial expansion area shall be protected in terms of water quality and quantity. This will be accomplished in part by strict maintenance of the conservation area identified in the Potomac Master Plan.

The 100-year floodplain of Rock Run will also be included in the area designated for environmental protection. This floodplain is subject to further analysis and delineation as part of the development approval process. There will be no encroachment of the floodplain.

### **Design and Visual Impact**

It is important to utilize good design standards in the development/redevelopment of the expanded commercial area to assure that the result will be aesthetically pleasing. The overall level of design detail should work together to enhance the visual identity of the Village in Potomac. The Village should sustain the rural character of the surrounding landscape by emphasizing green spaces, especially next to the commercial uses.

Landscaping should include shade trees, ornamental trees, planted parking lot islands, hedges, green Setbacks next to roadways and accents of flower beds and flower pots.

It is important that a strong line be established between the commercial and residential areas in order to preclude the need for transitional zoning. The conservation areas and landscaped parking areas are intended to function as buffers between commercial structures and adjacent land uses.

At the time of site plan review by the Planning Board, the following conditions shall also be considered:

Existing open space shall be kept in a natural state to the degree possible. This shall apply to the conservation area and the 100-year floodplain of Rock Run.

Green space, screening and parking lot shade trees shall be provided in a greater amount than what is called for as a minimum in the applicable code.

No above-grade structured parking will be permitted. A limited amount of below-grade parking may be approved on the southwest side of the existing building. That portion of the site that is to be developed for off-street, at-grade, parking shall also be controlled by covenants restricting future reuse to at-grade parking. These covenants shall also contain, subject to approval or modification which may be required by governmental authorities, provisions relating to road improvements, the Rock Run Conservation Area, visual compatibility, building size and community participation. These covenants shall be noted on the site plan, and recorded among the land records and enforceable by the Planning Board, and/or the West Montgomery County Citizens Association.

Street trees and accent plantings shall be provided along street edges.

Architectural treatments of new and existing buildings shall be reviewed for their joint compatibility. Although the density of development may be higher at the Potomac Village crossroads, the scale, bulk and massing of the buildings shall not overwhelm or dominate the village-like character proposed for this area. The treatment of facades shall include detailed fenestration of individual entries and other architectural features that shall contribute to the Village's visual character.

Signs shall be coordinated within the quadrant and to be compatible to signs in the other quadrants of the Village where possible in keeping with the Village crossroads theme.

Pedestrian amenities shall include crosswalks through parking lots, outdoor shaded sitting areas, covered walkways next to buildings, and a central feature such as a water fountain or sculpture.

Bike paths shall be continuous through the commercial center.

Fencing typical of Potomac (i.e., white board fencing used on horse farms but scaled down for use here) should be placed along quadrant edges and, where appropriate, in interior spaces.

Off-site impacts shall also be considered in the site plan review process with special attention given to the protection of adjacent residential property. Where the commercial zones meet residential zones, at the edge of the Village Center, heavy

vegetative screens or fences shall be used to insure compatibility between the two uses.

## **Implementation Process**

### **Sectional Map Amendment**

Upon approval of this Master Plan Amendment by the Montgomery County Council, the Montgomery County Planning Board will file a sectional map amendment with the District Council to apply new zoning and reconfirm existing zoning as recommended by this Master Plan Amendment on all properties within the analysis area described herein. It will identify that portion of the Village which is expanded beyond 15 acres and is subject to site plan approval in accordance with the zoning ordinance. As specified in the zoning ordinance, any property which is within the existing 15 acres of C-1 zoning that is proposed for development or redevelopment with property in the expanded C-1 area will also be subject to site plan approval.

### **Site Plan Approval**

Before a building permit is issued for development or redevelopment of property located on land which is designated by this Master Plan Amendment as part of the expanded commercial area beyond 15 acres, or for development or redevelopment on land which includes portions of the 15-acre Village and the expanded commercial area, the development or redevelopment must receive site plan approval by the Montgomery County Planning Board. In order to approve the site plan, the Planning Board must find that the proposed development satis-

fies the provisions of this Master Plan Amendment that are applicable to the property.

#### **Use and Occupancy Permit**

No use and occupancy permit shall be issued by the Montgomery County Department of Environmental Protection for any building that is constructed or remodeled under the provisions of the expanded C-1 zoned area until all public improvements called for in this Amendment and the site plan review are

in place. To the extent that redevelopment deals with the relocation of existing occupants, their occupancy permits in the redeveloped space may be issued in advance of the completion of public improvements.

This includes improvements to Falls Road and River Road within the Village to the ultimate cross-section as well as the recommended bicycle paths in the southwest quadrant (IV) and any other access or safety improvements required at preliminary plan or site plan review.



Resolution No. 10-1970  
Introduced: June 10, 1986  
Adopted: June 10, 1986

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

By: District Council

Subject: Final Draft Amendment to the Approved and Adopted Master Plan for the Potomac Subregion

Background

1. On December 23, 1985, the Montgomery County Planning Board transmitted to the District Council the Final Draft Amendment to the Approved and Adopted Master Plan for the Potomac Subregion.
2. The Potomac Subregion Master Plan amendment evaluates the Potomac Village area and identifies specific parcels of land where local retail commercial expansion beyond 15 acres may take place, and establishes criteria under which commercial expansion would be controlled.
3. The Final Draft Plan amends the Master Plan for the Potomac Subregion, the General Plan for the Physical Development of the Maryland-Washington Regional District, and the Master Plan of Highways within Montgomery County, Maryland.
4. On February 25, 1986, the Montgomery County Council held a public hearing wherein oral and written testimony was received concerning the Final Draft Amendment to the Approved and Adopted Master Plan for the Potomac Subregion.
5. On April 15 and May 27, 1986, the Planning, Housing and Economic Development Committee held worksessions regarding the Final Draft Amendment and the issues raised at the February 25 public hearing, and recommended approval of the Final Draft Master Plan amendment with revisions.
6. On June 10, 1986, the District Council reviewed the Final Draft Amendment to the Potomac Subregion Master Plan, and the recommendations of the Planning, Housing and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the Final Draft Amendment to the Potomac Subregion Master Plan with revisions, as follows:

1. Revise page 2, paragraph 2, under section "Amendment Concept", to read as follows:

"In reviewing Potomac Village for local retail expansion, consideration was given to each of the four quadrants. (See map 1.) The two quadrants east of Falls Road (II and III) are developed to serve community retail needs. Furthermore, new

No above-grade structured parking will be permitted. A limited amount of below-grade parking may be approved on the southwest side of the existing building. That portion of the site that is to be developed for off-street, at-grade, parking shall also be controlled by covenants restricting future reuse to at-grade parking. These covenants shall also contain, subject to approval or modification which may be required by governmental authorities, provisions relating to road improvements, the Rock Run Conservation Area, visual compatibility, building size and community participation. These covenants shall be noted on the site plan, and recorded among the land records and enforceable by the Planning Board, and/or the West Montgomery County Citizens Association.

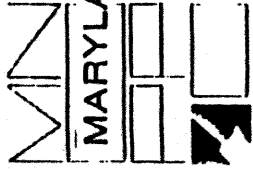
Street trees and accent plantings shall be provided along street edges."

\* \* \*

This is a correct copy of Council action.



Kathleen A. Freedman, Secretary  
County Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB NO. 86-35  
MNCPPC NO. 86-21

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend, and add to a General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission held a public hearing on September 30, 1985, on a preliminary draft amendment to the Master Plan for the Potomac Subregion, being also a proposed amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on December 19, 1985, approved a final draft amendment and recommended that it be approved by the Montgomery County Council; and

WHEREAS, the Montgomery County Council reviewed the material of record and discussed the Final Draft Master Plan Amendment with interested parties; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, on June 10, 1986, approved the final draft amendment of said plan by Resolution No. 10-1970.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt said amendment to the Master Plan for the Potomac Subregion together with the General

Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways as approved by the Montgomery County Council in the attached Resolution 10-1970.

BE IT FURTHER RESOLVED that this amendment be reflected on copies of the aforesaid plan and that copies of such amendment shall be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Heilmann, seconded by Commissioner Christeller, with Commissioners Krahnke and Keeney voting in favor of the motion effective June 26, 1986, at a regular meeting held in Silver Spring, Maryland. Commissioner Granke was absent.

*Thomas H. Countee, Jr.*  
Thomas H. Countee, Jr.  
Executive Director

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner Grahnke, seconded by Commissioner Heilmann, with Commissioners Christeller, Rhodes, Krahnke, Keller, Grahnke, Heilmann, and Yewell voting in favor of the motion, and with Commissioners Keeney, Dabney, and Botts being absent, at its regular meeting held on Wednesday, July 9, 1986, at the "White Mansion" in Mitchellville, Maryland.

*Thomas H. Countee, Jr.*  
Thomas H. Countee, Jr.  
Executive Director

POTOMAC SUBREG APPEN

