

Resolution No.: 18-534
Introduced: June 21, 2016
Adopted: June 21, 2016

**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: Montgomery Village Master Plan Sectional Map Amendment (H-112)

OPINION

Sectional Map Amendment (SMA) H-112 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application for the purpose of implementing the zoning recommendations contained in the Approved and Adopted Montgomery Village Master Plan. The SMA application covers approximately 2,512 acres. It would rezone approximately 2,270 acres and reconfirm the zoning on 65 acres. It will also add the 2,435 acre Montgomery Village Overlay zone, which is coterminous with the Montgomery Village Master Plan area.

The District Council approved the Montgomery Village Master Plan on February 9, 2016. The Master Plan sets forth the specific land use and zoning objectives for the development of the Montgomery Village Master Plan area and was subject to extensive and detailed review by the District Council. The District Council held a public hearing on the Draft Plan on December 1, 2015, wherein testimony was received from interested parties, and the County Executive transmitted to the County Council his fiscal impact analysis for the Montgomery Village Master Plan on January 6, 2016.

Sectional Map Amendment (SMA) H-112 was filed on April 12, 2016 by the Montgomery County Planning Board to implement the specific zoning recommendations of the Montgomery Village Master Plan.

The Council held a public hearing on the SMA for the Montgomery Village Master Plan on June 14, 2016. In addition to testimony in support of the SMA and testimony not germane to the rezoning, the Council received testimony asking that there be a separate zone for open space. Open space throughout the County has the same zone as the surrounding properties, which provides the flexibility to add new open space without requiring a rezoning. The Council did not believe there was any merit to changing this practice. Moreover, the Montgomery Village Overlay Zone (adopted in February 2016) ensures that existing open space owned by the Montgomery Village Foundation and homeowners associations will be retained as open space.

The Council considered the Sectional Map Amendment at a worksession held on June 21, 2016. The Council finds Sectional Map Amendment Application H-112 to be consistent with the Approved and Adopted Montgomery Village Master Plan and necessary to implement the land use and development policies expressed in the Approved and Adopted Montgomery Village Master Plan.

The evidence of record for Sectional Map Amendment H-112 consists of all record materials compiled in connection with the County Council public hearing on the Planning Board Draft of the Montgomery Village Master Plan, dated December 1, 2015, and all record materials compiled in connection with the public hearing held by the Council on June 14, 2016 on Sectional Map Amendment H-112.

For these reasons, and because to grant this application will aid in the accomplishment of a coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District, this application will be GRANTED.

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 following resolution:

1. Application No. H-112, Maryland-National Capital Park and Planning Commission, Applicants for the Sectional Map Amendment covering the area of the Montgomery Village Master Plan consisting of approximately 2,512 acres, more or less, is GRANTED. Approximately 2,270 acres are proposed for change in zoning classification and 65 acres are reconfirmed. In addition, the 2,435 acre Montgomery Village Overlay zone, which is coterminous with the Montgomery Village Master Plan area, is added.
2. The following areas are reclassified as part of this action, consistent with the recommendations in the Montgomery Village Master Plan.

Table 1: Parcels to be Rezoned¹

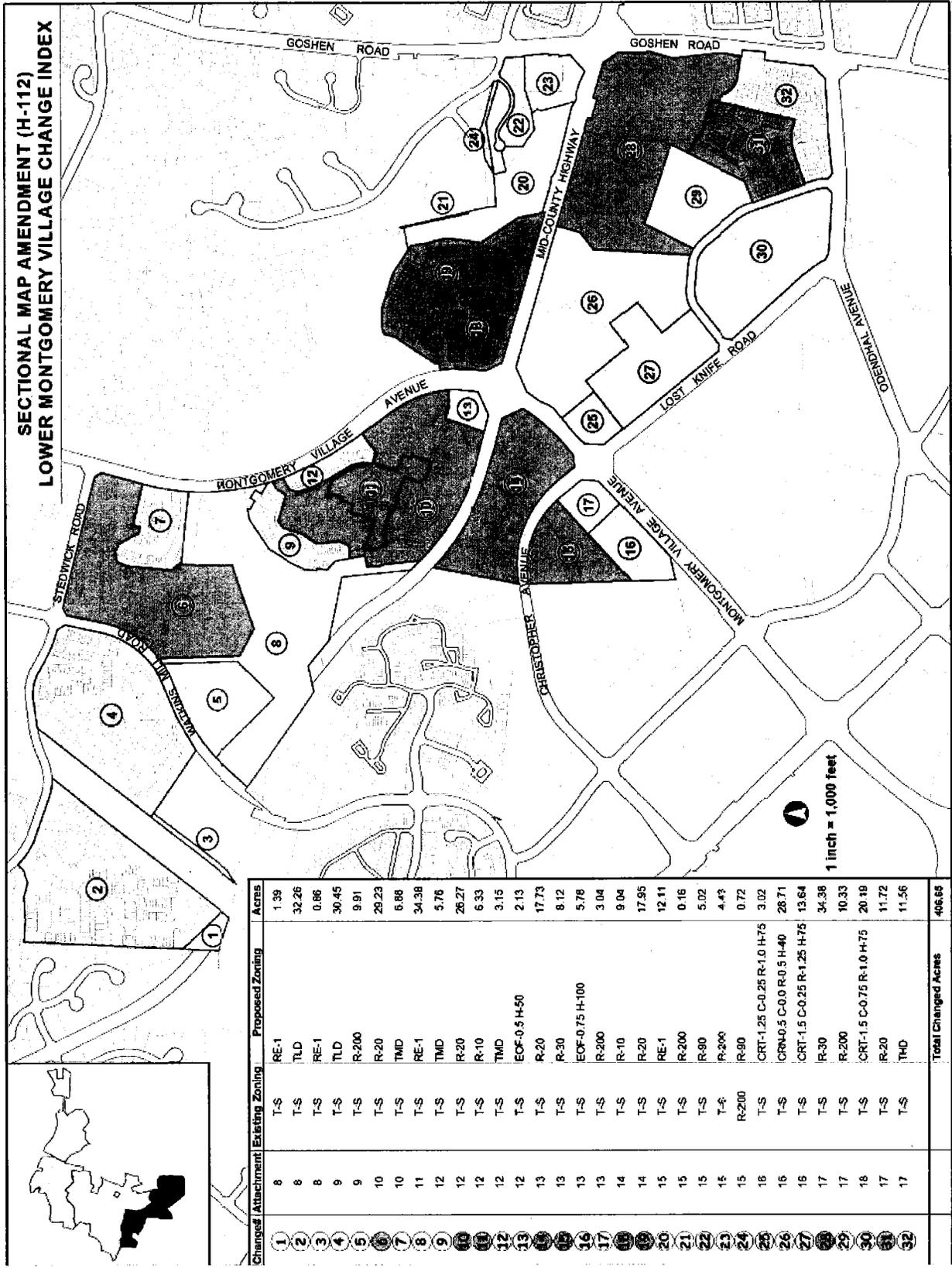
| Area | Existing Zones | Proposed Zone | Acres |
|---|----------------|---------------------------------|----------------|
| 1, 3, 8, 20, 33, 35, 37, 40, 43, 44, 53, 71, 73, 75, 80, 83, 84, 87, 92, 99, 103, 114, 116, 119, 122, 123, 128, 130, 131, 134 | T-S | RE-1 | 375.24 |
| 5, 17, 21, 23, 29, 38, 48, 49, 50, 55, 65, 66, 67, 68, 76, 89, 112, 113, 117 | T-S | R-200 | 219.66 |
| 22, 34, 47, 69, 70, 74, 82, 85, 106, 109, 115, 120, 127, 132, 135 | T-S | R-90 | 542.82 |
| 107 | T-S | R-60 | 13.19 |
| 2, 4, 36, 39, 46, 56, 58, 61, 79, 81, 88, 93, 100, 110, 111, 126, 129, 133 | T-S | TLD | 469.37 |
| 7, 9, 12, 41, 42, 45, 57, 77, 90, 102, 104, 105, 125 | T-S | TMD | 162.67 |
| 32, 86, 101 | T-S | THD | 54.45 |
| 11, 18, 63, 64, 94 | T-S | R-10 | 37.68 |
| 6, 10, 14, 19, 31, 52, 62, 78, 108 | T-S | R-20 | 168.00 |
| 15, 28 | T-S | R-30 | 42.50 |
| 26 | T-S | CRN-0.5 C-0.0 R-0.5 H-40 | 28.71 |
| 54 | T-S | CRN-0.5 C-0.0 R-0.5 H-65 | 27.31 |
| 25 | T-S | CRT-1.25 C-0.25 R-1.0 H-75 | 3.02 |
| 72 | T-S | CRT-1.25 C-1.0 R-1.0 H-75 | 6.59 |
| 27 | T-S | CRT-1.5 C-0.25 R-1.25 H-75 | 13.64 |
| 30 | T-S | CRT-1.5 C-0.75 R-1.0 H-75 | 20.19 |
| 51 | T-S | CRT-1.5 C-0.75 R-1.25 H-75 | 42.45 |
| 60 | T-S | EOF-0.5 H-45 | 1.70 |
| 13, 91 | T-S | EOF-0.5 H-50 | 3.96 |
| 16 | T-S | EOF-0.75 H-100 | 5.78 |
| 97 | T-S | IL-0.5 H-45 | 5.26 |
| 95, 96, 98 | T-S | NR-0.25 H-45 | 23.58 |
| | N/A | Montgomery Village Overlay Zone | 2,512.48 |
| | | Total Changes | 2267.77 |

This is a correct copy of Council action.

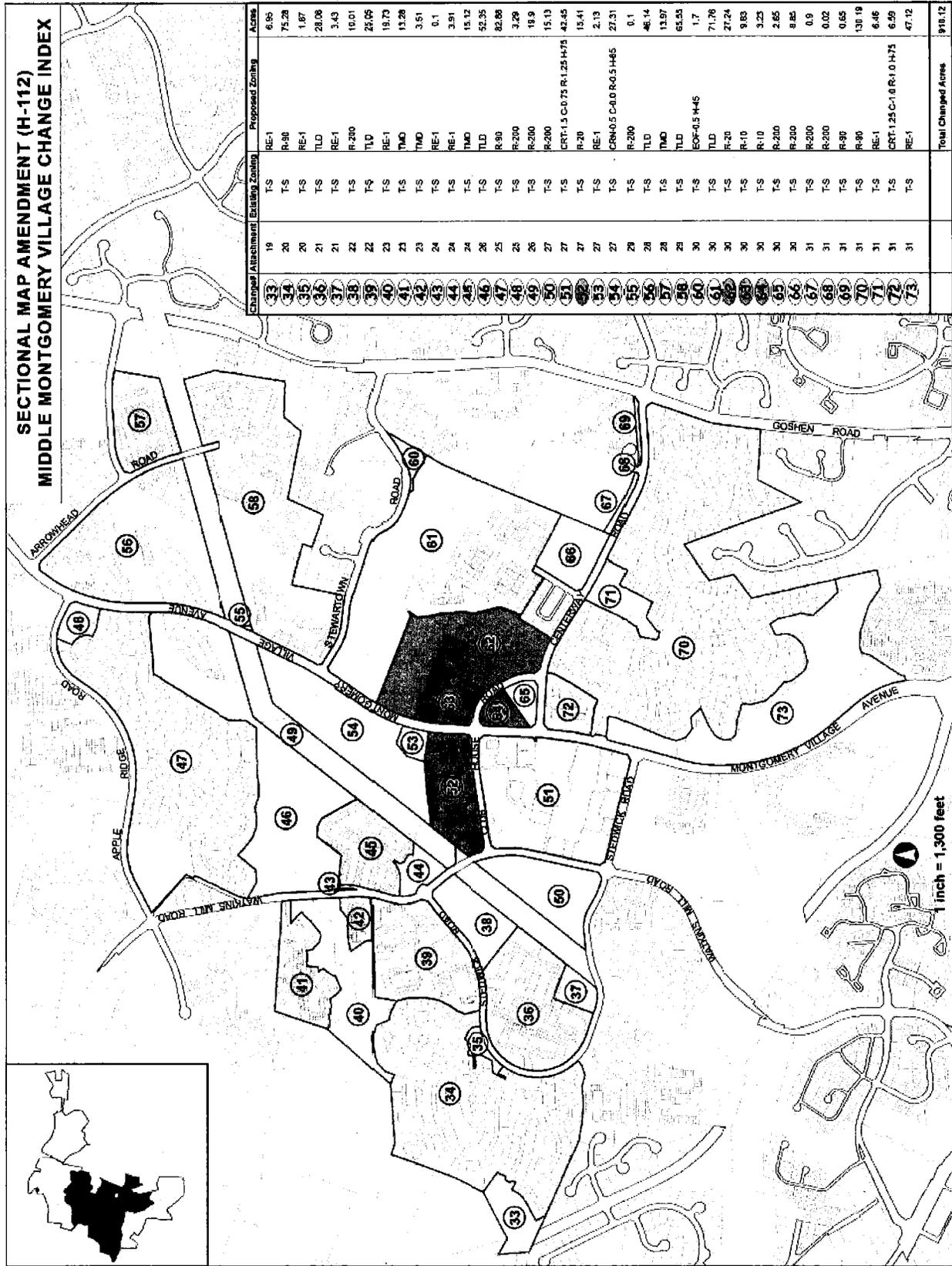


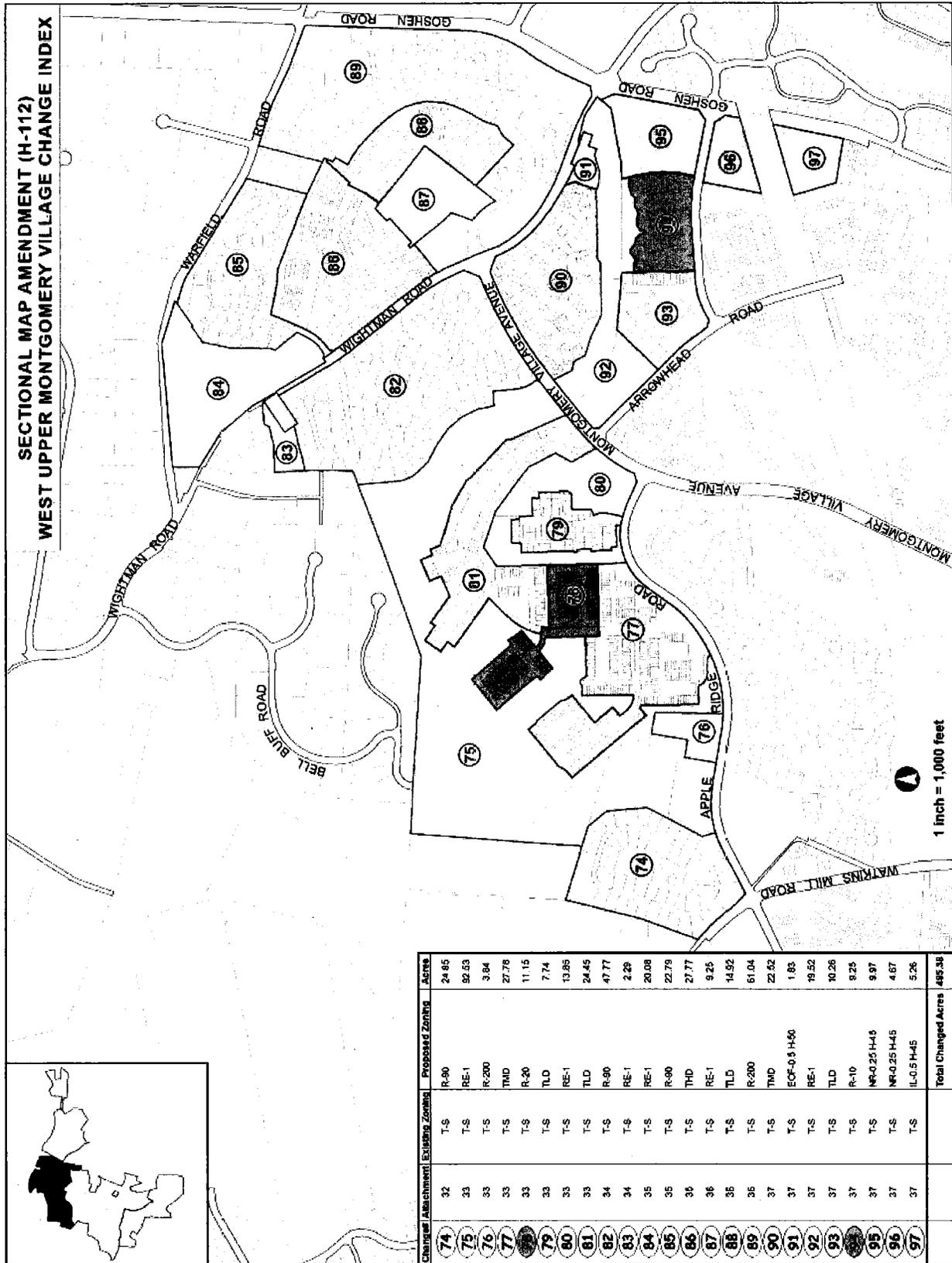
Linda M. Lauer, Clerk of the Council

¹ The acreages shown in this table are estimates of acreage to be rezoned; actual acreage will depend on future engineering surveys. In approving the Zoning Maps, the District Council is approving the boundary lines, not a precise acreage amount.



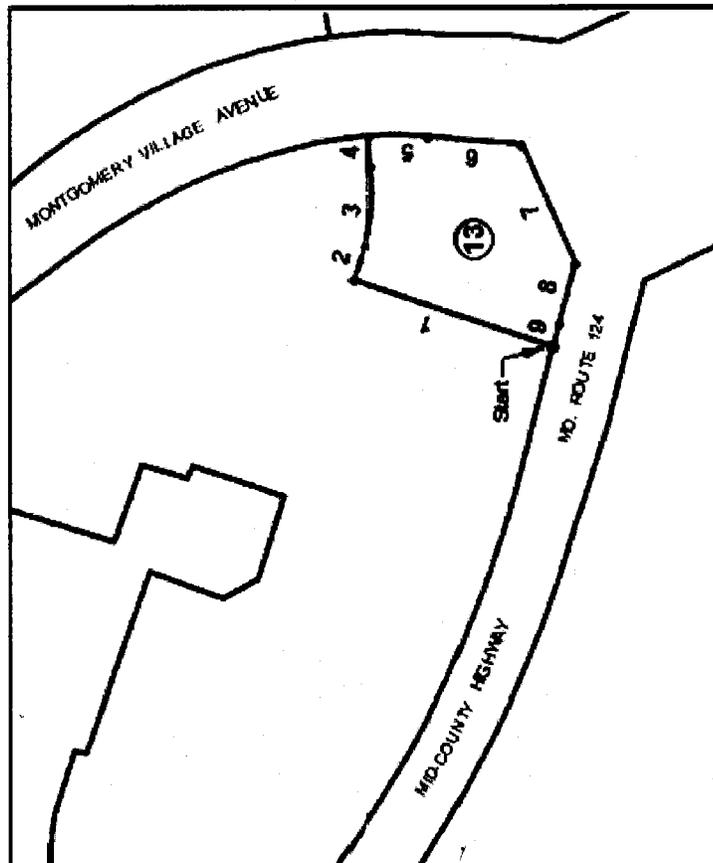
| Parcel # | Changed Attachment | Existing Zoning | Proposed Zoning | Acres |
|----------------------------|--------------------|-----------------|----------------------------|---------------|
| 1 | | T-S | RE-1 | 1.39 |
| 2 | | T-S | TLD | 32.26 |
| 3 | | T-S | RE-1 | 0.86 |
| 4 | | T-S | TLD | 30.45 |
| 5 | | T-S | R-200 | 9.91 |
| 6 | | T-S | R-20 | 29.23 |
| 7 | | T-S | TMD | 6.86 |
| 8 | | T-S | RE-1 | 34.38 |
| 9 | | T-S | TMD | 5.76 |
| 10 | | T-S | R-20 | 26.27 |
| 11 | | T-S | R-10 | 6.33 |
| 12 | | T-S | TMD | 3.15 |
| 13 | | T-S | EOE-0.5 H-50 | 2.13 |
| 14 | | T-S | R-20 | 17.73 |
| 15 | | T-S | R-30 | 8.12 |
| 16 | | T-S | EOE-0.75 H-100 | 5.76 |
| 17 | | T-S | R-200 | 3.04 |
| 18 | | T-S | R-10 | 9.04 |
| 19 | | T-S | R-20 | 17.95 |
| 20 | | T-S | RE-1 | 12.11 |
| 21 | | T-S | R-200 | 0.16 |
| 22 | | T-S | R-80 | 5.02 |
| 23 | | T-S | R-200 | 4.43 |
| 24 | | R-200 | R-90 | 0.72 |
| 25 | | T-S | CRT-1.25 C-0.25 R-1.0 H-75 | 3.02 |
| 26 | | T-S | CRN-0.5 C-0.0 R-0.5 H-40 | 28.71 |
| 27 | | T-S | CRT-1.5 C-0.25 R-1.25 H-75 | 13.64 |
| 28 | | T-S | R-30 | 34.38 |
| 29 | | T-S | R-200 | 10.33 |
| 30 | | T-S | CRT-1.5 C-0.75 R-1.0 H-75 | 20.19 |
| 31 | | T-S | R-20 | 11.72 |
| 32 | | T-S | TMD | 11.56 |
| Total Changed Acres | | | | 406.65 |





| Change# | Attachment | Existing Zoning | Proposed Zoning | Acres |
|---------------------|------------|-----------------|-----------------|--------|
| 74 | 32 | T-S | R-90 | 24.85 |
| 75 | 33 | T-S | RE-1 | 92.53 |
| 76 | 33 | T-S | R-200 | 3.84 |
| 77 | 33 | T-S | TMD | 27.76 |
| 78 | 33 | T-S | R-20 | 11.15 |
| 79 | 33 | T-S | TLD | 7.74 |
| 80 | 33 | T-S | RE-1 | 13.85 |
| 81 | 33 | T-S | TLD | 24.45 |
| 82 | 34 | T-S | R-90 | 47.77 |
| 83 | 34 | T-S | RE-1 | 2.29 |
| 84 | 35 | T-S | RE-1 | 20.08 |
| 85 | 35 | T-S | R-90 | 22.79 |
| 86 | 36 | T-S | TMD | 21.77 |
| 87 | 36 | T-S | RE-1 | 9.25 |
| 88 | 36 | T-S | TLD | 14.92 |
| 89 | 36 | T-S | R-200 | 51.04 |
| 90 | 37 | T-S | TMD | 22.52 |
| 91 | 37 | T-S | ECF-0.5 H-50 | 1.85 |
| 92 | 37 | T-S | RE-1 | 18.52 |
| 93 | 37 | T-S | TLD | 10.26 |
| 94 | 37 | T-S | R-10 | 3.25 |
| 95 | 37 | T-S | NR-0.25 H-45 | 9.97 |
| 96 | 37 | T-S | NR-0.25 H-45 | 4.67 |
| 97 | 37 | T-S | IL-0.5 H-45 | 5.26 |
| Total Changed Acres | | | | 495.38 |

Metes and bounds description for split zone block #13



Beginning at an XY coordinate recognized as
 NAD_1983_StatePlane_Maryland_FIPS_1900_Feet
 From point - X: 1254647.983704' Y: 544132.423889'

Thence **Segment 1** Direction: N 18-41-37 E, Distance: 352.62'

Thence **Segment 2** Direction: S 71-32-45 E, Distance: 59.04'

Curve right Chord **Segment 3** Direction: S 85-50-48 E, Distance: 135.48'

Thence **Segment 4** Direction: N 87-50-37 E, Distance: 49.25'

Curve right Chord **Segment 5** Direction: S 0-7-11 W, Distance: 100.24'

Thence **Segment 6**: -Direction: S 5-5-50 W, Distance: 156.91'

Thence **Segment 7**: -Direction: S 66-6-20 W, Distance: 216.70'

Thence **Segment 8**: -Direction: N 75-19-40 W, Distance: 102.68'

Thence **Segment 9**: Direction: N 75-19-40 W, Distance: 43.16'