

Montgomery County Tier IV Exemption Request

Consultation between MDP and the Maryland Sustainable Growth Commission

December 11, 2012

MDP has completed its review of Montgomery County's application to exempt its Tier IV area from the restrictions on major subdivisions that would otherwise be imposed by SB 236. We received all of the necessary information from the County. Our initial determination is that the County's established zoning and subdivision rules adequately limit residential subdivision sufficiently to satisfy the intent of the law in this regard. Specifically, we estimate that these rules over time will result in an overall yield of approximately 1 lot per 22.4 acres in the County's cumulative Tier IV area. As far as we are able to ascertain, the County continues to support its land use management and land preservation policies in a way that is likely to produce results similar to those estimated.

A few aspects of the review and consultation process for which we will provide more information at the December 11, 2012 meeting:

- The boundaries for the tiers delineated by the County, including Tier IV, are consistent with the statutory guidelines;
- The number of lots allowed under zoning and subdivision rules indicated that it was reasonable to consider that the overall yield might meet the statutory threshold of 1 or fewer lots per 20 acres;
- The performance of the local subdivision and development process confirmed that actual yields are consistent with or better than what would be expected based on allowances in ordinances and regulations;
- Estimates of the total number of existing lots and future residential lots based on performance and an inventory of developable parcels, divided by the total acreage of land in Tier IV, results in an estimate of overall yield at 1 lot per 22.4 acres.
- This is only an estimate of unknown accuracy. Based on a review of the status of resource lands in the County and existing plans and programs in place to continue their protection, we think it reasonable to expect that the established patterns of protection, preservation and development will continue in the future.

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SB236: MONTGOMERY COUNTY EXEMPTION REQUEST ANALYSIS

Presentation to the Sustainable
Growth Commission
December 11, 2012


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TIER 4 EXEMPTION

- The intent of the Tier 4 exemption is to relieve jurisdictions of SB 236's restrictions on major subdivisions in Tier IV if their established zoning and subdivision rules already adequately limit residential subdivision, thereby obviating the need for the additional restrictions.


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DATA PROVIDED BY COUNTY

- Growth Tiers GIS Database
- Parcels subject to restrictions (Protected Lands)
- Transferrable Development Rights Database
- Preliminary Subdivision Plans Database
- Zoning GIS Database
- Zoning Ordinance


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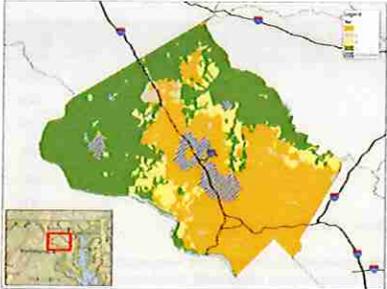
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CONFORMANCE OF TIER IV WITH STATUTORY GUIDELINES


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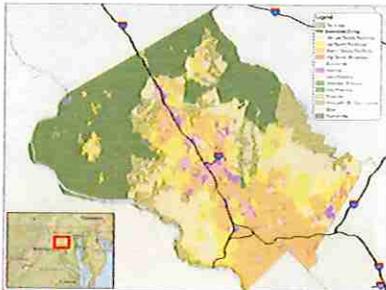
MONTGOMERY COUNTY TIER MAP




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MONTGOMERY COUNTY TIER 4 AREAS



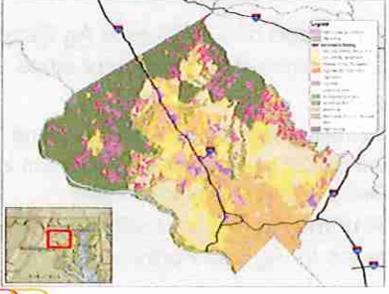

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Potential Future Development in Tier IV



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POTENTIAL RESIDENTIAL SUBDIVISION IN TIER 4 - MONTGOMERY COUNTY




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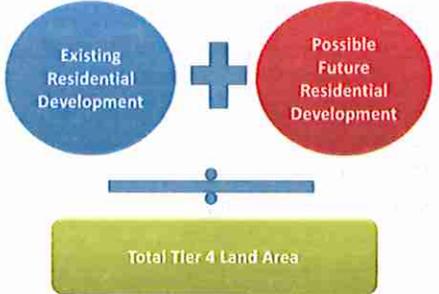
POTENTIAL RESIDENTIAL SUBDIVISION IN TIER 4 - MONTGOMERY COUNTY

Tier 4 Zoning District	% Tier 4 Land in Zoning District	Percent of Potential Residential Subdivision	Number of Potential Future Lots
RDT	77%	38%	688
RC	12%	32%	571
RE-2	6%	14%	251
R-200	2%	7%	121
RE-1	1%	6%	115
Rural	1%	1%	21
Other Districts	0.8%	2%	22



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EXEMPT CALCULATION METHODOLOGY




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EXEMPTION CALCULATION - MONTGOMERY COUNTY

Existing Residential Development	4,190 Lots
Potential Future Residential Development <i>under current local zoning/subdivision regulations</i>	1,811 Lots
Total Potential Residential Lots <i>under current local zoning/subdivision regulations</i>	6,001 Lots
Total Tier 4 Land Area	134,407 Acres
Estimated Overall Density <i>total lots / total land area</i>	1 : 22.4 Acres



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ADDITIONAL CONSIDERATIONS:
STATUS OF AGRICULTURAL RESOURCE LAND



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LAND PRESERVATION, POPULATION & LAND COVER

- 72,172 acres of 93,000 acre Ag Reserve under conservation easement since 1980
- Context
 - The most populous county in Maryland
 - And the 2nd most populous jurisdiction in the Metropolitan Washington Region
- 86% of the Ag Reserve still undeveloped; remains as Ag and Forest Land

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FARM SIZE, PRODUCTION

- The average farm in Montgomery County is 121 Acres in size
- Of the 5 most densely populated counties in Maryland*, Montgomery has the largest average farm size
- 21% of Montgomery County's land is actively farmed
- Of the 5 most densely populated counties in Maryland, Montgomery has the highest percentage of county land actively farmed

*Anne Arundel, Baltimore, Howard, Montgomery and Prince George's Counties

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AGRICULTURAL PRODUCTIVITY

- **Market Value of Agricultural Products sold in 2007 was \$33.2 Million.**
 - Allegany (\$3.2 Million)
 - Calvert (\$4.1 Million)
 - Charles (\$8.8 Million)
 - Garrett (\$25.7 Million)
 - St. Mary's (\$15.9 Million)
 - Worcester (\$185.8 Million)

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