

GOOD HOPE ROAD SHARED USE PATH EXTENSION BETWEEN RAINBOW DRIVE AND SPENCERVILLE LOCAL PARK MANDATORY REFERRAL - MR2025010 AND WATER QUALITY PLAN

Description

This is a Mandatory Referral and Water Quality Plan for the Montgomery County Department of Transportation project to construct an eight-foot wide sidepath along approximately 900 feet of Good Hope Road between Rainbow Drive and Spencerville Local Park.

Completed 4/14/2025

MCPB.

2425 Reddie Drive

Item No. #6

Floor 14

04/24/2025

Wheaton, MD 20902

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LOCATION

Good Hope Road from Rainbow Drive to the Spencerville Local Park entrance.

MASTER PLAN

1997 *Cloverly Master Plan* and 2018 *Bicycle Master Plan*

APPLICANT

Montgomery County Department of Transportation

ACCEPTANCE DATE

December 27, 2024

REVIEW BASIS

Md. Land Use Article, Section 20-301, et seq. Chapter 19

Summary

- Staff recommends approval of the Mandatory Referral and transmittal of comments to the Montgomery County Department of Transportation.
- Staff recommends approval of the Preliminary/Final Water Quality Plan with conditions.
- The Planning Board review of a Mandatory Referral is advisory, whereas the review of the Water Quality Plan review is regulatory.
- The Applicant agreed to a 60-day extension of the review period.

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SECTION 1 – RECOMMENDATIONS AND CONDITIONS

WATER QUALITY PLAN

Staff recommends approval with conditions of all site development elements shown on the latest electronic version of the Water Quality Plan as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

1. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its Combined Preliminary/Final Water Quality Plan letter dated March 29, 2024, and hereby incorporates them as conditions of the Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Plan approval.
2. Impervious surfaces are limited to no more than 6,619 square feet within the Upper Paint Branch Special Overlay Zone as shown on the Impervious Surface Plan uploaded December 10, 2024.
3. Before the start of any clearing, grading or construction, the Applicant must remove all 6,750 square feet of impervious surfaces and restore these areas to a fully pervious condition. The removal and restoration of pervious surfaces must be in compliance with the M-NCPPC Dept. of Parks “*Guidelines for Converting Paved Areas into Pervious Greenspace.*” M-NCPPC Forest Conservation Inspection Staff must be present at a pre-work meeting before the removal of the impervious surfaces.
4. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Code of Montgomery County Regulations (“COMCOR”), Forest Conservation Regulations.

MANDATORY REFERRAL NO. MR2025010

Staff recommends transmittal of the following comments to MCDOT:

1. Construction plans must be submitted to the Maryland National Capital Park and Planning Commission (M-NCPPC) Department of Parks for review as part of the Park Construction Permit process to ensure that all work is performed in accordance with M-NCPPC standard details, specifications, and policies. No work on parkland may occur until an approved Park Construction Permit is issued for the project.
2. Montgomery Parks tree mitigation will be fulfilled through either (1) replacement planting on parkland at a rate of one-inch to one-inch diameter or (2) a monetary per inch caliper basis at the rate of \$200/diameter inch, to be paid to Montgomery Parks before completion of construction.
3. Any portion of Commission land within Spencerville Local Park that is permanently impacted for the sidepath or drainage improvements will be placed in a perpetual easement to MCDOT.

The permanent impacts of this project result in an easement area of approximately 7,986 square feet. The M-NCPPC must be paid the fair market value of the final perpetual easement area before issuance of the Park Construction Permit.

SECTION 2 - INTRODUCTION

The Montgomery County Department of Transportation (MCDOT) has submitted a Mandatory Referral for a shared use path (sidepath) to be constructed on the east side of Good Hope Road between Rainbow Drive and Spencerville Local Park in the Cloverly area of Silver Spring, Maryland. This will be an extension of the recently completed Good Hope Road Shared Use Path project that currently terminates at Rainbow Drive.

SECTION 3 - PROJECT DESCRIPTION

PROJECT DESCRIPTION

The proposed shared use path (“Project”) will be constructed along the east side of Good Hope Road between Rainbow Drive and the entrance of Spencerville Local Park (approximately 900 linear feet) to improve pedestrian and bicycle safety and connectivity. The shared use path continues approximately 100 feet into the park on the south side of the entrance road. As shown in Figure 1, the project is an extension of the Good Hope Road Shared Use Path which currently terminates at Rainbow Drive on the west side of Good Hope Road. A photo of the existing shared used path terminus south of Rainbow Drive is shown in Figure 2.

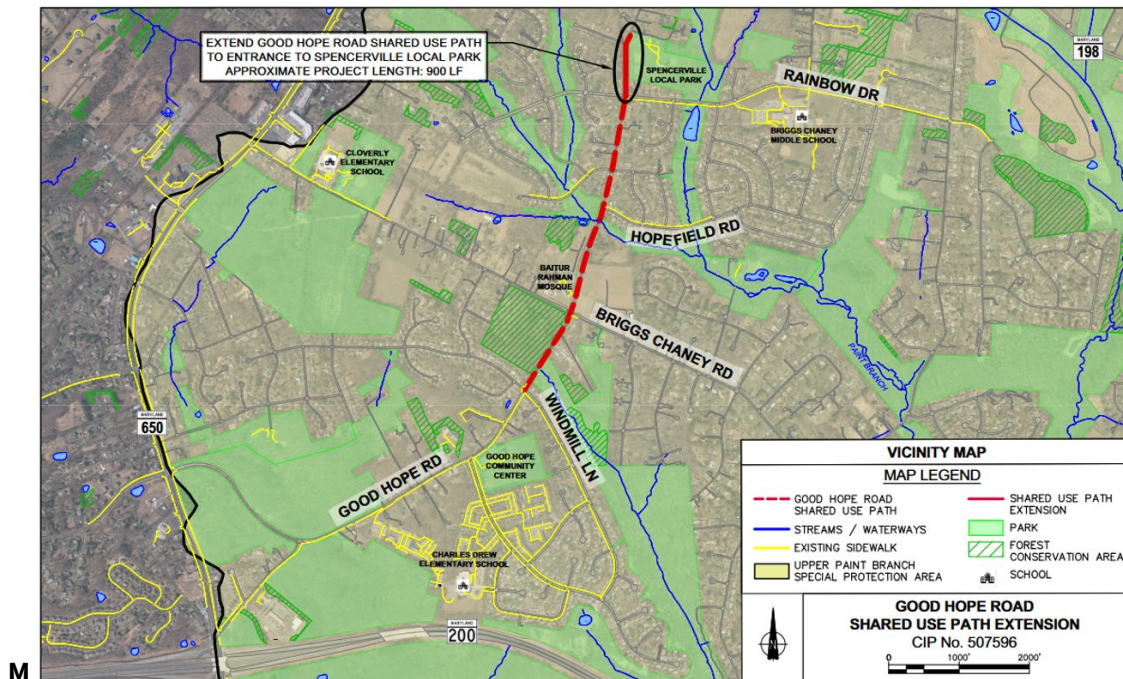


Figure 1: Project Location



Figure 2: Existing Good Hope Road Sidepath Terminus at Rainbow Drive, Looking North

The improvements include an eight-foot-wide shared use path with a minimum five-foot-wide street buffer as shown below in Figure 3. The typical cross section proposed by the applicant is shown below in Figure 4. The northern terminus point was coordinated with Parks Department staff to minimize impacts to established trees. The Project also includes stormwater management and water quality mitigations as it is located within the Upper Paint Branch Special Projection Area (SPA).

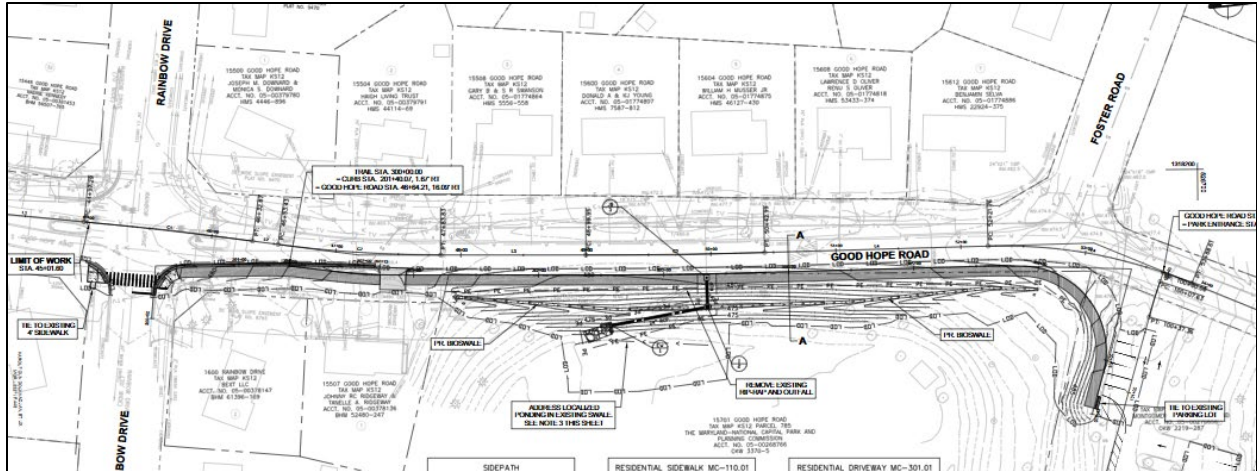


Figure 3: Plan View of Proposed Project

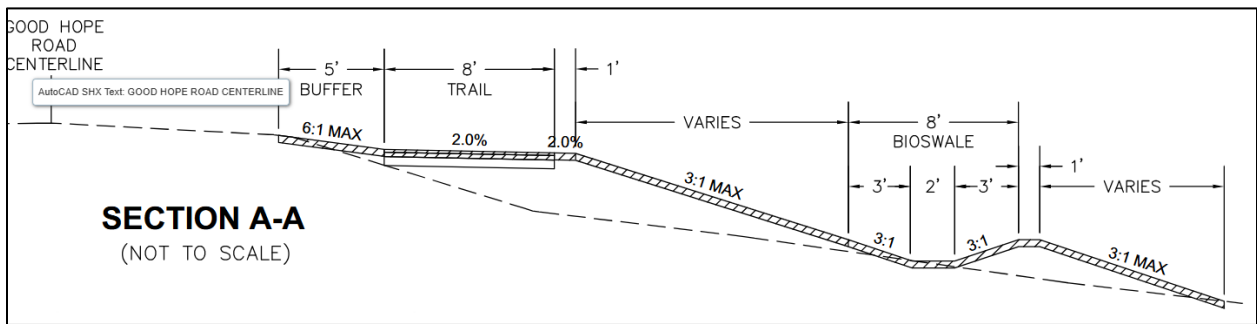


Figure 4: Typical Cross Section (Looking North) for Proposed Project

PREVIOUS APPROVALS

The project team completed field investigations to identify and delineate existing streams, wetlands, forests, and specimen trees within the project study area. An approved Natural Resource Inventory (NRI) / Forest Conservation Exemption Plan (42024087E) was submitted to M-NCPPC and approved in March 2024.

The proposed Project is an extension of the Good Hope Road Shared Use Path project that was recently completed between Windmill Lane and Rainbow Drive. That project was previously approved as a Mandatory Referral in 2020 (MR2020035).

SURROUNDING NEIGHBORHOOD

The surrounding neighborhood is made up of residential detached housing and zoned as RE-1 within the Upper Paint Branch (UPB) Overlay Zone.

Good Hope Road is a two-lane Neighborhood Connector with no shoulders, a posted speed limit of 30 mph and a target speed of 20 mph. Photos of Good Hope Road between Rainbow Drive and Spencerville Local Park are shown in Figure 5, Figure 6, and Figure 7.



Figure 5: Good Hope Road at Rainbow Drive Looking North



Figure 6: Good Hope Road Between Rainbow Drive and Spencerville Local Park, Looking North



Figure 7: Good Hope Road at Foster Road and Spencerville Local Park, Looking North

SECTION 4 – MANDATORY REFERRAL AUTHORITY AND PROCESS

Mandatory Referral review is guided by the Montgomery Planning Mandatory Referral Review Uniform Standards (December 2022), and the authority granted through the Maryland Land Use Article, Section 20-301, et. seq. As set forth in Sections 20-301 and 20-302, the Montgomery County Planning Board has jurisdiction over mandatory referral projects presented by the federal government, State of Maryland, Montgomery County government, Montgomery County Board of Education, and public utilities, among others, for:

- (1) acquiring or selling land;
- (2) locating, constructing, or authorizing a road, park, public way or ground, public building or structure, or public utility; or
- (3) changing the use of or widening, narrowing, extending, relocating, vacating or abandoning any of the previously mentioned facilities.

The Planning Board must review such projects and transmit comments on the proposed location, character, grade, and extent of the activity to the project applicant.

As described in the Uniform Standards, the Planning Board considers all relevant land use and planning aspects of the proposal, including, but not limited to, the following:

- (1) whether the proposal is consistent with the County’s General Plan, functional plans, the approved and adopted area master plan or sector plan and any associated design guidelines, and any other public plans, guidance documents, or programs for the area;
- (2) whether the proposal is consistent with the intent and the requirements of the zone in which it is located;
- (3) whether the nature of the proposed site and development, including but not limited to its size, shape, scale, height, arrangement, design of structure(s), massing, setback(s), site layout, and location(s) of parking is compatible with the surrounding neighborhood and properties;
- (4) whether the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;
- (5) whether the proposal has an approved NRI/FSD and a preliminary SWM Concept Plan, and meets the requirements of the Forest Conservation law (Chapters 19 and 22A of the Montgomery County Code);
- (6) whether a Preliminary or a Final Water Quality Plan has been reviewed by the Planning Board if the project is located in a Special Protection Area. In addition, for a Water Quality Plan on public property, the Board must determine if the plan meets any additional applicable standards for Special Protection Areas;
- (7) whether or not the site would be needed for park use if the proposal is for disposition of a surplus public school or other publicly owned property; and

- (8) whether alternatives or mitigation measures have been considered for the project if the proposal is inconsistent with the General Plan or other plans and policies for the area, or has discernible negative impacts on the surrounding neighborhood, the transportation network, the environment, historic resources (including burial sites), or other resources.

SECTION 5 – MANDATORY REFERRAL ANALYSIS AND FINDINGS

Master Plan Consistency

As described in the Uniform Standards outlined in Section 4 of this staff report, the Planning Board considers whether the proposal is consistent with the County’s General Plan, functional plans, area master plans, and any associated design guidelines.

The 2018 *Bicycle Master Plan* recommends a sidepath along the east side of Good Hope Road between Briggs Chaney Road and Spencerville Road, which includes the segment between Rainbow Road and the entrance to Spencerville Local Park.

The Project is consistent with the 2018 *Bicycle Master Plan*.

Other Mandatory Referral Uniform Standard Findings

The project is consistent with the aspects of the Uniform Standards listed below, and reasoning is provided. All other aspects of the Uniform Standards are not applicable to this Project.

- *Adequacy, safety, and efficiency of landscaping and pedestrian and vehicular circulation*
 - The project aims to improve safety and efficiency of the transportation network in the project area.
- *Approval of NRI/FSD, preliminary SWM Concept Plan, and Forest Conservation law compliance*
 - An NRI/ Forest Conservation Exemption Plan was confirmed in March of 2024 (42024087E).
- *If located in a Special Protection Area, approval of Preliminary or Final Water Quality Plan or other applicable standards (this is provided in Section 6).*
 - A Water Quality Plan is included with this mandatory referral as the project is in the Paint Branch Special Protection Area.

Transportation Best Practices

COMPLETE STREETS DESIGN GUIDE

The *Complete Streets Design Guide, Version 1.2 (2024)* default width for a sidepath on Neighborhood Connector is 10-foot-wide, with an eight-foot-wide minimum. An eight-foot-wide path was for this project for three reasons: 1) maintaining consistency with the approved width of the Good Hope Road sidepath project to the south between Rainbow Drive and Windmill Lane which also has an eight-foot-wide sidepath, 2) impacts primarily on existing parkland, and 3) the project is located within the Paint Branch Special Protection Area with an eight-percent impervious cap. The five-foot-wide minimum

street buffer is narrower than the 15-foot-wide default as called for in the *Complete Streets Design Guide*, however this dimension is primarily based on providing space for a bioswale. Since an eight-foot-wide bioswale is accommodated between the sidepath and the park, a 5-foot-wide street buffer is acceptable, though slightly below the overall minimum street buffer width of 6 feet in the *Complete Streets Design Guide*.

PEDESTRIAN LEVEL OF COMFORT AND BICYCLE LEVEL OF TRAFFIC STRESS

The current Pedestrian Level of Comfort (PLOC) score along this segment of Good Hope Road, as shown in Figure 8, is identified as Undesirable since there are no existing pedestrian facilities. Providing the sidepath will improve the PLOC score to Somewhat Comfortable.



Figure 8: Good Hope Road Existing Pedestrian Level of Comfort

Currently, the Bicycle Level of Traffic Stress (BLTS) score along this segment of Good Hope Road, as shown in Figure 9, is classified as Moderate High since the street lacks a bikeway. Providing the sidepath will improve the BLTS to Very Low Stress.

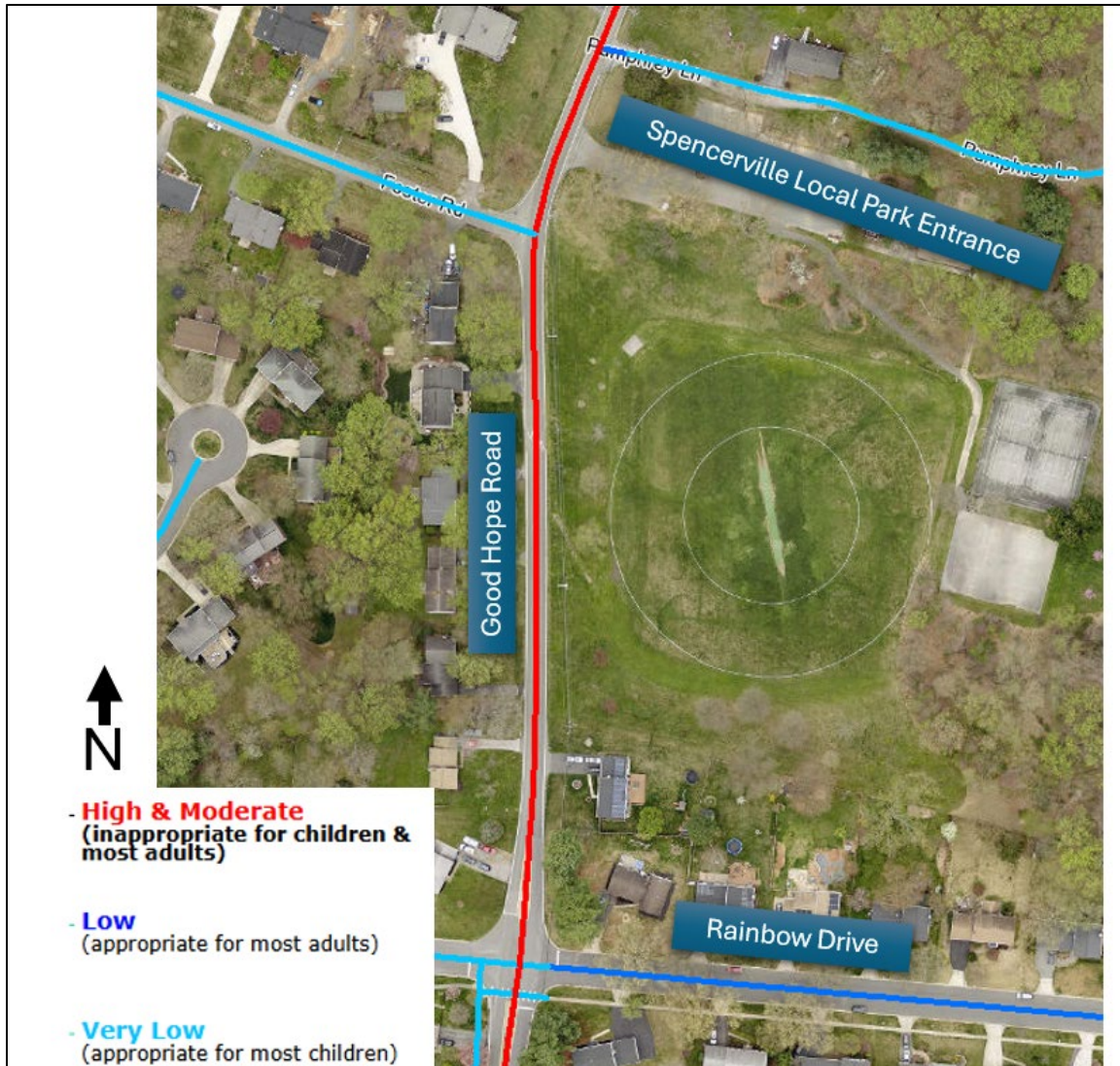


Figure 9: Good Hope Road Existing Bicycle Level of Traffic Stress

TRANSPORTATION COMMENTS

The proposed sidepath design is consistent with the design of the previously completed Good Hope Road sidepath to the south. This design was recommended to be extended to connect to Spencerville Local Park, which is the Project's northern terminus. The use of the eight-foot-wide minimum sidepath width and a five-foot-wide grass buffer is acceptable, given impacts to parkland, the design on Good Hope Road south of Rainbow Drive, and the 8% impervious cap within the Upper Paint Branch Special Protection Area (SPA).

Historic Preservation

HISTORIC PRESERVATION COMMENTS

The Project will not have impacts on any county-designated historic properties, and a Historic Area Work Permit will not be required.

Parkland Impacts

PARKLAND AND RESOURCE DESCRIPTION

The proposed sidepath would impact Spencerville Local Park which comprises 18.4 acres adjacent to Good Hope Road. The park acreage was acquired in three stages: two acres in 1956, 10 acres in 1965, and 6.4 acres in 1968, for the total of 18.4 acres. The park features a playground, ball fields, tennis courts, and a path connecting the various park features (Figure 10). Spencerville Local Park is also home to the Spencerville-Mildred Pumphery Park Activity Building. This recreational facility offers over 1,500 square feet of event space. A list of the park features and amenities are included below:

- Spencerville-Mildred Pumphery Park Activity Building
- Basketball Court – lighted (Contact Park Permits Office to reserve)
- Cricket Fields
- Playground
- Tennis Court – lighted (Contact Park Permits Office to reserve)
- Tennis Wall
- Water Fountain

The park amenities are generally in the western and central part of the park and the eastern half is generally wooded and contains the Upper Left Fork of Paint Branch and associated floodplain and wetlands. The stream is designated by the Maryland Department of the Environment as a Use Class III stream, which is a nontidal cold-water, naturally reproducing trout stream. The Upper Paint Branch Special Protection Area is an area of high-quality terrestrial and aquatic resources with a focus on maintaining the integrity of the cold-water headwater tributaries of Paint Branch. The Upper Left Fork tributary contains forested areas with species such as tulip tree, red maple, white oak, serviceberry, and American hazelnut. In addition, herbaceous species such as wood anemone, yellow trout lily, and various ferns can also be found in the watershed. Due to this park's sensitive environmental setting, it is maintained without pesticides.



Figure 10: Park Map with Project Area Highlighted

PROJECT ELEMENTS AND PARKLAND IMPACTS

Montgomery Parks and MCDOT Staff have coordinated closely on path alignment, construction impacts (site grading), and water quality improvements. The sidepath will greatly improve pedestrian and bicyclist access to the park for nearby residents and will increase the overall path length within the park.

The proposed MCDOT improvements are focused on the western portion of the park, directly adjacent to Good Hope Road (Figure 11). The proposed sidepath will impact approximately 680 feet of park frontage along Good Hope Road and will tie into the parking lot and existing paths within the Spencerville Local Park (Figure 12). Along the frontage of the park, the sidepath will stay close to the road alignment to avoid impacts and disruptions to the active areas and ball fields. The sidepath will require the removal of four landscape trees that will be replaced per Parks Department requirements. The tree plantings will be completed per Parks' Department specifications and are intended to fulfill Montgomery Parks' tree mitigation requirements; any other regulatory tree requirements are separate from these requirements.

Good Hope Road Shared Use Path Extension Between Rainbow Drive and Spencerville Local Park
 – Mandatory Referral No. MR2025010 and Water Quality Plan

The parking lot area at Spencerville Local Park currently has lights, and therefore, Montgomery Parks supports pedestrian lighting for the sidepath to prevent a discontinuity of lighting within the park. The lighting should utilize lighting fixtures that are dark sky compliant, shielded appropriately, and use low wattage LED bulbs.

The Project will also require the installation of stormwater management facilities and drainage improvements. The stormwater management facilities were located to reduce impacts to parkland and to ensure that the adjacent ball field remains intact, and the playable area is not impacted (Figure 13). The stormwater facilities will provide treatment for the added impervious surface of the path and promote infiltration of the water into the soil, reducing uncontrolled runoff.

MCDOT has committed to offsetting the new, additional impervious surface on parkland through impervious removal elsewhere in the SPA, ensuring that Parks Department maintains the ability to add improvements to Spencerville Local Park in the future.



Figure 11: Park Frontage where proposed sidepath will be constructed.



Figure 12: Park Entrance where proposed Sidepath will Connect into the Park

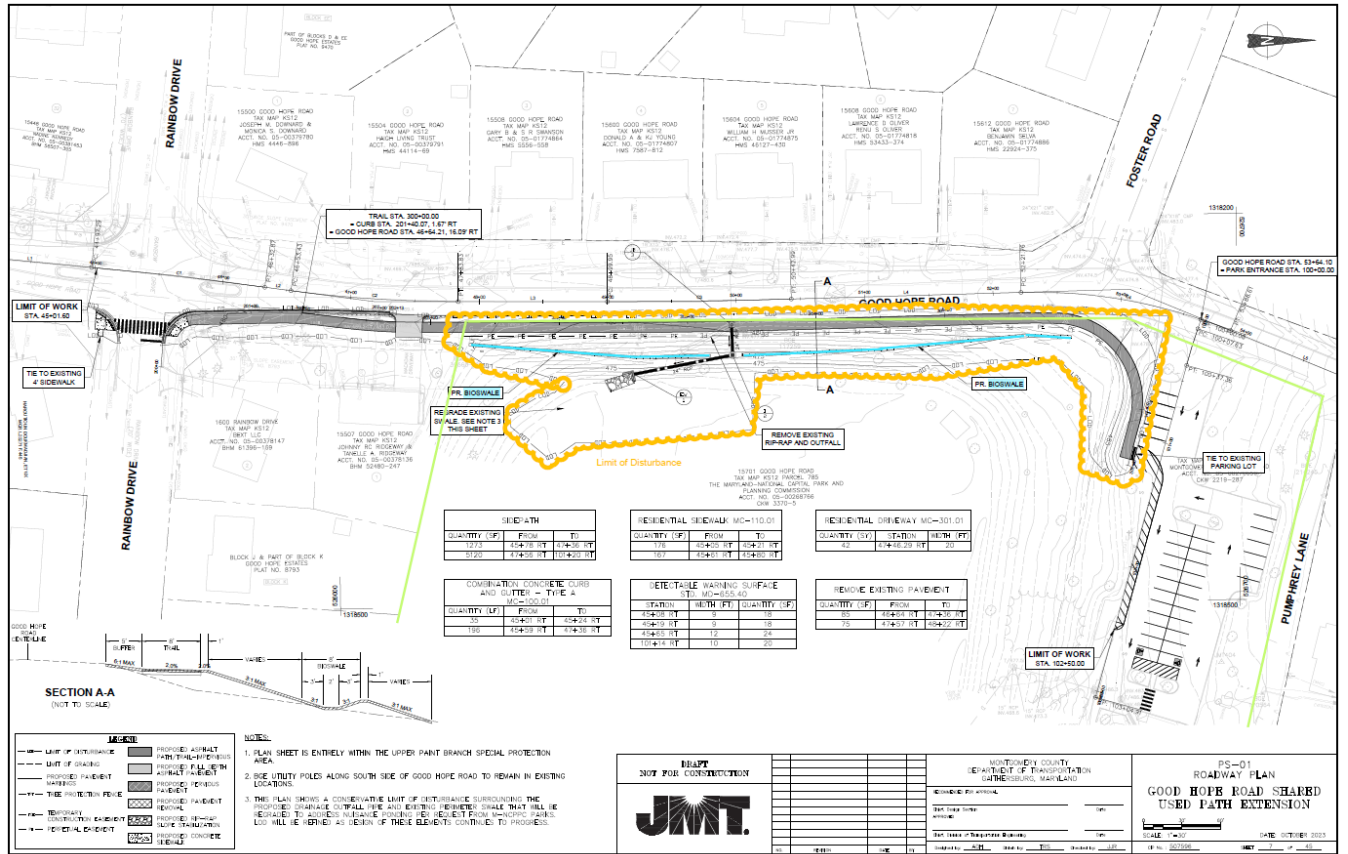


Figure 13: Extent of Work on Parkland

Good Hope Road Shared Use Path Extension Between Rainbow Drive and Spencerville Local Park
– Mandatory Referral No. MR2025010 and Water Quality Plan

PARK CONSTRUCTION PERMIT

MCDOT must obtain a Park Construction Permit from Montgomery Parks before the commencement of any construction activities on parkland. Plans submitted for Park Construction Permit review must include existing topography and utilities and identify and locate all trees (with size and species) larger than 6" DBH within 100 feet of the proposed Limit of Disturbance on park property. During the Park Construction Permit Review, Park Staff will work with MCDOT to minimize impacts to parkland to the greatest extent possible and avoid all identified critical resources. Montgomery Parks tree mitigation will be fulfilled through either (1) replacement planting on parkland at a rate of one-inch to one-inch diameter or (2) a monetary per inch caliper basis at the rate of \$200/diameter inch, to be paid to Montgomery Parks prior to completion of construction.

RIGHT-OF-WAY

Any portion of Spencerville Local Park that is permanently impacted for the sidepath or drainage improvements will be placed in a perpetual easement to MCDOT. The permanent impacts of this Project result in an easement area of approximately 7,986 square feet. M-NCPPC must be paid the fair market value of the final perpetual easement area prior to issuance of the Park Construction Permit. Parkland that is proposed to be granted to MCDOT via perpetual easement is highlighted in Figure 14.

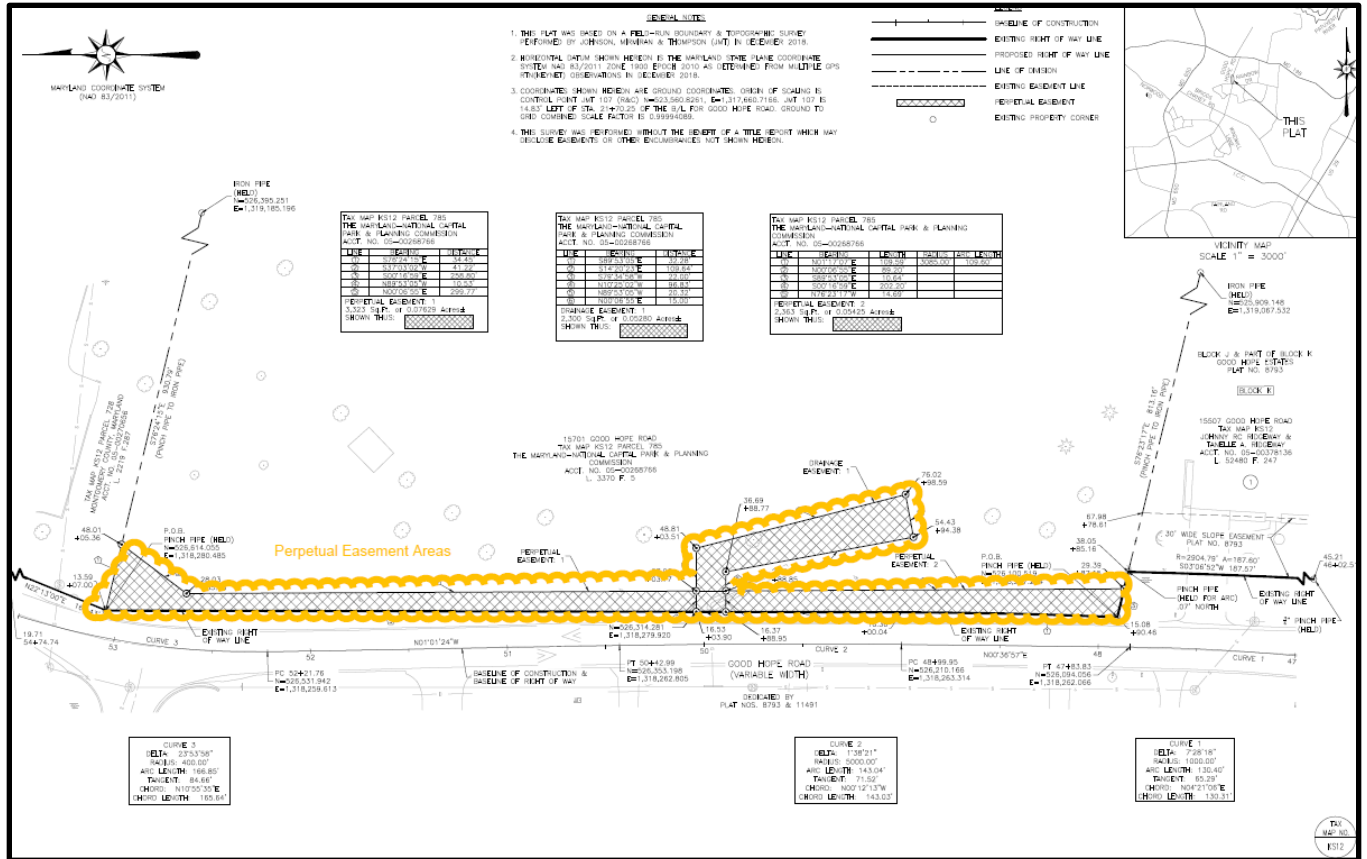


Figure 14: Area of Perpetual Easement for Right-of-Way

Environment

ENVIRONMENTAL GUIDELINES

The project area contains no environmental buffers, streams, or other sensitive features. The project is within the Upper Left Fork of the Paint Branch watershed, a USE III designation. The Project is in the Upper Paint Branch Special Protection Area.

The Project proposes no forest removal, and there are no Stream Valley Buffer (SVB) or 100-Year-Floodplain impacts.

FOREST CONSERVATION

The project is exempt from the requirements of submitting a Forest Conservation Plan. A forest conservation exemption (#42024087E) was granted under the provisions of Section 22A-5(e) as “a state or county highway project.” The exemption was confirmed on March 6, 2024. See Attachment B.

There are no impacts to forests or other environmentally sensitive areas associated with this Application.

Good Hope Road Shared Use Path Extension Between Rainbow Drive and Spencerville Local Park – Mandatory Referral No. MR2025010 and Water Quality Plan

SECTION 6 – SPECIAL PROTECTION AREA WATER QUALITY PLAN

The Application meets the Preliminary/Final Water Quality Plan requirements of Chapter 19 of the Montgomery County Code and the requirements of the Upper Paint Branch Special Protection Area (SPA).

The Project is located within the Upper Paint Branch SPA on public and private property where land disturbance is proposed; therefore, it is required to obtain approval of a water quality plan under Chapter 19-62(b) and 19-62(c) of the Montgomery County Code.

In accordance with the SPA Law, a Preliminary/Final Water Quality Plan was submitted and reviewed in conjunction with this Application.

Under Section 19-65 of the Code, the Montgomery County Department of Permitting Services (MCDPS), the Montgomery County Department of Environmental Protection (MCDEP), and the Planning Board have different responsibilities in the review of the Water Quality Plan. MCDPS and MCDEP have reviewed and conditionally approved the elements of the Preliminary/Final Water Quality Plan under their purview. The Planning Board's responsibility is to determine if environmental guidelines for the protection of buffers and other sensitive areas, SPA forest conservation and planting requirements, and limits on impervious surface have been satisfied.

MCDPS and MCDEP Special Protection Area Review Elements

On March 29, 2024, MCDPS conditionally approved the elements of the SPA Water Quality Plan under their purview with conditions to be addressed during the detailed sediment control/stormwater management plan stage (Attachment C).

The Applicant plans to meet the required stormwater management goals via Environmental Site Design and Bioswales.

MONITORING

The Applicant, as detailed in the MCDPS approval or a SPA Best Management Practices Monitoring to MCDPS.

Planning Board Special Protection Area Review Elements

The Preliminary/Final Water Quality Plan elements related to environmental guidelines and sensitive area protection, forest conservation and impervious surfaces are consistent with the SPA's requirements. Staff recommends Planning Board approval of the elements of the SPA Preliminary/Final Water Quality Plan under its purview.

ENVIRONMENTAL GUIDELINES AND FOREST CONSERVATION

The Applicant has an approved Forest Conservation Exemption. The Application meets all applicable requirements of the Environmental Guidelines, and Chapter 22A of the Montgomery County Forest Conservation Law and has no impacts on any environmental sensitive areas.

IMPERVIOUS SURFACE LIMITATIONS

Impervious surface restrictions for development projects in this portion of the Upper Paint Branch SPA are set forth in the Upper Paint Branch Overlay Zone. As per Chapter 59, Section 4.9.20.D, the maximum total impervious surface area for any development is 8%.

The Application includes the proposed construction of a new Shared Use Path and associated improvements. The resulting development (within the SPA) proposes approximately 6,619 square feet or a net increase of 6,337 square feet of impervious surface (282 square feet of existing to be removed).

The Applicant is proposing to offset the new imperviousness with the removal of 6,750 sf of existing imperviousness within the Upper Paint Branch Watershed/SPA. This results in less imperviousness than the existing conditions.

The Application meets all applicable requirements of Chapter 19 for SPA Water Quality Plans.

SECTION 7 – COMMUNITY OUTREACH

After staff accepted the Mandatory Referral for review, Montgomery Planning notified local civic and homeowners' associations and other interested parties of this proposal. As of the date of this report (April 14), Planning Staff have not received any comments on this project from the public.

MCDOT held a public meeting in April 2023 to present the proposed concepts to the surrounding community and other key stakeholders.

SECTION 8 – CONCLUSION

The Application meets the Preliminary/Final Water Quality Plan requirements of Chapter 19 of the Montgomery County Code and the requirements of the Upper Paint Branch Special Protection Area (SPA). Therefore, Staff recommends approval of the Preliminary/Final Water Quality Plan with conditions.

With the recommendations cited above, the Mandatory Referral application for the extension of the Good Hope Road Shared Use Path, designated Mandatory Referral No. MR2025010, is consistent with the general and specific recommendations of the 1997 *Cloverly Master Plan* and the 2018 *Bicycle* Good Hope Road Shared Use Path Extension Between Rainbow Drive and Spencerville Local Park

Master Plan. Staff recommends approval of the Mandatory Referral with the recommendations cited above and transmittal of comments to the Montgomery County Department of Transportation (MCDOT).

SECTION 9 – ATTACHMENTS

Attachment A: Project Plans

Attachment B: Forest Conservation Exemption: 42024087E

Attachment C: MCDPS Approval Letter