

COUNCIL COMING ATTRACTIONS



Week of November 7, 2016

Subdivision Staging Policy, Development Impact Taxes, Signs on Buildings and Westbard Sectional Map Amendment



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/council/packet/index.html> .

Also the Council meeting schedule may change from time to time. The current Council agenda can always be viewed at:

http://www.montgomerycountymd.gov/council/resources/files/agenda/col/current_agenda.pdf .

On Nov. 8 the Council will meet at 9 a.m. to discuss the State Legislative Program. General Council business begins at 10 a.m. and Council and Committee highlights are listed below.

COUNCIL



Resolution to Adopt the 2016-2020 Subdivision Staging Policy

The Council is scheduled to hold a worksession on the Resolution to Adopt the 2016-2020 Subdivision Staging Policy (SSP). The Council took straw votes on a majority of SSP issues on Nov. 3. The complete staff report including a summary of these straw votes will be available on Nov. 7. The latest version of the County's SSP, formerly called the "Growth Policy," is being updated. The goal of the SSP is to ensure that there is adequate public facilities infrastructure, schools and roads associated with new development and growth. The SSP update is an opportunity to revise the rules for how the County grows over the next four years. The County Code requires final action on the SSP by Nov. 15; otherwise, the 2012-2016 SSP would remain in effect. Since there are several policy linkages between the SSP, Bill 37-16 and the Resolution to Establish Development Impact Tax Rates for Transportation and Public School Improvements

(discussed below), the Council will take final votes on these measures at the same Council meeting, which is tentatively scheduled for Nov. 15. The PHED Committee held several meetings to review the SSP (Sept. 19 and 26 and Oct. 10, 17, 18 and 25). The Council held worksessions on the SSP on Oct. 25, Nov. 1 and 3. All of the staff reports from these meetings can be found at: <http://www.montgomerycountymd.gov/council/packet/index.html> .

Full video segments from these meetings can be found at:

<http://www.montgomerycountymd.gov/COUNCIL/OnDemand/index.html> .



Bill 37-16, Taxation-Development Impact Tax-Transportation and Public School Improvements-Amendments

The Council is scheduled to hold a worksession on Bill 37-16. The staff report will be available on Nov. 7. Council President Floreen is the lead sponsor, at the request of the Planning Board. The County Code requires the Planning Board to submit a recommended SSP to the Council that must include guidelines for the administration of laws and regulations which affect the adequacy and timing of public facilities needed to support growth and development. The GO Committee reviewed Bill 37-16 on Sept. 26 and Oct. 6, 20 and 27.

- The Planning Board submitted a recommended 2016 SSP on July 27, 2016. The Planning Board recommended changes to the County law concerning the development impact tax for transportation and public school projects. Bill 37-16 would implement the Planning Board's recommended amendments to the impact tax laws. Bill 37-16 would:
 - ✓ modify the method of calculating the transportation and public school impact tax;
 - ✓ create new transportation tax districts associated with policy area categories;
 - ✓ adjust the transportation impact tax for residential uses based on non-auto driver mode share (NADMS) associated with each tax district;
 - ✓ adjust the transportation impact tax for non-residential uses based on vehicle miles of travel (VMT) associated with each tax district;
 - ✓ authorize an adjustment to the transportation impact tax for providing parking below the minimum required under Chapter 59; and
 - ✓ modify the public school impact tax payable for property located in a former enterprise zone.



Resolution to Establish Development Impact Tax Rates for Transportation and Public School Improvements

The Council is scheduled to hold a worksession on the Resolution to Establish Development Impact Tax Rates for Transportation and Public School Improvements. The staff report will be available on Nov. 7. The resolution as introduced contains the impact tax rates proposed by the Planning Board that are also included in Bill 37-16 as introduced. Any testimony that was submitted concerning the proposed impact tax rates for the September 13 public hearing on Bill 37-16 is being considered by the Council when deliberating the impact tax rates in the resolution.

- The Council may increase or decrease the rates proposed in the resolution.
- Bill 37-16 includes revised impact tax rate tables proposed by the Planning Board as part of the Subdivision Staging Plan. At the September 22 worksession on Bill 37-16, the GO Committee recommended removing the impact tax tables from the legislation and approving the impact tax rates by resolution.
- Currently the impact tax tables are adopted in the law and then are revised by resolution every two years. After the first revision of the tax rates by resolution, the tax tables contained in the law are no longer accurate.



Hearing Examiner's Report and Recommendation-Local Map Amendment (LMA) H-113, Investment Properties, Inc. for the property located at 800 and 850 East Gude Drive, Rockville
The Council is scheduled to vote on Local Map Amendment H-113. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4997&meta_id=127980 .

Local Map Amendments H-113 and H-114, Gude Drive, Properties III and IV, are requests for a reclassification from IH 2.5, H 70 (Industrial Heavy) Zone to IMF 2.5, H 70 (Industrial Moderate-Floating). H-113 (Gude Drive Properties III) includes two lots consisting of a total of 11.21 acres of land. The LMA is requested to allow a potential future addition of approximately 146,628 square feet gross floor area to the existing developments located at 800 and 850 East Gude Drive in Rockville (known as Lots 3 and 4 Cotler Industrial Park, 2004 Upper Rock Creek Master Plan). The Hearing Examiner, Planning Board and Planning staff all recommend approval.

-  Hearing Examiner's Report and Recommendation-Local Map Amendment H-114, Investment Properties, Inc. for the property located at 851 and 861 East Gude Drive, Rockville
The Council is scheduled to vote on Local Map Amendment H-114. The staff report can be viewed:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4997&meta_id=127982 .

H-114 (Gude Drive Properties IV) includes two parcels consisting of a total of 14.17 acres, which are currently improved with a self-storage facility and a warehouse. The LMA is requested to allow the potential future addition of approximately 149,805 square feet gross floor area, located at 851 and 861 East Gude Drive in Rockville (known as Part of Parcel E and Parcel F Ensor Property, 2004 Upper Rock Creek Master Plan). The Hearing Examiner, Planning Board and Planning staff all recommend approval.

-  Zoning Text Amendment 16-09, Commercial/Residential Zones-Locations Signs
The Council is scheduled to vote on ZTA 16-09. The PHED Committee recommends approval. Council President Floreen is the lead sponsor. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4997&meta_id=127984 .

ZTA 16-09 would allow a location sign (a wall sign at least 26 feet from the ground) in Commercial/Residential Zones on each face of a building.

- Currently a building in a Commercial/Residential Zone may have one location sign for the building. In addition to being at least 26 feet above ground level and 10 feet from the corner of a building, a location sign must be located over an entrance to the building and may not be within 10 feet of the top of a building.
- ZTA 16-09 would give building owners the ability to place a sign on each building face for the major tenants in their buildings.
- Council President Floreen believes that this will provide an enticement for major tenants to rent space in County buildings.

-  Westbard Sectional Map Amendment (H-116)

The Council is scheduled to take action on the Westbard Sectional Map Amendment (SMA). The PHED Committee reviewed SMA H-116 on Oct. 31 and recommends approval. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=149&event_id=4997&meta_id=127986 .

The Council's approved resolution for the Westbard Sector Plan can be viewed at:

http://www.montgomerycountymd.gov/COUNCIL/Resources/Files/res/2016/20160503_18-471.pdf .

SMA H-116 would implement and put into effect the recommendations of the Adopted Westbard Sector Plan. It would rezone approximately 48 acres and reconfirm the zoning on 118 acres. Approximately 15 acres are public rights-of-way to be zoned to the centerline of the adjacent zone classification.

COMMITTEE

-  Special Appropriation and CIP Amendment - Department of Transportation - \$8,000,000 for Resurfacing Residential/Rural Roads

On Nov. 10 at 9:30 a.m. the T&E Committee will review an \$8 million special appropriation for road resurfacing. Council Vice President Berliner and Councilmembers Navarro, Katz, Rice and

Hucker are lead sponsors. Councilmembers Elrich and Leventhal are cosponsors. The staff report will be available on Nov. 8.

- The March 2016 Infrastructure Maintenance Task Force Report showed that the County should optimally spend about \$34.4 million annually to resurface the 4,210 lane-mile network of residential and rural roads.
- The Executive initially recommended spending \$9.4 million in FY17. Last winter the Council increased this amount by \$5 million bringing the total to \$14.4 million.
- When spending in the FY17-22 Capital Improvements Program was reconciled to resources, this \$5 million was used instead to fund the acceleration and addition of Montgomery County Public Schools projects. The Council also accelerated \$5.5 million in resurfacing funds recommended by the Executive to the spring of FY16. This action increased the FY16 total to \$18,717,000, but reduced the FY17 total to \$3.9 million.
- This special appropriation would restore the amount originally recommended by the T&E Committee and the Council, raising the FY17 expenditure to \$11.9 million.

Installation of Solar Panels at County Agency Facilities

The Committee also will get an update on the installation of solar panels at County agency facilities. Representatives from Montgomery County Public Schools, the Washington Suburban Sanitary Commission, Montgomery College and the Maryland-National Capital Park and Planning Commission will be available to discuss their current solar photovoltaic inventories, their plans for additional installations and current market conditions. The staff report will be available on Nov. 8.

- Montgomery was the first county in the nation to implement a new energy benchmarking program to help create more sustainable facilities.
- One component of the County's efforts to become more sustainable is installing a significant number of solar photovoltaic systems across the roofs on a number of County facilities. The first wave of installations consisted of 12 different County sites, with an anticipated savings of \$400,000 annually.

Interagency Technology Policy and Coordination Committee

On Nov. 10 at 9:30 a.m. the GO Committee will hold their semi-annual review with the Interagency Technology Policy and Coordination Committee (ITPCC). The review will include a discussion about ITPCC's ability to execute interagency enterprise projects. The staff report will be available on Nov. 8.

- The ITPCC was chartered by the Council to promote strategic planning and coordination in the use of information technology among County agencies. The ITPCC includes representatives from Montgomery County Government, Montgomery County Public Schools, Montgomery College, the Maryland-National Capital Park and Planning Commission, the Washington Suburban Sanitary Commission and the Housing Opportunities Commission. The ITPCC provides a forum for coordinated implementation of technology policies and guidelines, interagency communication and the evaluation and sharing of new technology.
- The FY17-18 ITPCC Work Plan has five major elements:
 - ✓ Digital Citizenship/Digital Montgomery—expand citizen and employee access to data information tools.
 - ✓ Strengthening IT Infrastructure—provide a high degree of accessibility, reliability, security and robustness to meet long-term needs.
 - ✓ Sustainable Plan for Managing Interagency IT Assets—avoid “fix on fail,” maintain health of major systems and IT infrastructure.
 - ✓ Continuity of Operations and Risk Management—strengthen preparedness and ability to respond to risks.
 - ✓ Strategic Visioning and Planning—develop strategies and plan for the future.

 **Technology Modernization Fiscal Reviews**

The Committee will hold its periodic review of the Technology Modernization (TechMod) project. The staff report will be available on Nov. 8. The Committee reviews this CIP project on a regular basis because of the magnitude of the investment and the complex tasks associated with the project.

- The TechMod project is a multi-year approach to plan for, launch and implement multifaceted computer systems that have the ability to streamline and significantly improve government operations. Several projects make up the TechMod portfolio:
 - ✓ ERP, which integrates financial, human resources and procurement systems into a single approach;
 - ✓ MC311, which consolidates multiple call centers into a single location for residents to get information and assistance;
 - ✓ MCTime, which automates the time record systems for all departments;
 - ✓ Infrastructure, which provides the technology underpinnings (servers, routers, cabling, major common systems, etc.) for all projects; and
 - ✓ P-TechMod, which combines multiple HHS systems into a single unified enterprise-wide way to serve clients.

 **County Information Technology Security**

The Committee will hold a closed session to discuss public security pursuant to MD Code, General Provisions Article §3-305(b)(10). The topic is the security of the County's information technology systems.