Resolution No.:	16-1187
Introduced:	November 10, 2009
Adopted:	November 10, 2009
Reconsidered:	November 10, 2009
Readopted:	November 10, 2009

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the Planning Board

SUBJECT: 2009-2011 Growth Policy

Background

1. County Code §33A-15 requires that no later than November 15 of each odd-numbered year, the County Council must adopt a Growth Policy to be effective until November 15 of the next odd-numbered year, to provide policy guidance to the agencies of government and the general public on matters concerning land use development, growth management and related environmental, economic and social issues.

2. On August 1, 2009, in accordance with §33A-15, the Planning Board transmitted to the County Council its recommendations on the 2009-2011 Growth Policy. The Final Draft Growth Policy as submitted by the Planning Board contained supporting and explanatory materials.

3. On September 22, 2009, the County Council held a public hearing on the Growth Policy.

4. On October 6, 19, and 20, 2009, the Council's Planning, Housing, and Economic Development Committee conducted worksessions on the recommended Growth Policy.

5. On October 27 and November 3, 2009, the Council conducted worksessions on the Growth Policy, at which careful consideration was given to the public hearing testimony, updated information, recommended revisions and comments of the County Executive and Planning Board, and the comments and concerns of other interested parties.

Action

The County Council for Montgomery County, Maryland, approves the following Resolution:

The Growth Policy is approved as follows:

Applicability; transition

AP1 Effective dates

This resolution takes effect on January 1, 2010, and applies to any application for a preliminary plan of subdivision filed on or after that date, except that Section S (Public School Facilities) takes effect on November 15, 2009.

AP2 Clarksburg effective dates

This resolution does not apply to any amendment or extension of a preliminary plan of subdivision in the Clarksburg policy area that was approved before this resolution took effect if the amendment or extension does not increase the amount of housing units or non-residential development previously approved.

Guidelines for the Administration of the Adequate Public Facilities Ordinance

County Code Section 50-35(k) ("the Adequate Public Facilities Ordinance or APFO") directs the Montgomery County Planning Board to approve preliminary plans of subdivision only after finding that public facilities will be adequate to serve the subdivision. This involves predicting future demand from private development and comparing it to the capacity of existing and programmed public facilities. The following guidelines describe the methods and criteria that the Planning Board and its staff must use in determining the adequacy of public facilities. These guidelines supersede all previous ones adopted by the County Council.

The Council accepts the definitions of terms and the assignment of values to key measurement variables that were used by the Planning Board and its staff in developing the recommended Growth Policy. The Council delegates to the Planning Board and its staff all other necessary administrative decisions not covered by the guidelines outlined below. In its administration of the APFO, the Planning Board must consider the recommendations of the County Executive and other agencies in determining the adequacy of public facilities.

The findings and directives described in this Growth Policy are based primarily on the public facilities in the amended FY 2009-14 Capital Improvements Program (CIP) and the Maryland Department of Transportation FY 2009-14 Consolidated Transportation Program (CTP). The Council also reviewed related County and State funding decisions, master plan guidance and zoning where relevant, and related legislative actions. These findings and directives and their supporting planning and measurement process have been the subject of a public hearing and review during worksessions by the County Council. Approval of the findings and directives

reflects a legislative judgment that, all things considered, these findings and procedures constitute a reasonable, appropriate, and desirable set of growth limits, which properly relate to the ability of the County to program and construct facilities necessary to accommodate growth. These growth limits will substantially advance County land use objectives by providing for coordinated and orderly development.

These guidelines are not intended to be used as a means for government to avoid its responsibility to provide adequate public facilities. Biennial review and oversight allows the Council to identify problems and initiate solutions that will serve to avoid or limit the duration of any moratorium on new subdivision approvals in a specific policy area. Further, alternatives may be available for developers who wish to proceed in advance of the adopted public facilities program, through the provision of additional public facility capacity beyond that contained in the approved Capital Improvements Program, or through other measures that accomplish an equivalent effect.

The administration of the Adequate Public Facilities Ordinance must at all times be consistent with adopted master plans and sector plans. Where development staging guidelines in adopted master plans or sector plans are more restrictive than Growth Policy guidelines, the guidelines in the adopted master plan or sector plan must be used to the extent that they are more restrictive. The Growth Policy does not require the Planning Board to base its analysis and recommendations for any new or revised master or sector plan on the public facility adequacy standards in this resolution.

Guidelines for Transportation Facilities

TP Policy Areas

TP1 Policy Area Boundaries and Definitions

For the purposes of transportation analysis, the County has been divided into 376 areas called traffic zones. Based upon their transportation characteristics, these areas are grouped into transportation policy areas, as shown on Map 1. In many cases, transportation policy areas have the same boundaries as planning areas, sector plan areas, or master plan analysis (or special study) areas. The policy areas in effect for 2009-2011 are: Aspen Hill, Bethesda CBD, Bethesda-Chevy Chase, Clarksburg, Cloverly, Damascus, Derwood, Fairland/White Oak, Friendship Heights, Gaithersburg City, Germantown East, Germantown Town Center, Germantown West, Glenmont, Grosvenor, Kensington/Wheaton, Montgomery Village/Airpark, North Bethesda, North Potomac, Olney, Potomac, R&D Village, Rockville City, Rockville Town Center, Rural East, Rural West, Shady Grove, Silver Spring CBD, Silver Spring/Takoma Park, Twinbrook, Wheaton CBD, and White Flint. The following are Metro Station Policy Areas: Bethesda CBD, Friendship Heights, Glenmont, Grosvenor, Rockville Town Center, Shady Grove, Silver Spring CBD, Twinbrook, Wheaton CBD, and White Flint. Boundaries of the policy areas are shown on maps 2-33.

The boundaries of the Gaithersburg City and Rockville City policy areas reflect existing municipal boundaries, except where County-regulated land is surrounded by city-regulated land. The boundaries of these municipal policy areas do not automatically reflect any change in municipal boundaries; any change in a policy area boundary requires affirmative Council action.

TP2 Policy Area Mobility Review

TP2.1 Components of Policy Area Mobility Review

There are two components to Policy Area Mobility Review: *Relative Arterial Mobility* and *Relative Transit Mobility* for each policy area.

TP2.1.1 Relative Arterial Mobility

Relative Arterial Mobility is a measure of congestion on the County's arterial roadway network. It is based on the *urban street delay level of service* in the 2000 Highway Capacity Manual, published by the Transportation Research Board. This concept measures congestion by comparing modeled (congested) speeds to free-flow speeds on arterial roadways. It then assigns letter grades to the various levels of roadway congestion, with letter A assigned to the best levels of service and letter F assigned to the worst levels of service. For a trip along an urban street that has a free-flow speed (generally akin to posted speed) of 40 MPH, LOS A conditions exist when the actual travel speed is at least 34 MPH, including delays experienced at traffic signals. At the other end of the spectrum, LOS F conditions exist when the actual travel speed is below 10 MPH.

Relative Arterial Mobility and Arterial LOS

If the actual urban street travel speed is	*PAMR Arterial LOS is*
At least 85% of the free-flow speed	A
At least 70% of the highway speed	B
At least 55% of the highway speed	C
At least 40% of the highway speed	D
At least 25% of the highway speed	E
Less than 25% of the highway speed	F

Any policy area with an actual urban street travel speed equal to or less than 40 percent of the highway speed must be considered acceptable with full mitigation for transportation.

The PAMR evaluates conditions only on the arterial roadway network. Freeway level of service is not directly measured because County development contributes a relatively modest proportion of freeway travel, and because the County has limited influence over the design and operations of the freeway system. However, because arterial travel is a substitute for some freeway travel, PAMR indirectly measures freeway congestion to the extent that travelers choose local roadways over congested freeways.

TP2.1.2 Relative Transit Mobility

Relative transit mobility is based on the Transit/Auto Travel Time level of service concept in the 2003 *Transit Capacity and Quality of Service Manual* published by the Transportation Research Board. It is defined as the relative speed by which journey to work trips can be made by transit, as opposed to by auto. This concept assigns letter grades to various levels of transit service, so that LOS A conditions exist for transit when a trip can be made more quickly by transit (including walk-access/drive-access and wait times) than by single-occupant auto. This LOS A condition exists in the Washington region for certain rail transit trips with short walk times at both ends of the trip and some bus trips in HOV corridors. LOS F conditions exist when a trip takes more than an hour longer to make by transit than by single-occupant auto.

This ratio between auto and transit travel times can also be expressed in an inverse relationship, defined by modal speed. If a trip can be made in less time by transit than by auto, the effective transit speed is greater than the effective auto speed. Based on the typical roadway network speed during the AM peak period, the Planning Board established the following relationship between auto and transit trips:

Relative Transit Mobility and Transit LOS

If the effective transit speed is	*PAMR Transit LOS is*
100% or more (e.g., faster) than the highway speed	A
At least 75% of the highway speed	B
At least 60% of the highway speed	C
At least 50% of the highway speed	D
At least 42.5% of the highway speed	E
Less than 42.5% of the highway speed	F

Any policy area with an effective transit speed equal to or less than 42.5 percent of the highway speed must be considered acceptable with full mitigation for transportation.

TP2.1.3 Relationship Between Relative Arterial Mobility and Relative Transit Mobility

The PAMR Arterial LOS and the PAMR Transit LOS standards are inversely related, reflecting the County's long-standing policy to encourage concentrations of development near high-quality transit. To accomplish this policy, greater levels of roadway congestion should be tolerated in areas where high-quality transit options are available. The PAMR uses the following equivalency:

Equivalency Between Transit LOS and Arterial LOS

If the forecasted PAMR Transit LOS is	*The minimum acceptable PAMR Arterial LOS standard is*
A	D
B	D
C	D
D	C
E	B
F	A

This chart reflects a policy decision that the PAMR Arterial LOS standard should not fall below LOS D, even when the PAMR Transit LOS standard is A.

TP2.2 Conducting Policy Area Mobility Review

TP2.2.1 Geographic Areas

In conducting Policy Area Mobility Reviews, each Metro station policy area is included in its larger parent policy area, so that:

- the Bethesda CBD, Friendship Heights, and Bethesda-Chevy Chase policy areas are treated as a single policy area;
- the Grosvenor, White Flint, Twinbrook, and North Bethesda policy areas are treated as a single policy area;
- the Rockville Town Center and Rockville City policy areas are treated as a single policy area;
- the Shady Grove and Derwood policy areas are treated as a single policy area;
- the Silver Spring CBD and Silver Spring-Takoma Park policy areas are treated as a single policy area; and
- the Wheaton CBD, Glenmont, and Kensington-Wheaton policy areas are treated as a single policy area.

The Rural East policy area consists of all area east of I-270 that is not located in another policy area. The Rural West policy area consists of all area west of I-270 that is not located in another policy area.

TP2.2.2 Determination of Adequacy

Using a transportation planning model, the Planning staff has computed the relationship between a programmed set of transportation facilities and the geographic pattern of existing and approved jobs and housing units. The traffic model tests this future land use pattern for its traffic impact, comparing the resulting traffic volume and distribution to the arterial level of service standard for each policy area.

This analysis results in a finding of acceptable with full mitigation for a policy area if:

(a) the level of service on local roads in the policy area is expected to exceed the arterial level of service standard, or

(b) the magnitude of the hypothetical future land use patterns in that policy area will cause the level of service on local roads in any other policy area to exceed the arterial level of service standard for that policy area.

If this annual analysis results in a finding of acceptable with full mitigation for a policy area for a fiscal year, the Planning Board must not approve any more subdivisions in that policy area in that fiscal year, except as provided below. For FY2010, the Planning Board must consider the Fairland/White Oak, Germantown East, Gaithersburg City, and North Potomac Policy Areas to be acceptable with full mitigation for transportation.

During 2009-11, "full mitigation" must be defined as mitigating 50% of the trips created by the proposed development.

When this annual analysis results in a finding of acceptable with partial mitigation for a policy area for a fiscal year, the Planning Board must not approve any more subdivisions in that policy area in that fiscal year except under certain special circumstances outlined below. For FY2010, the Planning Board must consider the following policy areas to be acceptable with partial mitigation for transportation at the policy area level:

Policy Area	Trip Mitigation Required
Aspen Hill	20%
Bethesda/Chevy Chase	30%
Clarksburg	10%
Derwood	20%
Fairland/White Oak	50%
Gaithersburg City	50%
Germantown East	50%
Kensington/Wheaton	10%
Montgomery Village/Airpark	5%
North Bethesda	35%
North Potomac	50%
Olney	10%
Potomac	40%
Rockville City	25%
R&D Village	40%
Silver Spring/Takoma Park	10%

An applicant for a preliminary plan of subdivision need not take any action under **TP** Policy Area Mobility Review if the proposed development will generate 3 or fewer peak-hour trips.
The Planning Board may adopt Policy Area Mobility Review guidelines and other technical materials to further specify standards and procedures for its adoption of findings of policy area adequacy or inadequacy or of acceptable with full or partial mitigation.

The transportation planning model considers all existing and approved development and all eligible programmed transportation CIP projects. For these purposes, "approved development" includes all approved preliminary plans of subdivision and is also known as the "pipeline of approved development." "Eligible programmed transportation CIP projects" include all County CIP, State Transportation Program, and City of Rockville or Gaithersburg projects for which 100 percent of the expenditures for construction are estimated to occur in the first 6 years of the applicable program.

Because of the unique nature of the Purple Line, the Corridor Cities Transitway, and the North Bethesda Transitway compared to other transportation systems which are normally used in calculating development capacity, it is prudent to approach the additional capacity from these systems conservatively, particularly with respect to the timing of capacity and the amount of the capacity recognized. Therefore, the capacity from any operable segment of any of these transit systems must not be counted until that segment is fully funded in the first 6 years of the County or State capital improvements program.

To discourage sprawl development, no capacity for new development may be counted outside the boundary of the Town of Brookeville as of March 9, 1999, as a result of relocating MD 97 around Brookeville.

Planning staff must keep a record of all previously approved preliminary plans and other data about the status of development projects, and must continuously update the pipeline number of approved preliminary plans. The updated pipeline must be the basis for the annual PAMR.

TP3 Mitigation for Applications in Policy Areas with Inadequate PAMR

The Planning Board, after considering any recommendation of the County Executive, may approve a preliminary plan application in a policy area found by Policy Area Mobility Review to be acceptable with full mitigation or acceptable with partial mitigation, as provided in this section. In approving plans in acceptable with full mitigation policy areas, the Board should ensure that the average level of service for the relevant policy area is not adversely affected. Except as otherwise expressly stated in **TP4**, the same level of service criteria must be used in evaluating an application under this section.

The following options to mitigate the traffic impacts of development approved in a preliminary plan may be used, individually or in combination:

- *Trip Mitigation.* An applicant may sign a binding Trip Mitigation Agreement under which up to 50 % of the projected peak hour vehicle trips would be removed from the roadway by using Transportation Demand Management techniques to reduce trips generated by the applicant's development or by other sites, so that an applicant could still generate a certain number of trips if the mitigation program removes half that number of trips from other sites in the same policy area.
- *Trip Reduction by Providing Non-Auto Facilities.* An applicant may mitigate a limited number of trips by providing non-auto facilities that would make alternative modes of transit, walking, and bicycling safer and more attractive. The Planning Board must specify in its *LATR Guidelines* the allowable actions and number of trips associated with

them, as well as the maximum number of trip credits allowable for each action, which will partly depend on the congestion standards for the policy area where the proposed development is located. For any preliminary plan approved in or after FY2010, the Planning Board may accept construction of Non-Auto Facilities at a value of $11,000 for each new peak hour vehicle trip for construction and right-of-way costs.

- *Adding Roadway Capacity.* An applicant may mitigate trips by building link-based roadway network capacity. The conversion rate between vehicle trips and lane miles of roadway is shown in Table 2. The values in that table are derived from regional estimates of vehicle trip length by trip purposes and uniform per-lane capacities for roadway functional classes that should be applied countywide. Several conditions apply:
    - The number of lane miles in Table 2 reflects total capacity provided, so that if an applicant widens a roadway by one lane in each direction, the total minimum project length would be half the length listed in the table.
    - The roadway construction or widening must have logical termini, for instance connecting two intersections.
    - The roadway construction must occur in the same Policy Area as the proposed development.
    - The roadway construction must be recommended in a master plan.
- *Adding Transit Capacity.* An applicant may mitigate inadequate PAMR conditions by buying 40-foot long hybrid electric fleet vehicles for the Ride-On system, and guaranteeing 12 years of operations funding, at the rate of 30 peak hour vehicle-trips per fleet vehicle. To qualify as mitigation under this provision, a bus must add to the Ride-On fleet and not replace a bus taken out of service.
- *Payment instead of construction.* The Planning Board may accept payment to the County of a fee commensurate with the cost of a required improvement if the applicant has made a good faith effort to implement an acceptable improvement and the Board finds that a desirable improvement cannot feasibly be implemented by the applicant, but the same improvement or an acceptable alternative can be implemented by a public agency within 4 years after the subdivision is approved. The Planning Board may accept a payment to the County instead of identification or construction of any specific improvement for any preliminary plan application that requires PAMR mitigation of fewer than 30 peak hour vehicle trips. In or after FY2010, the payment must not be less than $11,000 per new peak hour vehicle trip. Unless County law requires otherwise, the Board must index the minimum payment according to construction costs in each later fiscal year.

In general, each mitigation measure or combination of measures must be scheduled for completion or otherwise be operational at the same time or before the proposed development is scheduled to be completed. The nature, design, and scale of any additional facility or program must receive prior approval from any government agency that would construct or maintain the facility or program, and the applicant and the public agency must execute an appropriate public works agreement before the Board approves a record plat. The application must also be approved under **TL** Local Area Transportation Review. An applicant who is required to make an intersection improvement to satisfy TL Local Area Transportation Review may apply the capital cost of that improvement toward any mitigation obligation under this section.

Both the subdivision plan and all necessary mitigation measures must be consistent with an adopted master plan or other relevant land use policy statement. For the Planning Board to accept a roadway capacity improvement as a mitigation measure, the applicant must show that alternative non-auto mitigation measures are not feasible or desirable. In evaluating mitigation measures proposed by an applicant, the Board must place a high priority on design excellence to create a safe, comfortable, and attractive public realm for all users, with particular focus on high-quality pedestrian and transit access to schools, libraries, recreation centers, and other neighborhood facilities.

TP3.1 Special Mitigation Standards

An applicant for a preliminary plan of subdivision located entirely in a Metro Station Policy Area or the Germantown Town Center Policy Area, or entirely in Kensington, White Oak, Rock Spring Park, or the North Bethesda Road Code Urban Area (as shown in maps 34-37), may satisfy the applicant's trip mitigation requirements under **TP Policy Area Mobility Review** if the proposed development would meet all of the following conditions:

- At least 50 percent of the floor area must be used for residences.
- The development must use at least 75 percent of the achievable on-site density allowed under Chapter 59, subject to any lower limit imposed in a Master or Sector Plan and applied under Chapter 59.
- The development must achieve a minimum energy cost savings percentage, using applicable LEED standards, of 17.5% for new construction and 10.5% for renovation, or offset at least 2.5% of its annual building energy costs on site, using applicable LEED standards.

If these requirements are met, the applicant must pay 75% of the trip mitigation payment otherwise required under **TP3** to the County Department of Transportation, which must use at least 2/3 of the funds received under this paragraph for any transit system which serves the policy area where the development is located and must use the remaining 1/3 of the funds for any transportation purpose, including any transit system which serves the policy area where the development is located. As used in this paragraph, "transit system" means the transit systems of the Washington Metropolitan Area Transit Authority, Ride On, and the Maryland Transit Administration, and includes any infrastructure project that supports or improves the quality of transit, such as a park and ride lot served by transit, a passenger information system, a queue jumper, or traffic signalization which improves transit efficiency.

TP4 Development District Participation

Under Chapter 14 of the County Code, the County Council may create development districts as a funding mechanism for needed infrastructure in areas of the County where substantial development is expected or encouraged. The Planning Board may approve subdivision plans in accordance with the terms of the development district's provisional adequate public facilities approval (PAPF).

TP4.1 Preparation of a PAPF

The development district's PAPF must be prepared in the following manner:

One or more property owners in the proposed district may submit to the Planning Board an application for provisional adequate public facilities approval for the entire district. In addition to explaining how each development located in the district will comply with all applicable zoning and subdivision requirements, this application must:

- show the number and type of housing units and square footage and type of the non-residential space to be developed, as well as a schedule of proposed buildout in five-year increments;
- identify any infrastructure improvements necessary to satisfy the adequate public facilities requirements for development districts; and
- estimate the cost to provide these improvements.

TP4.2 Planning Board Review

The Planning Board must then review all developments within the proposed development district as if they are a single development for compliance with the Adequate Public Facilities Ordinance. The Planning Board must identify the public facilities needed to support the buildout of the development district after considering the results of the following tests for facility adequacy:

- Transportation tests for development districts are identical to those for Local Area Transportation Review. Planning Department staff must prepare a list of transportation infrastructure needed to maintain public facility adequacy.

- The PAPF application must be referred to Montgomery County Public Schools staff for recommendations for each stage of development in the proposed district. MCPS staff must calculate the extent to which the development district will add to MCPS's current enrollment projections. MCPS staff must apply the existing school adequacy test to the projections with the additional enrollment and prepare a list of public school infrastructure needed to maintain public facility adequacy.

- The PAPF application must be referred to the Washington Suburban Sanitary Commission for recommendations for each stage of development in the proposed district. Wastewater conveyance and water transmission facilities must be considered adequate if existing or programmed (fully-funded within the first 5 years of the approved WSSC capital improvements program) facilities can accommodate (as defined by WSSC) all existing authorizations plus the growth in the development district. Adequacy of water and wastewater treatment facilities must be evaluated using the intermediate or "most probable" forecasts of future growth plus development district growth, but only to the extent that development district growth exceeds the forecast for any time period. If a test is not met, WSSC must prepare a list of water and sewer system infrastructure needed to maintain public facility adequacy.

- The PAPF application must be referred to the County Executive for recommendations for each stage of development in the proposed district regarding police, fire, and health facilities. Adequacy of police, fire, and health facilities must be evaluated using the intermediate or most probable forecasts of future growth plus development district growth, but only to the extent that development district growth exceeds the forecast for any time period. Any facility capacity that remains is available to be used by the development district. If any facility capacity deficits exist, the County Executive must prepare a list of infrastructure needed to maintain public facility adequacy.

TP4.3 Planning Board Approval

The Board may conditionally approve the PAPF application if it will meet all of the requirements of the APFO and Growth Policy. The Board may condition its approval on, among other things, the creation and funding of the district and the building of no more than the maximum number of housing units and the maximum nonresidential space listed in the petition.

For an application to be approved, the applicants must commit to produce the infrastructure improvements needed to meet APF requirements in the proposed district as well as any added requirements specified by the Planning Board. The Planning Board must list these required infrastructure improvements in its approval. The infrastructure improvements may be funded through the development district or otherwise. The development district's PAPF must be prepared in the following manner:

The Planning Board must not approve a PAPF application unless public facilities adequacy is maintained throughout the life of the plan. The timing of infrastructure delivery may be accomplished by withholding the release of building permits until needed public facilities are available to be "counted," or by another similar mechanism.

Infrastructure may be counted for public facilities adequacy, for infrastructure provided by the district, when construction has begun on the facility and funds have been identified and committed to its completion, and, for infrastructure provided by the public sector, when:

- for Local Area Transportation Review, the project is fully-funded within the first 6 years of the approved County, state, or municipal capital improvements program;
- for water and sewer facilities, the project is fully-funded within the first 5 years of the approved WSSC capital improvements program;
- for public school facilities, the project is fully-funded within the first 5 years of the approved Montgomery County Public Schools capital improvements program; and
- for police, fire, and health facilities, the project is fully-funded within the first 6 years of the relevant approved capital improvements program.

TP4.4 Additional Facilities Recommended for Funding

The County Executive and Planning Board may also recommend to the County Council additional facilities to be provided by the development district or by the public sector to support

development within the district. These facilities may include, but are not limited to libraries, health centers, local parks, social services, greenways, and major recreation facilities.

TP4.5 Satisfaction of APF Requirements

As provided in Chapter 14 of the County Code, once the development district is created and the financing of all required infrastructure is arranged, the development in the district is considered to have satisfied all APF requirements, any additional requirements that apply to development districts in the Growth Policy, and any other requirement to provide infrastructure which the County adopts within 12 years after the district is created.

TL Local Area Transportation Review (LATR)

TL1 Standards and Procedures

To achieve an approximately equivalent transportation level of service in all areas of the County, greater congestion is permitted in policy areas with greater transit accessibility and usage. Table 1 shows the intersection level of service standards by policy area. Local Area Transportation Review must at all times be consistent with the standards and staging mechanisms of adopted master and sector plans.

Local area transportation review must be completed for any subdivision that would generate 30 or more peak-hour automobile trips. For any subdivision that would generate 30-49 peak-hour automobile trips, the Planning Board after receiving a traffic study must require that either:

- all LATR requirements are met; or
- the applicant must make an additional payment to the County equal to 50% of the applicable transportation impact tax before it receives any building permit in the subdivision.

In administering Local Area Transportation Review, the Planning Board must not approve a subdivision if it finds that an unacceptable peak hour level of service will result after considering existing roads, programmed roads, available or programmed mass transportation, and improvements to be provided by the applicant. If the subdivision will affect an intersection or roadway link for which congestion is already unacceptable, then the subdivision may only be approved if the applicant agrees to mitigate either:

- a sufficient number of trips to bring the intersection or link to acceptable levels of congestion, or
- a number of trips equal to 150 percent of the CLV impact attributable to the development.

The nature of the LATR test is such that a traffic study is necessary if local congestion is likely to occur. The Planning Board and staff must examine the applicant's traffic study to determine whether adjustments are necessary to assure that the traffic study is a reasonable and appropriate reflection of the traffic impact of the proposed subdivision after considering all approved development and programmed transportation projects.

If use and occupancy permits for at least 75% of the originally approved development were issued more than 12 years before the LATR study scope request, the number of signalized intersections in the study must be based on the increased number of peak hour trips rather than the total number of peak hour trips. In these cases, LATR is not required for any expansion that generates 5 or fewer additional peak hour trips.

For Local Area Transportation Review purposes, the programmed transportation projects to be considered are those fully funded for construction in the first 4 years of the current approved Capital Improvements Program, the state's Consolidated Transportation Program, or any municipal capital improvements program. For these purposes, any road required under Section 302 of the County Charter to be authorized by law is not programmed until the time for petition to referendum has expired without a valid petition or the authorizing law has been approved by referendum.

If an applicant is participating in a traffic mitigation program or one or more intersection improvements to meet Local Area Transportation Review requirements, that applicant must be considered to have met Local Area Transportation Review for any other intersection where the volume of trips generated is less than 5 Critical Lane Movements.

Any traffic study required for Local Area Transportation Review must be submitted by a registered Professional Engineer, certified Professional Traffic Operations Engineer, or certified Professional Transportation Planner.

Each traffic study must examine, at a minimum, the number of signalized intersections in the following table, unless the Planning Board affirmatively finds that special circumstances warrant a more limited study.

Maximum Peak-Hour Trips Generated	Minimum Signalized Intersections in Each Direction
< 250	1
250 – 749	2
750 – 1,249	3
1,250 – 1,750	4
1,750-2,249	5
2,250 – 2749	6
>2,750	7

At the Planning Board's discretion, each traffic mitigation program must be required to operate for at least 12 years but no longer than 15 years. The Planning Board may select either trip reduction measures or road improvements, or a combination of both, as the required means of traffic mitigation.

The Planning Board has adopted guidelines to administer Local Area Transportation Review. To the extent that they are consistent with this Policy, the Planning Board guidelines may continue to apply or may be amended as the Planning Board finds necessary.

After consulting the Council, the Planning Board may adopt administrative guidelines that allow use of a "delay" or queuing analysis, different critical lane volume standards, or other methodologies, to determine the level of congestion in any area the Planning Board finds appropriate.

In administering Local Area Transportation Review, the Planning Board must carefully consider the recommendations of the County Executive concerning the applicant's traffic study and proposed improvements or any other aspect of the review.

To achieve safe and convenient pedestrian travel, the Planning Board may adopt administrative guidelines requiring construction of off-site sidewalk improvements consistent with County Code §50-25. To support creating facilities that encourage transit use, walking, and bicycling, to maintain an approximately equivalent level of service at the local level for both auto and non-auto modes, the Board may allow the applicant to use peak hour vehicle trip credits for providing non-auto facilities. Before approving credits for non-auto facilities to reduce Local Area Transportation Review impacts, the Board should first consider the applicability and desirability of traffic mitigation agreement measures. The Board's *LATR Guidelines* must identify applicable facilities in terms of actions that can be given trip credits and the maximum number of trips that can be credited. If the Board approves any credits, it must specify mechanisms to monitor the construction of any required facility. During each biennial Growth Policy the Board must report on the number of credits issued and confirm the construction of any required facility.

In general, any mitigation measure or combination of mitigation measures must be scheduled for completion or otherwise operational either before or at the same time as the proposed development is scheduled to be completed. The nature, design, and scale of any additional facility or program must receive prior approval from any government agency that would construct or maintain the facility or program, and the applicant and the public agency must execute an appropriate public works agreement before the Planning Board approves a record plat.

Both the subdivision plan and the necessary mitigation measures must be consistent with an adopted master plan or other relevant land use policy statement. For the Planning Board to accept a intersection improvement as a mitigation measure, the applicant must show that alternative non-auto mitigation measures are not feasible or desirable. In evaluating mitigation measures proposed by an applicant, the Board must place a high priority on design excellence to create a safe, comfortable, and attractive public realm for all users, with particular focus on high-quality pedestrian and transit access to schools, libraries, recreation centers, and other neighborhood facilities.

TL2 Metro Station Policy Area LATR Standards

In each Metro Station Policy Area, the Planning Board, in consultation with the Department of Transportation, must prepare performance evaluation criteria for its Local Area Transportation Review. These criteria must be used to accomplish: (a) safety for pedestrians and vehicles; (b) access to buildings and sites; and (c) traffic flow within the vicinity, at levels which are tolerable in an urban situation. The County Executive also must publish a Silver Spring Traffic Management Program after receiving public comment and a recommendation from the Planning

Board. This program must list those actions to be taken by government to maintain traffic flow at tolerable levels in the Silver Spring CBD and protect the surrounding residential area.

TL3 Potomac LATR Standards

In the Potomac Policy Area, only the areas contributing traffic to the following intersections must be subject to Local Area Transportation Review: (a) Montrose Road at Seven Locks Road; (b) Democracy Boulevard at Seven Locks Road; (c) Tuckerman Lane at Seven Locks Road; (d) Democracy Boulevard at Westlake Drive; (e) Westlake Drive at Westlake Terrace; (f) Westlake Drive at Tuckerman Lane; (g) Bradley Boulevard at Seven Locks Road; (h) River Road at Bradley Boulevard; (i) River Road at Piney Meetinghouse Road; and (j) River Road at Seven Locks Road.

TL4 Unique Policy Area Issues

The Local Area Review for the Silver Spring CBD policy area must use the following assumptions and guidelines:

- Each traffic limit is derived from the heaviest traffic demand period in Silver Spring's case, the p.m. peak hour outbound traffic.
- When tested during a comprehensive circulation analysis, the critical lane volumes for intersections in the surrounding Silver Spring/Takoma Park policy area must not be worse than the adopted level of service standards shown in Table 1 unless the Planning Board finds that the impact of improving the intersection is more burdensome than the increased congestion.
- The Planning Board and the Department of Transportation must implement Transportation Systems Management for the Silver Spring CBD. The goal of this program must be to achieve the commuting goals for transit use and auto occupancy rates set out below.
- The County Government, through the Silver Spring Parking Lot District, must constrain the amount of public and private long term parking spaces.

The parking constraints and commuting goals needed to achieve satisfactory traffic conditions with these staging ceilings are:

Parking constraint: A maximum of 17,500 public and private long-term spaces when all nonresidential development is built; this maximum assumes a peak accumulation factor of 0.9, which requires verification in Silver Spring and may be subject to revision. Interim long-term parking constraints must be imposed in accordance with the amount of interim development. Long-term public parking spaces must be priced to reflect the market value of constrained parking spaces.

Commuting goals: For employers with 25 or more employees, attain 25 percent mass transit use and auto occupancy rates of 1.3 persons per vehicle during the peak periods, or attain any combination of employee mode choice that results in at least 46% non-drivers during the peak periods. For new nonresidential development, attain 30 percent mass transit use and auto occupancy rates of 1.3 persons per vehicle during the

peak periods, or attain any combination of employee mode choice that results in at least 50% non-drivers during the peak periods.

Progress towards achieving these goals should be measured annually by scientific, statistically valid surveys.

To achieve these goals it will be necessary to require developers of new development in Silver Spring to enter into traffic mitigation agreements and the employers and certain owners to submit transportation mitigation plans under County Code Chapter 42A.

In accordance with the amendment to the Silver Spring Sector Plan, subdivision applications for nonresidential standard method projects throughout the CBD may be approved for development or additions of not more than 5,000 square feet of gross floor area. However, if, for a particular use the addition of 5 peak hour trips yields a floor area greater than 5,000 square feet, that additional area may be approved for that particular use.

In the North Bethesda Transportation Management District, the goal is 39 percent non-driver mode share for workers in the peak hour. In the Bethesda Transportation Management District, the goal is 37 percent non-driver mode share for workers. In the Friendship Heights Transportation Management District, the goal is 39 percent non-driver mode share for workers.

TA Alternative Review Procedures

TA1 Metro Station Policy Areas

An applicant for a subdivision which will be built completely within a Metro station policy area need not take any action under **TP Policy Area Mobility Review** or **TL Local Area Transportation Review** if the applicant agrees in a contract with the Planning Board and the County Department of Transportation to:

- submit an application containing all information, including a traffic study, that would normally be required for Local Area Transportation Review;
- meet trip reduction goals set by the Planning Board as a condition of approving that subdivision, which must require the applicant to reduce at least 50% of the number of trips attributable to the subdivision, either by reducing trips from the subdivision itself or from other occupants of that policy area;
- participate in programs operated by, and take actions specified by, a transportation management organization (TMO) to be established by County law for that policy area (or a group of policy areas including that policy area) to meet the mode share goals established under the preceding paragraph;
- pay an ongoing annual contribution or tax to fund the TMO's operating expenses, including minor capital items such as busses, as established by County law; and
- pay 75% of the applicable General District development impact tax without claiming any credits for transportation improvements.

TA2 Expiration of Approvals Under Previous Alternative Review Procedures

Annual Growth Policy resolutions in effect between 1995 and 2001 contained Alternative Review Procedures that required any development approved under those procedures to receive each building permit no later than 4 years after the Planning Board approved the preliminary plan of subdivision for that development. Any outstanding development project approved under an Alternative Review Procedure is subject to the expiration dates in effect when that development project was approved, with the following 2 exceptions.

TA2.1 Certain multi-phased projects

A multi-phased project located in the R&D or Life Sciences Center zone may receive some of its building permits later than 4 years after its preliminary plan of subdivision is approved if:

- when the Planning Board approves or amends a site plan for the development, it also approves a phasing schedule that allows an extended validity period, but not longer than 12 years after the preliminary plan of subdivision was approved; and
- the applicant receives the first building permit for a building in the development no later than 4 years after the Planning Board approves the preliminary plan of subdivision for the development.

TA2.2 Certain developments in I-3 zone

Similarly, if the development is located in the I-3 zone, and a previously approved subdivision plan and site plan contains more than 900,000 square feet of office space and at least 40% of that space has been constructed by November 1, 2001, the Planning Board may approve an amendment to its site plan which allows an extended validity period, but not longer than 12 years after the preliminary plan of subdivision was approved.

TA3 Golf Course Community

An applicant for a planned unit development in the Fairland-White Oak policy area that includes a golf course or other major amenity which is developed on a public/private partnership basis need not take any action under **TL Local Area Transportation Review** if the applicant pays to the County a Development Approval Payment, established by County law, before the building permit is issued. However, the applicant must include in its application for preliminary plan approval all information that would have been necessary if the requirements for Local Area Transportation Review applied.

The Planning Board may approve the application if:

- not more than 100 units, in addition to Moderately Priced Dwelling Units (MPDUs), are built in the first fiscal year after construction of the development begins, and
- not more than 100 units, in addition to MPDUs and the unbuilt remaining portion of all prior years' approved units, are built in any later fiscal year.

TA3.1 MPDU Requirements

Any applicant for a subdivision under **TA3** must agree, as part of the application, that it will build the same number of MPDUs among the first 100 units that it would be required to construct at that location if the subdivision consisted of only 100 units, or a pro rata lower number of MPDUs if the subdivision will include fewer than 100 units.

TA3.2 Requirement to Begin Construction

Any applicant for a subdivision approval under **TA3** must agree, as part of the application, that it will not begin to construct any residential unit approved in the application later than 3 years after the plat is recorded or the site plan is approved (whichever occurs later).

TA4 Corporate Headquarters Facility

TA4.1 LATR

An applicant for a preliminary plan of subdivision need not take any action under Local Area Transportation Review if the applicant meets the following conditions:

TA4.1.1 Jobs/Location

The applicant must have employed an average of at least 500 employees in the County for the 2 years before the application was filed, and the applicant must seek to build or expand a corporate headquarters located in the North Bethesda Policy Area.

TA4.1.2 Size/Use

Any new or expanded building approved under this Procedure must not exceed 900,000 square feet, and must be intended primarily for use by the applicant and the applicant's affiliates or business partners.

TA4.1.3 Traffic Information

Each application must include all information that would be necessary if the requirements for Local Area Transportation Review applied.

TA4.1.4 Mode Share Goals

Each applicant must commit to make its best efforts to meet mode share goals set by the Planning Board as a condition of approving the subdivision.

TA4.1.5 TMO Participation

Each applicant must participate in programs operated by, and take actions specified by, the transportation management organization (TMO), if any, established by County law for that policy area to meet the mode share goals set by the Planning Board.

TA4.1.6 TMO Payment

If an applicant is located in a transportation management district, the applicant must pay an annual contribution or tax, set by County law, to fund the TMO's operating expenses, including minor capital items such as busses.

TA4.1.7 Development Approval Payment Limits

The applicant must pay the applicable Development Approval Payment (DAP) as provided in County Code §8-37 through 8-42, but not more than the DAP in effect on July 1, 2001.

TA4.1.8 Eligibility

An applicant may use this Procedure only if it met the criteria in **TA4.1.1** for number of employees and site location on November 1, 2003.

TA5 Strategic Economic Development Projects

An applicant for a preliminary plan of subdivision need not take any action under **TL Local Area Transportation Review** if all of the following conditions are met.

TA5.1 Traffic information

The applicant files a complete application for a preliminary plan of subdivision which includes all information that would be necessary if the requirements for LATR applied.

TA5.2 Designation

The County Council has approved the County Executive's designation of the development as a strategic economic development project under procedures adopted by law or Council resolution.

TA5.3 Transportation Impact Tax Payments

The applicant must pay double the applicable transportation impact tax without claiming any credits for transportation improvements.

Public School Facilities

S1 Geographic Areas

For the purposes of public school analysis and local area review of school facilities at time of subdivision, the County has been divided into 25 areas called high school clusters. These areas coincide with the cluster boundaries used by the Montgomery County Public School system.

The groupings used are only to administer the Adequate Public Facilities Ordinance and do not require any action by the Board of Education in exercising its power to designate school service boundaries.

S2 Grade Levels

Each cluster must be assessed separately at each of the 3 grade levels -- elementary, intermediate/middle, and high school.

S3 Determination of Adequacy

Each year, not later than July 1, the Planning Board must evaluate available capacity in each high school cluster and compare enrollment projected by Montgomery County Public Schools for each fiscal year with projected school capacity in 5 years. If at any time during fiscal year 2010 the County Council notifies the Planning Board of any material change in the Montgomery County Public Schools Capital Improvements Program, the Planning Board may revise its evaluation to reflect that change.

S4 Moratorium on Residential Subdivision Approvals

In considering whether a moratorium on residential subdivisions must be imposed, the Planning Board must use 120% of Montgomery County Public Schools program capacity as its measure of adequate school capacity. This utilization measure must not count relocatable classrooms in computing a school's permanent capacity. If projected enrollment at any grade level in that cluster will exceed 120% utilization, the Board must not approve any residential subdivision in that cluster during the next fiscal year. If the Planning Board revises its measure of utilization during fiscal year 2010 because of a material change in projected school capacity, that revision must be used during the rest of that fiscal year in reviewing residential subdivisions.

Table 3 shows the result of this test for July 1, 2009, to July 1, 2010. Table 3 also shows the remaining capacity, in students, at each grade level in each cluster. Using average student generation rates developed from the most recent Census Update Survey, the Planning Board must limit residential subdivision approvals in any cluster during the fiscal year so that the students generated by the housing units approved do not exceed the remaining capacity for students at any grade level in that cluster.

S5 Imposition of School Facilities Payment

In considering whether a School Facilities Payment must be imposed on a residential subdivision, the Planning Board must use 105% of Montgomery County Public Schools' program capacity as its measure of adequate school capacity. This utilization measure must not count relocatable classrooms in computing a school's permanent capacity. If projected enrollment at any grade level in that cluster will exceed 105% utilization but not exceed 120% utilization, the Board may approve a residential subdivision in that cluster during the next fiscal year if the applicant commits to pay a School Facilities Payment as provided in County law before receiving a building permit for any building in that subdivision. If the Planning Board revises its measure of utilization during fiscal year 2010 because of a material change in projected school capacity, that revision must be used during the rest of that fiscal year in reviewing residential subdivisions.

Table 4 shows the result of this test for July 1, 2009, to July 1, 2010. Table 4 also shows the remaining capacity, in students, at each grade level in each cluster. Using average student

generation rates developed from the most recent Census Update Survey, the Planning Board must limit residential subdivision approvals in any cluster during the fiscal year so that the students generated by the housing units approved do not exceed the remaining capacity for students at any grade level in that cluster.

S6 Senior Housing

If public school capacity in inadequate in any cluster, the Planning Board may nevertheless approve a subdivision in that cluster if the subdivision consists solely of multifamily housing and related facilities for elderly or handicapped persons or multifamily housing units located in the age-restricted section of a planned retirement community.

S7 De Minimis Development

If public school capacity in inadequate in any cluster, the Planning Board may nevertheless approve a subdivision in that cluster if the subdivision consists of no more than 3 housing units and the applicant commits to pay a School Facilities Payment as otherwise required before receiving a building permit for any building in that subdivision.

S8 Development District Participants

The Planning Board may require any development district for which it approves a provisional adequate public facilities approval (PAPF) to produce or contribute to infrastructure improvements needed to address inadequate school capacity.

S9 Allocation of Staging Ceiling to Preliminary Plans of Subdivision

The Planning Board must allocate available staging ceiling capacity in a high school cluster based on the queue date of an application for preliminary plan of subdivision approval.

S9.1 Assignment of queue date

The queue date of a preliminary plan of subdivision is the date:

- a complete application is filed with the Planning Board; or
- 6 months after the prior queue date if the prior queue date expires under **S9.4**.

S9.2 Calculation of available staging ceiling capacity

The Planning Board must determine whether adequate staging ceiling capacity is available for a project by subtracting the capacity required by projects with earlier queue dates from the remaining capacity on Table 3 as updated periodically. Based on this calculation, the Planning Board may:

- approve a project for which there is sufficient capacity;
- approve part of a project for which there is sufficient capacity, leaving the remainder of the project in the queue until additional capacity becomes available;
- deny an application for a project for which there is insufficient capacity; or

- defer approval of a project and leave the project in the queue until sufficient capacity becomes available for all or part of the project. If insufficient capacity is available, the Board must not schedule a hearing on the application unless the applicant requests one.

If sufficient capacity is available for a project based on the queue date, the Planning Board must not deny an application based on pipeline (but not staging ceiling) changes while the queue date is in effect.

S9.3 Applicability of School Facilities Payment

The Planning Board must determine whether a project is required to pay a School Facilities Payment by subtracting the capacity required by projects with earlier queue dates from the remaining capacity on Table 4 as updated periodically. Based on this calculation, the Planning Board may:

- approve a project for which there is sufficient capacity;
- approve part of a project for which there is sufficient capacity, requiring the remainder of the project to pay the applicable School Facilities Payment until additional capacity becomes available; or
- defer approval of a project and leave the project in the queue until sufficient capacity becomes available for all or part of the project. If insufficient capacity is available, the Board must not schedule a hearing on the application unless the applicant requests one.

If a project must pay a School Facilities Payment, the Planning Board must not deny an application based on pipeline (but not staging ceiling) changes while the Payment requirement is in effect.

S9.4 Expiration of queue date

A queue date for an application for preliminary plan of subdivision approval expires:

- 6 months after the queue date if sufficient staging ceiling capacity was available for the entire project on the queue date and the Planning Board has not approved the application or granted an extension of the queue date; or
- 6 months after sufficient capacity becomes available for the entire project.

The Planning Board may grant one or more 6-month extensions of a queue date if the applicant demonstrates that a queue date expired or will expire because of governmental delay beyond the applicant's control.

Guidelines for Water and Sewerage Facilities

In accordance with the Adequate Public Facilities Ordinance, applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water Supply and Sewerage Systems Plan (i.e., categories I, II, and III), or if the applicant either provides a community water and/or sewerage system or meets Department of Permitting Services requirements for septic and/or well systems, as outlined in the Adequate Public Facilities Ordinance. These requirements are determined either by reference to the Water and Sewerage Plan, adopted by the Council, or by obtaining a satisfactory percolation test from the Department of Permitting Services.

Applications must only be accepted for further Planning staff and Board consideration if they present evidence of meeting the appropriate requirements.

Guidelines for Police, Fire and Health Services

The Planning Board and staff must consider the programmed services to be adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies. Where such evidence exists, either through agency response to the Subdivision Review committee clearinghouse, or through public commentary or Planning staff consideration, a Local Area Review must be undertaken. The Board must seek a written opinion from the relevant agency, and require, if necessary, additional data from the applicant, to facilitate the completion of the Planning staff recommendation within the statutory time frame for Planning Board action. In performing this Local Area Review, the facility capacity at the end of the sixth year of the approved CIP must be compared to the demand generated by the "most probable" forecast for the same year prepared by the Planning Department.

Guidelines for Resubdivisions

An application to amend a previously approved preliminary plan of subdivision does not require a new test for adequacy of public facilities if:

- Revisions to a preliminary plan have not been recorded, the preliminary plan has not expired, and the number of trips which will be produced by the revised plan is not greater than the number of trips produced by the original plan.
- Resubdivision of a recorded lot involves the sale or exchange of parcels of land (not to exceed a total of 2,000 square feet or one percent of the combined area, whichever is greater) between owners of adjoining properties to make small adjustments in boundaries.
- Resubdivision of a recorded lot involves more than 2,000 square feet or one percent of the lot area and the number of trips which will be produced by the revised plan is not greater than the number of trips produced by the original plan.

Timely Adequate Public Facilities Determination and Local Area Transportation Review under Chapter 8.

APF1 General.

Except as otherwise provided by law, an adequate public facilities determination or local area transportation review conducted under Article IV of Chapter 8 must use the standards and criteria applicable under this Resolution when evaluating the adequacy of public facilities to serve the proposed development.

APF2 Traffic Mitigation Goals.

Any proposed development that is subject to requirements for a traffic mitigation agreement under Article IV of Chapter 8 and §42A-9A of the County Code must meet the traffic mitigation goals specified in paragraphs (1) or (4), as appropriate.

(1) Subject to paragraph (2), the portion of peak-period nondriver trips by employees of a proposed development must be at least the following percentage greater than the prevailing nondriver mode share of comparable nearby land use:

In Policy Areas With LATR CLV Standard of	Required Percentage Greater Than Prevailing Nondriver Mode Share
1800 and 1600	100%
1550	80%
1500	60%
1475 and 1450	40%

LATR CLV standards for each policy area are shown on Table 1.

(2) The portion of peak-period nondriver trips by employees calculated under paragraph (1) must not be less than 15% nor higher than 55%.

(3) The applicant for a proposed development in a policy area specified under paragraph (1) is responsible for reviewing existing studies of nondriver mode share; conducting new studies, as necessary, of nondriver mode share; and identifying the prevailing base nondriver mode share of comparable land uses within the area identified for the traffic study. Comparable land uses are improved sites within the area identified for the traffic study for the proposed development that have similar existing land use and trip generation characteristics. As with other aspects of the traffic study required by Article IV of Chapter 8, selection of the comparable studies and land uses to be analyzed and determination of the prevailing base nondriver mode share are subject to review by the Planning Department and approval by the Department of Transportation.

(4) Proposed development in the Silver Spring CBD must meet the commuting goals specified under **TL4**.

(5) In accordance with County Code §42A-9A, the applicant must enter into an agreement with the Director of the Department of Transportation before a building permit is issued. The agreement may include a schedule for full compliance with the traffic mitigation goals. It must provide appropriate enforcement mechanisms for compliance.

(6) As provided by law, these goals supersede traffic mitigation goals established under §42A-9A(a)(4).

This is a correct copy of Council action.

Linda M. Lauer

Linda M. Lauer, Clerk of the Council

TABLE 1

Local Area Transportation Review Intersection Congestion Standards

1350	Rural East	Rural West
1400	Damascus	
1425	Clarksburg Germantown East Montgomery Village/ Airpark	Gaithersburg City Germantown West
1450	Cloverly Olney R & D Village	North Potomac Potomac
1475	Aspen Hill Fairland/White Oak	Derwood
1500	Rockville City	
1550	North Bethesda	
1600	Bethesda/Chevy Chase Kensington/Wheaton	Germantown Town Center Silver Spring/Takoma Park
1800	Bethesda CBD Glenmont Rockville Town Center Silver Spring CBD Wheaton CBD	Friendship Heights CBD Grosvenor Shady Grove Twinbrook White Flint

Exhibit 2-10. PAMR Mitigation Options for Providing Roadway Capacity

Minimum Length of Roadway Construction
(Lane-miles of widening or new construction per 100 vehicle trips generated)

Land Use Type	Facility type			
	Freeway	Major Highway	Arterial	Primary Residential
Office	0.38	0.51	0.77	1.54
Retail	0.24	0.31	0.47	0.94
Other Commercial	0.31	0.41	0.62	1.23
Residential	0.31	0.41	0.62	1.24

Notes:
Arterial class also includes industrial and business streets
Construction must be recommended in a master plan and have logical termini

TABLE 2

Table 3: 2014–2015 Test @ 120% Program Capacity

Reflects Amended FY 2009-2014 Capital Improvements Program (CIP)and MCPS Enrollment Forecast, November 2009

Elementary School Enrollment and MCPS Capacity @ 120%

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	120% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Capacity Remaining @ 120% MCPS capacity	Growth Policy 120% Test Result Capacity is:	Cluster Moratorium?
B- CC	**3,588**	**2,617**	**3,140**	**-448**	**Inadequate**	**Yes**
Blair	3,932	4,282	5,138	1,206	Adequate	No
Blake	2,462	2,556	3,067	605	Adequate	No
Churchill	2,552	2,784	3,341	789	Adequate	No
Clarksburg	3,712	3,303	3,964	252	Adequate	No
Damascus	1,889	2,105	2,526	637	Adequate	No
Einstein	2,487	2,587	3,104	617	Adequate	No
Gaithersburg	3,855	3,932	4,718	863	Adequate	No
Walter Johnson	3,649	3,444	4,133	484	Adequate	No
Kennedy	2,601	2,593	3,112	511	Adequate	No
Magruder	2,610	2,493	2,992	382	Adequate	No
R. Montgomery	2,586	2,171	2,605	19	Adequate	No
Northwest	**4,178**	**3,478**	**4,174**	**-4**	**Inadequate**	**Yes**
Northwood	2,968	2,657	3,188	220	Adequate	No
Paint Branch	2,452	2,309	2,771	319	Adequate	No
Poolesville	571	754	905	334	Adequate	No
Quince Orchard	2,889	2,691	3,229	340	Adequate	No
Rockville	2,570	2,237	2,684	114	Adequate	No
Seneca Valley	**2,296**	**1,901**	**2,281**	**-15**	**Inadequate**	**Yes**
Sherwood	2,136	2,416	2,899	763	Adequate	No
Springbrook	2,894	3,200	3,840	946	Adequate	No
Watkins Mill	2,561	2,807	3,368	807	Adequate	No
Wheaton	2,816	2,407	2,888	72	Adequate	No
Whitman	2,272	2,061	2,473	201	Adequate	No
Wootton	2,910	3,072	3,686	776	Adequate	No

Middle School Enrollment and MCPS Capacity @ 120%

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	120% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Capacity Remaining @ 120% MCPS capacity	Growth Policy 120% Test Result Capacity is:	Cluster Moratorium?
B- CC	1,187	1,037	1,244	57	Adequate	No
Blair	2,015	2,261	2,713	698	Adequate	No
Blake	1,165	1,332	1,598	433	Adequate	No
Churchill	1,458	1,550	1,860	402	Adequate	No
Clarksburg	**1,508**	**1,138**	**1,366**	**-142**	**Inadequate**	**Yes**
Damascus	908	941	1,129	221	Adequate	No
Einstein	1,209	1,461	1,753	544	Adequate	No
Gaithersburg	1,583	1,771	2,125	542	Adequate	No
Walter Johnson	1,675	1,863	2,236	561	Adequate	No
Kennedy	1,246	1,384	1,661	415	Adequate	No
Magruder	1,110	1,607	1,928	818	Adequate	No
R. Montgomery	1,123	973	1,168	45	Adequate	No
Northwest	2,036	1,966	2,359	323	Adequate	No
Northwood	1,136	1,391	1,669	533	Adequate	No
Paint Branch	1,271	1,308	1,570	299	Adequate	No
Poolesville	284	472	566	282	Adequate	No
Quince Orchard	1,300	1,648	1,978	678	Adequate	No
Rockville	898	972	1,166	268	Adequate	No
Seneca Valley	1,229	1,471	1,765	536	Adequate	No
Sherwood	1,202	1,475	1,770	568	Adequate	No
Springbrook	1,068	1,216	1,459	391	Adequate	No
Watkins Mill	1,074	1,247	1,496	422	Adequate	No
Wheaton	1,546	1,646	1,975	429	Adequate	No
Whitman	1,208	1,267	1,520	312	Adequate	No
Wootton	1,407	1,598	1,918	511	Adequate	No

High School Enrollment and MCPS Capacity @ 120%

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	120% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Capacity Remaining @ 120% MCPS capacity	Growth Policy 120% Test Result Capacity is:	Cluster Moratorium?
B- CC	1,735	1,656	1,987	252	Adequate	No
Blair	2,327	2,876	3,451	1,124	Adequate	No
Blake	1,700	1,715	2,058	358	Adequate	No
Churchill	1,928	1,972	2,366	438	Adequate	No
Clarksburg	1,844	1,593	1,912	68	Adequate	No
Damascus	1,291	1,589	1,907	616	Adequate	No
Einstein	1,553	1,613	1,936	383	Adequate	No
Gaithersburg	1,906	2,067	2,480	574	Adequate	No
Walter Johnson	2,087	2,275	2,730	643	Adequate	No
Kennedy	1,565	1,838	2,206	641	Adequate	No
Magruder	1,606	1,958	2,350	744	Adequate	No
R. Montgomery	1,969	1,949	2,339	370	Adequate	No
Northwest	2,173	2,151	2,581	408	Adequate	No
Northwood	1,474	1,517	1,820	346	Adequate	No
Paint Branch	1,956	1,899	2,279	323	Adequate	No
Poolesville	1,054	1,107	1,328	274	Adequate	No
Quince Orchard	1,788	1,774	2,129	341	Adequate	No
Rockville	1,263	1,584	1,901	638	Adequate	No
Seneca Valley	1,320	1,478	1,774	454	Adequate	No
Sherwood	1,790	2,022	2,426	636	Adequate	No
Springbrook	1,572	2,095	2,514	942	Adequate	No
Watkins Mill	1,438	1,913	2,296	858	Adequate	No
Wheaton	1,222	1,398	1,678	456	Adequate	No
Whitman	1,650	1,891	2,269	619	Adequate	No
Wootton	2,170	2,086	2,503	333	Adequate	No

Table 4: 2014-2015 Test @ 105% Program Capacity

Reflects Amended FY 2009-2014 Capital Improvements Program (CIP) and MCPS Enrollment Forecast, November 2009

Elementary School Enrollment and MCPS Capacity @ 105%

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	105% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Capacity Remaining @ 105% MCPS capacity	Growth Policy 105% Test Result Capacity is:	School Facility Payment Required To Proceed?
B- CC	**3,588**	**2,617**	**2,748**	**-840**	**Inadequate**	**Moratorium**
Blair	3,932	4,282	4,496	564	Adequate	No
Blake	2,462	2,556	2,684	222	Adequate	No
Churchill	2,552	2,784	2,923	371	Adequate	No
Clarksburg	**3,712**	**3,303**	**3,468**	**-244**	**Inadequate**	**Moratorium**
Damascus	1,889	2,105	2,210	321	Adequate	No
Einstein	2,487	2,587	2,716	229	Adequate	No
Gaithersburg	3,855	3,932	4,129	274	Adequate	No
Walter Johnson	**3,649**	**3,444**	**3,616**	**-33**	**Inadequate**	**Yes**
Kennedy	2,601	2,593	2,723	122	Adequate	No
Magruder	2,610	2,493	2,618	8	Adequate	No
R. Montgomery	2,586	2,171	**2,280**	**-306**	**Inadequate**	**Yes**
Northwest	**4,178**	**3,478**	**3,652**	**-526**	**Inadequate**	**Moratorium**
Northwood	**2,968**	**2,657**	**2,790**	**-178**	**Inadequate**	**Yes**
Paint Branch	**2,452**	**2,309**	**2,424**	**-28**	**Inadequate**	**Yes**
Poolesville	571	754	792	221	Adequate	No
Quince Orchard	**2,889**	**2,691**	**2,826**	**-63**	**Inadequate**	**Yes**
Rockville	**2,570**	**2,237**	**2,349**	**-221**	**Inadequate**	**Yes**
Seneca Valley	**2,296**	**1,901**	**1,996**	**-300**	**Inadequate**	**Moratorium**
Sherwood	2,136	2,416	2,537	401	Adequate	No
Springbrook	2,894	3,200	3,360	466	Adequate	No
Watkins Mill	2,561	2,807	2,947	386	Adequate	No
Wheaton	**2,816**	**2,407**	**2,527**	**-289**	**Inadequate**	**Yes**
Whitman	**2,272**	**2,061**	**2,164**	**-108**	**Inadequate**	**Yes**
Wootton	2,910	3,072	3,226	316	Adequate	No

Middle School Enrollment and MCPS Capacity @ 105%

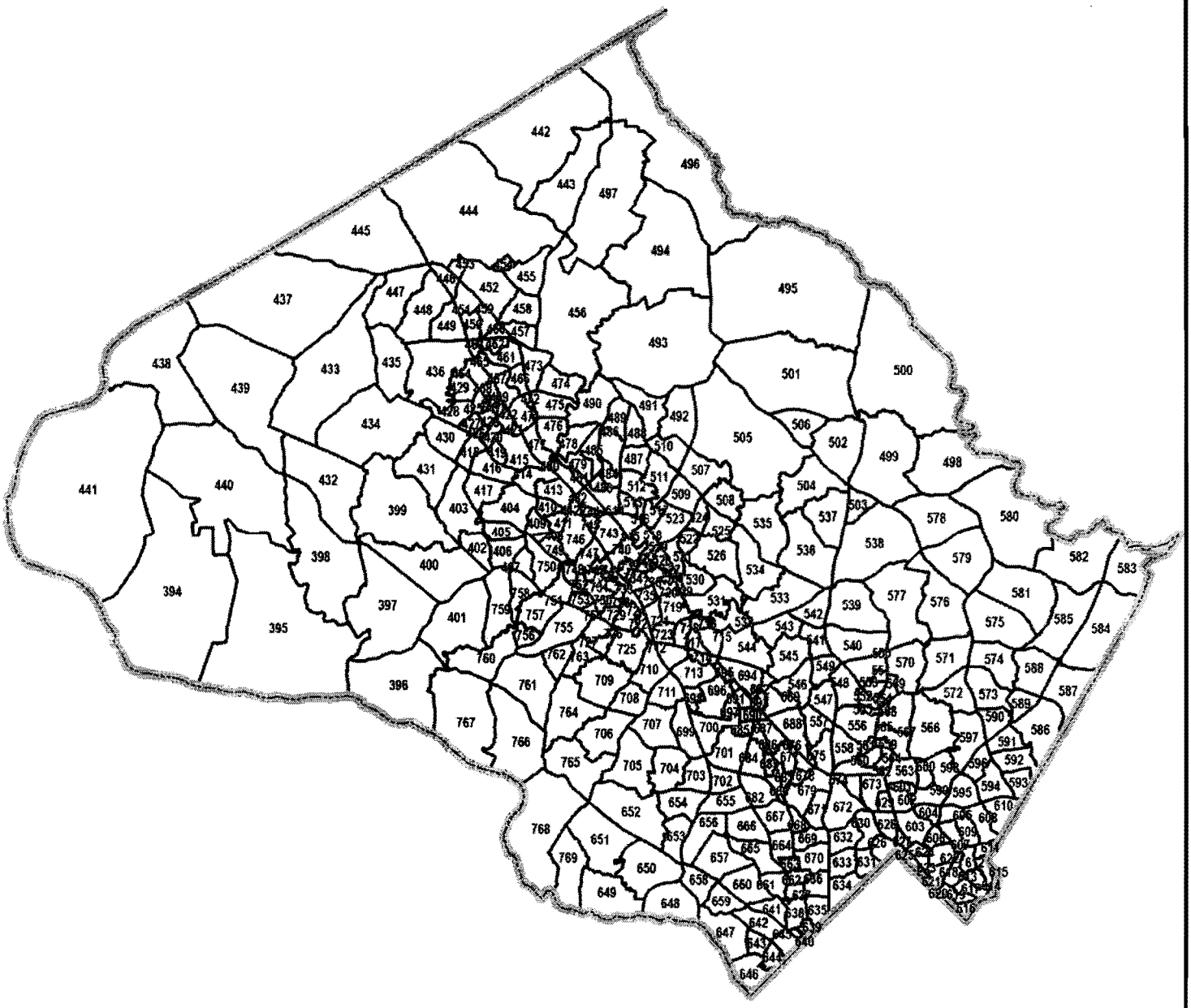
Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	105% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Capacity Remaining @ 105% MCPS capacity	Growth Policy 105% Test Result Capacity is:	School Facility Payment Required To Proceed?
B- CC	**1,187**	**1,037**	**1,089**	**-98**	**Inadequate**	**Moratorium**
Blair	2,015	2,261	2,374	359	Adequate	No
Blake	1,165	1,332	1,399	234	Adequate	No
Churchill	1,458	1,550	1,628	170	Adequate	No
Clarksburg	**1,508**	**1,138**	**1,195**	**-313**	**Inadequate**	**Moratorium**
Damascus	908	941	988	80	Adequate	No
Einstein	1,209	1,461	1,534	325	Adequate	No
Gaithersburg	1,583	1,771	1,860	277	Adequate	No
Walter Johnson	1,675	1,863	1,956	281	Adequate	No
Kennedy	1,246	1,384	1,453	207	Adequate	No
Magruder	1,110	1,607	1,687	577	Adequate	No
R. Montgomery	**1,123**	**973**	**1,022**	**-101**	**Inadequate**	**Yes**
Northwest	2,036	1,966	2,064	28	Adequate	Moratorium
Northwood	1,136	1,391	1,461	325	Adequate	No
Paint Branch	1,271	1,308	1,373	102	Adequate	No
Poolesville	284	472	496	212	Adequate	No
Quince Orchard	1,300	1,648	1,730	430	Adequate	No
Rockville	898	972	1,021	123	Adequate	No
Seneca Valley	1,229	1,471	1,545	316	Adequate	Moratorium
Sherwood	1,202	1,475	1,549	347	Adequate	No
Springbrook	1,068	1,216	1,277	209	Adequate	No
Watkins Mill	1,074	1,247	1,309	235	Adequate	No
Wheaton	1,546	1,646	1,728	182	Adequate	No
Whitman	1,208	1,267	1,330	122	Adequate	No
Wootton	1,407	1,598	1,678	271	Adequate	No

High School Enrollment and MCPS Capacity @ 105%

Cluster Area	Projected August 2014 Enrollment	100% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	105% MCPS Program Capacity With CC Adopted FY09-14 Amended CIP	Capacity Remaining @ 105% MCPS capacity	Growth Policy 105% Test Result Capacity is:	School Facility Payment Required To Proceed?
B- CC	1,735	1,656	1,739	4	Adequate	Moratorium
Blair	2,327	2,876	3,020	693	Adequate	No
Blake	1,700	1,715	1,801	101	Adequate	No
Churchill	1,928	1,972	2,071	143	Adequate	No
Clarksburg	**1,844**	**1,593**	**1,673**	**-171**	**Inadequate**	**Moratorium**
Damascus	1,291	1,589	1,668	377	Adequate	No
Einstein	1,553	1,613	1,694	141	Adequate	No
Gaithersburg	1,906	2,067	2,170	264	Adequate	No
Walter Johnson	2,087	2,275	2,389	302	Adequate	No
Kennedy	1,565	1,838	1,930	365	Adequate	No
Magruder	1,606	1,958	2,056	450	Adequate	No
R. Montgomery	1,969	1,949	2,046	77	Adequate	No
Northwest	2,173	2,151	2,259	86	Adequate	Moratorium
Northwood	1,474	1,517	1,593	119	Adequate	No
Paint Branch	1,956	1,899	1,994	38	Adequate	No
Poolesville	1,054	1,107	1,162	108	Adequate	No
Quince Orchard	1,788	1,774	1,863	75	Adequate	No
Rockville	1,263	1,584	1,663	400	Adequate	No
Seneca Valley	1,320	1,478	1,552	232	Adequate	Moratorium
Sherwood	1,790	2,022	2,123	333	Adequate	No
Springbrook	1,572	2,095	2,200	628	Adequate	No
Watkins Mill	1,438	1,913	2,009	571	Adequate	No
Wheaton	1,222	1,398	1,468	246	Adequate	No
Whitman	1,650	1,891	1,986	336	Adequate	No
Wootton	2,170	2,086	2,190	20	Adequate	No

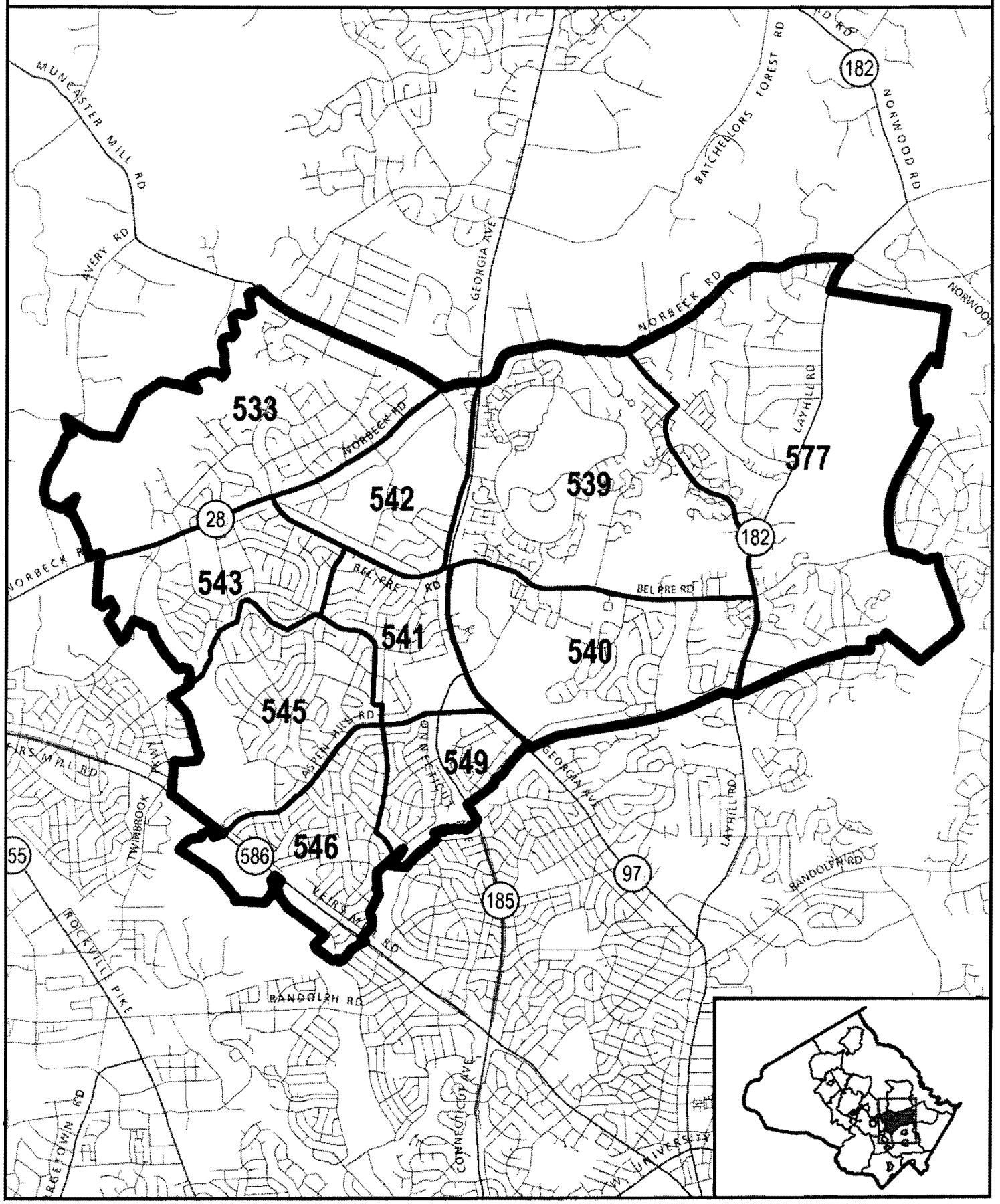
Montgomery County Traffic Zones

MAP 1



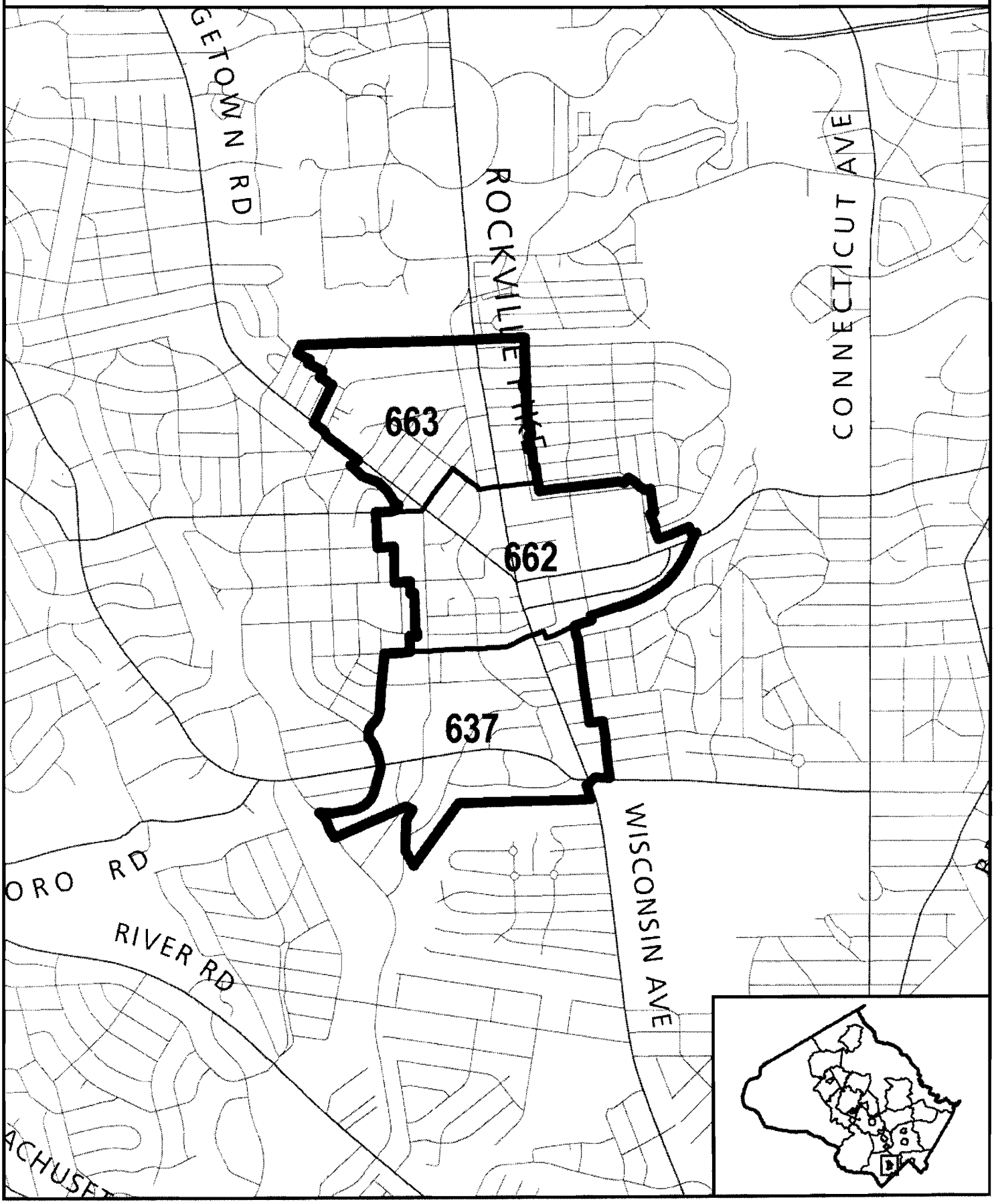
Aspen Hill Policy Area
with Traffic Zones

MAP 2



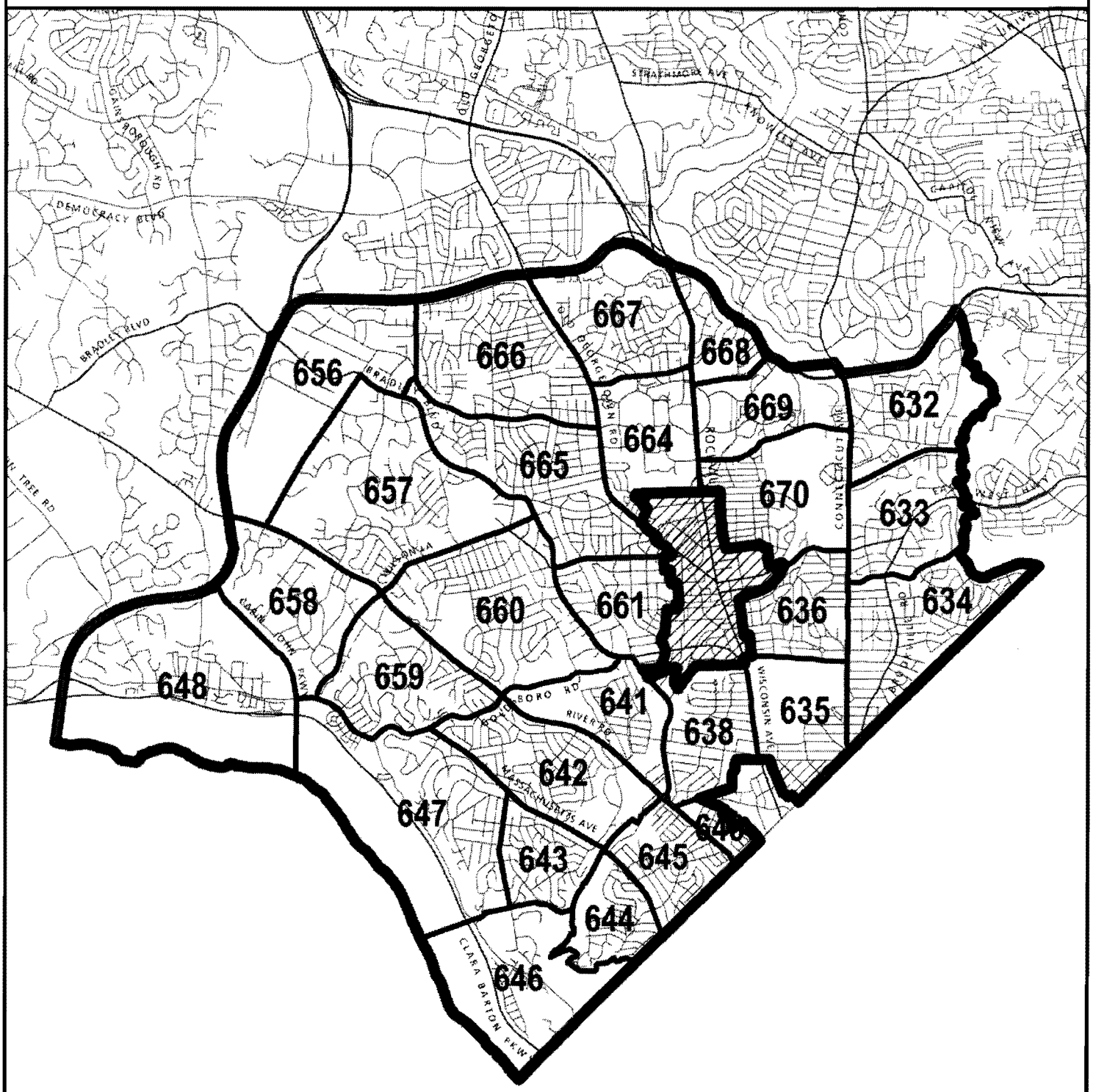
Bethesda CBD Policy Area
with Traffic Zones

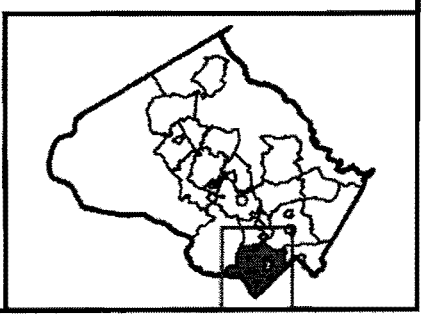
MAP 3



Bethesda/Chevy Chase Policy Area
with Traffic Zones

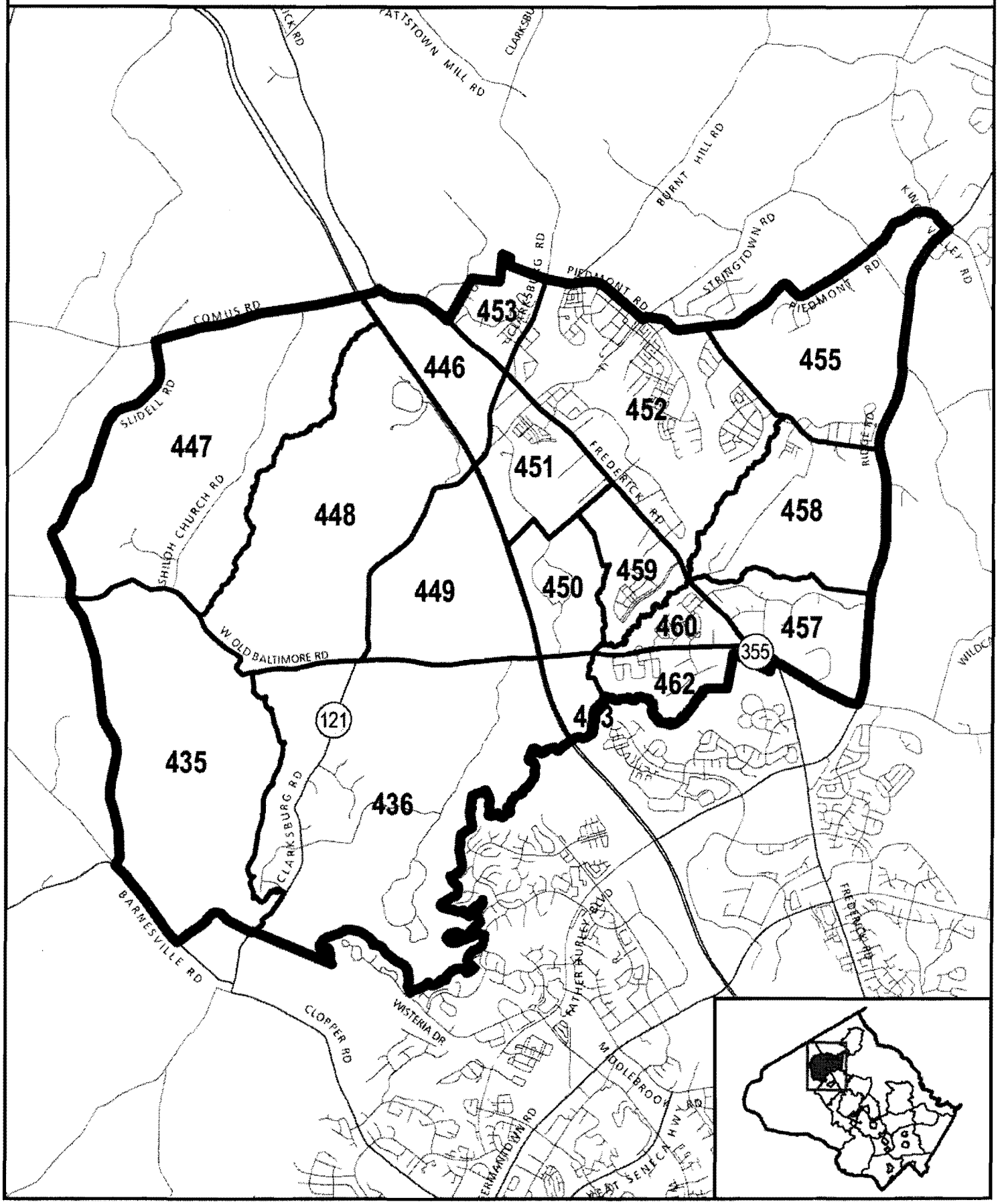
MAP 4





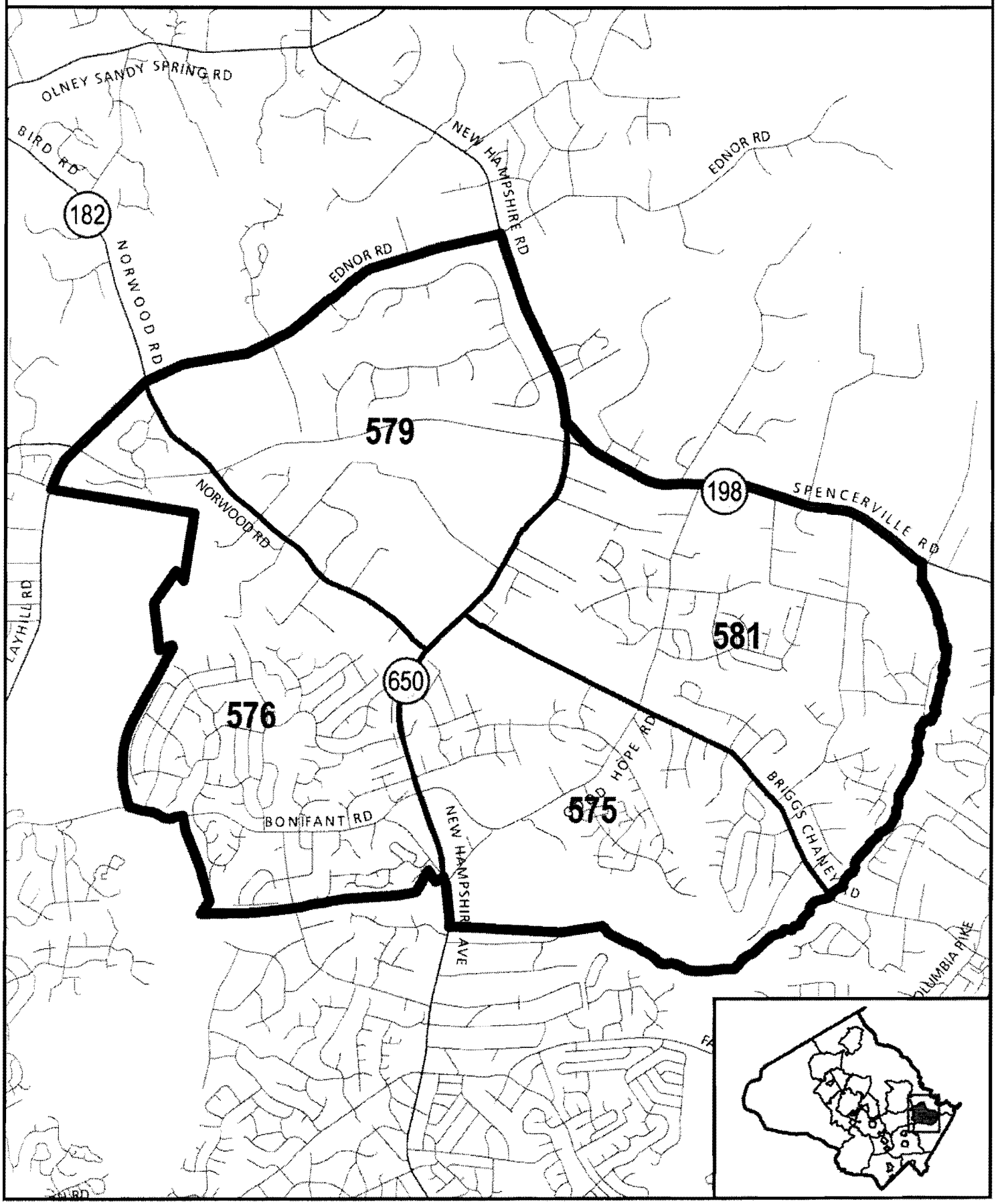
Clarksburg Policy Area
with Traffic Zones

MAP 5



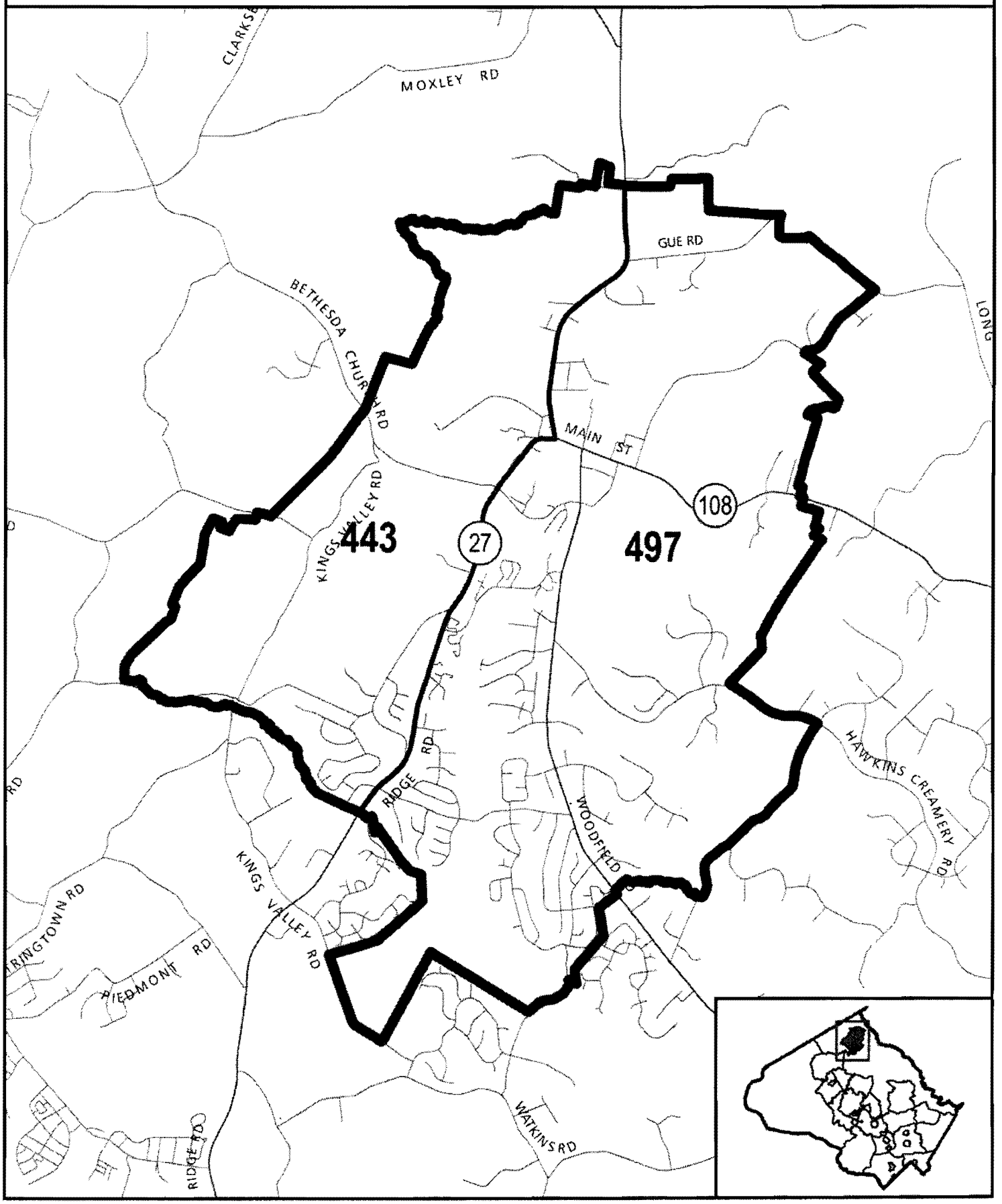
Cloverly Policy Area
with Traffic Zones

MAP 6



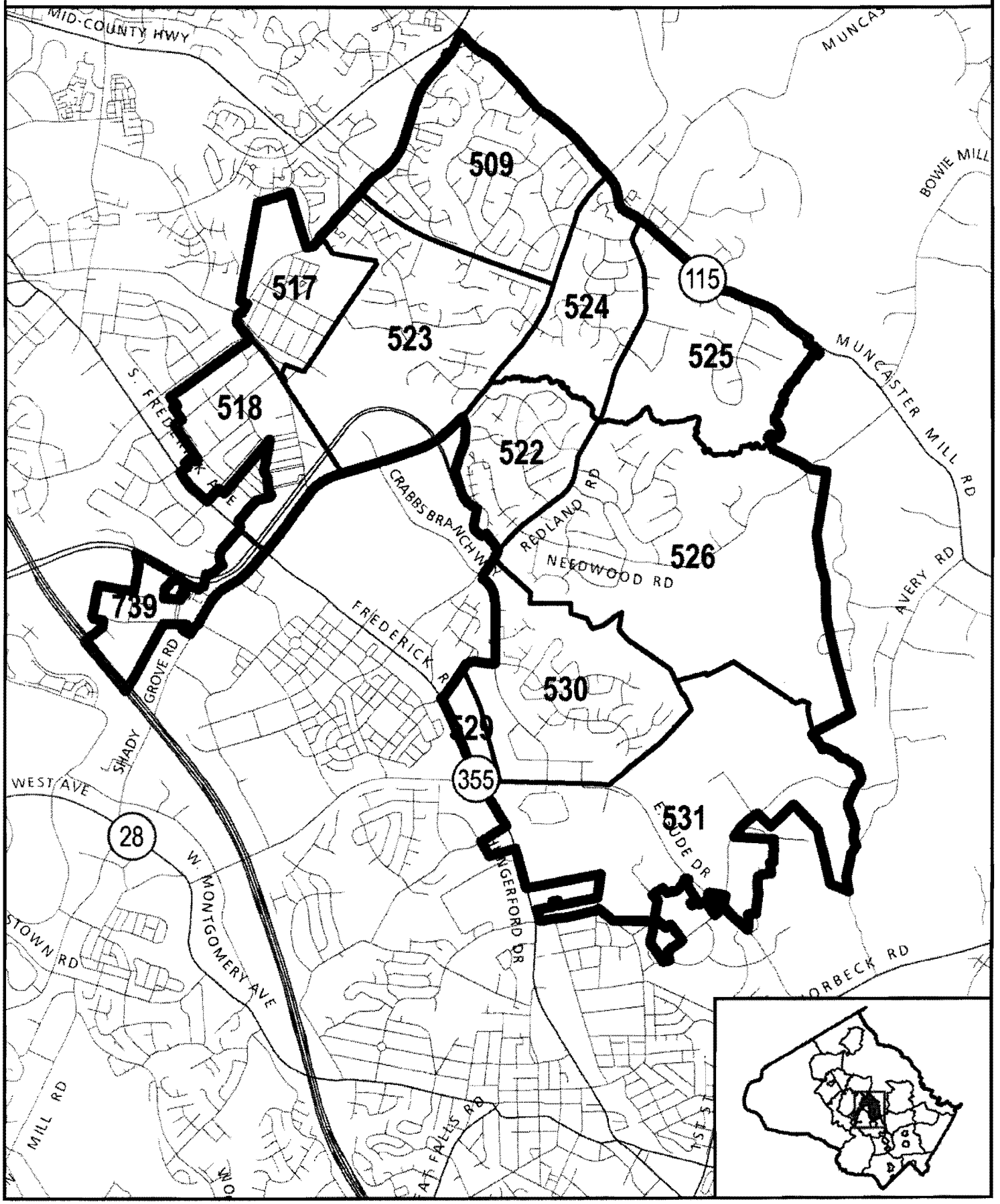
Damascus Policy Area
with Traffic Zones

MAP 7



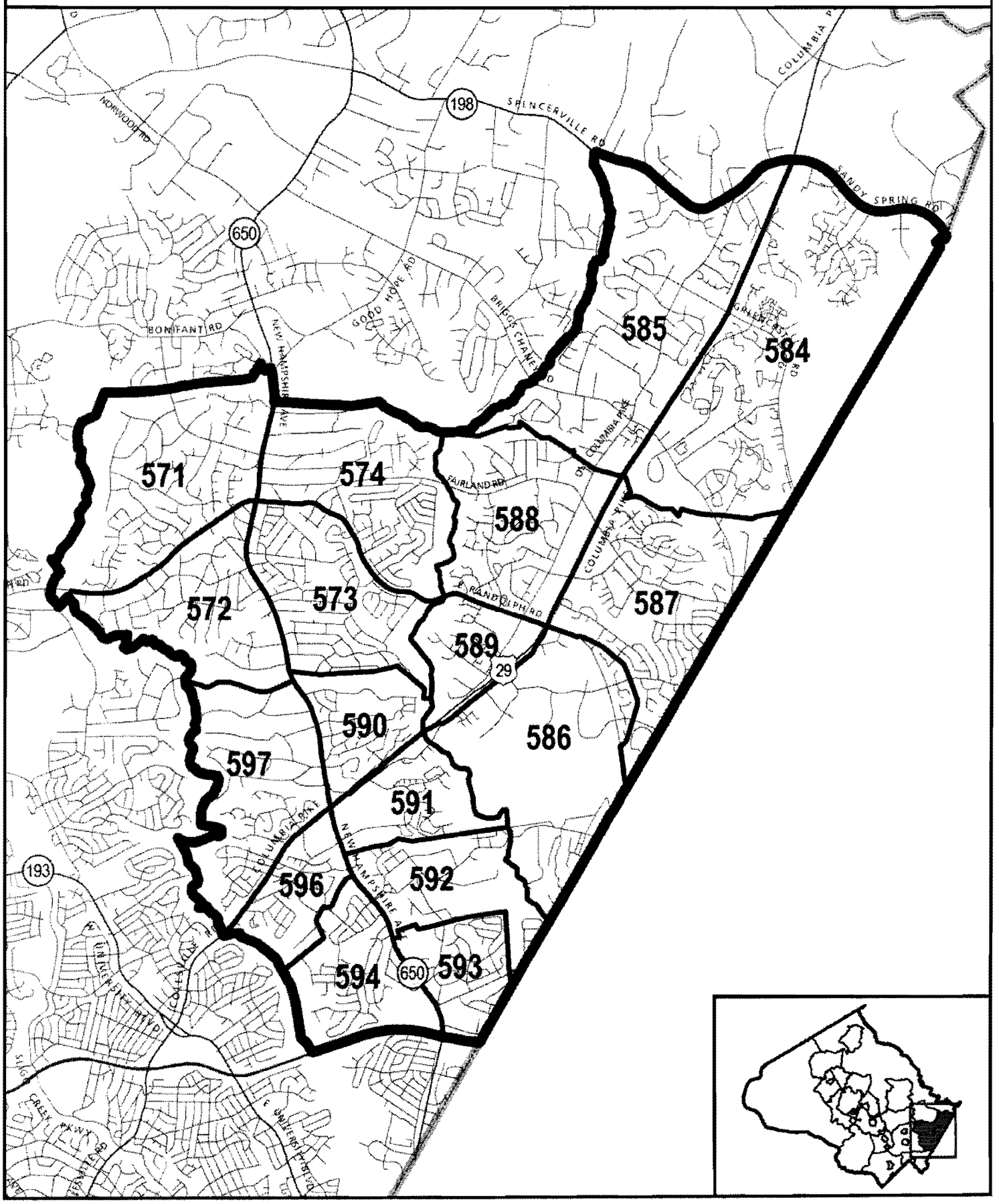
Derwood Policy Area
with Traffic Zones

MAP 8



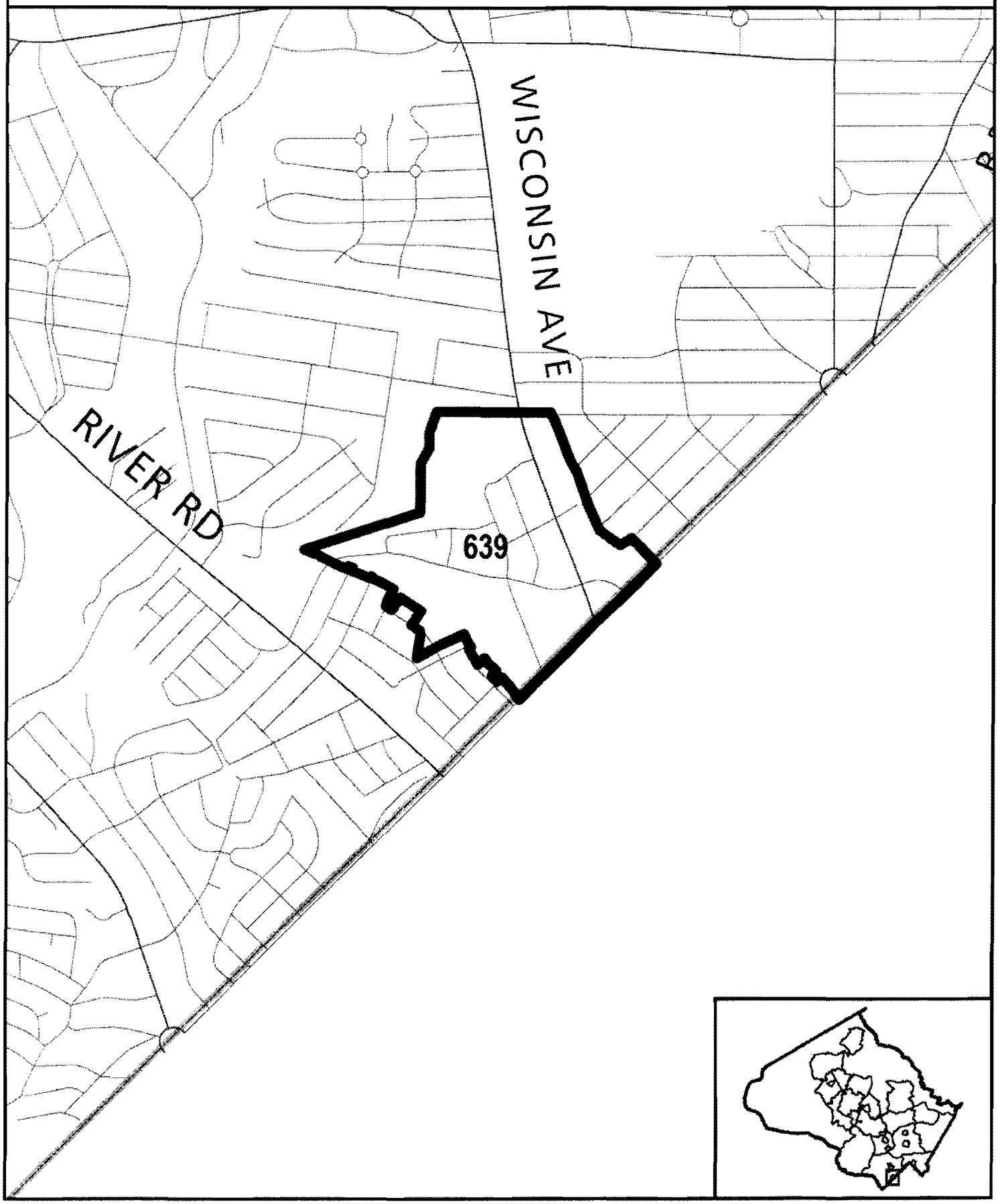
Fairland - White Oak Policy Area
with Traffic Zones

MAP 9



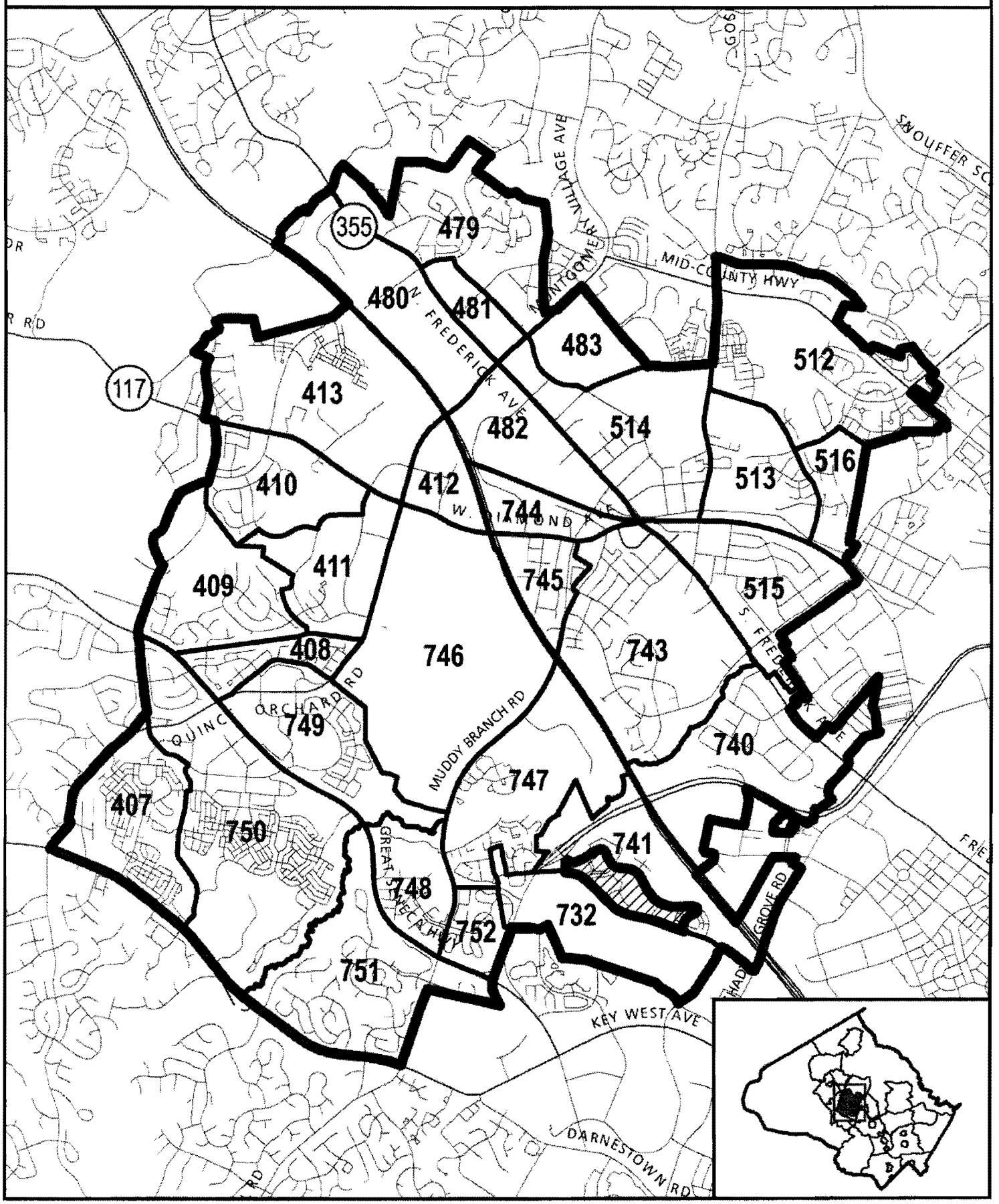
Friendship Heights Policy Area
with Traffic Zones

MAP 10



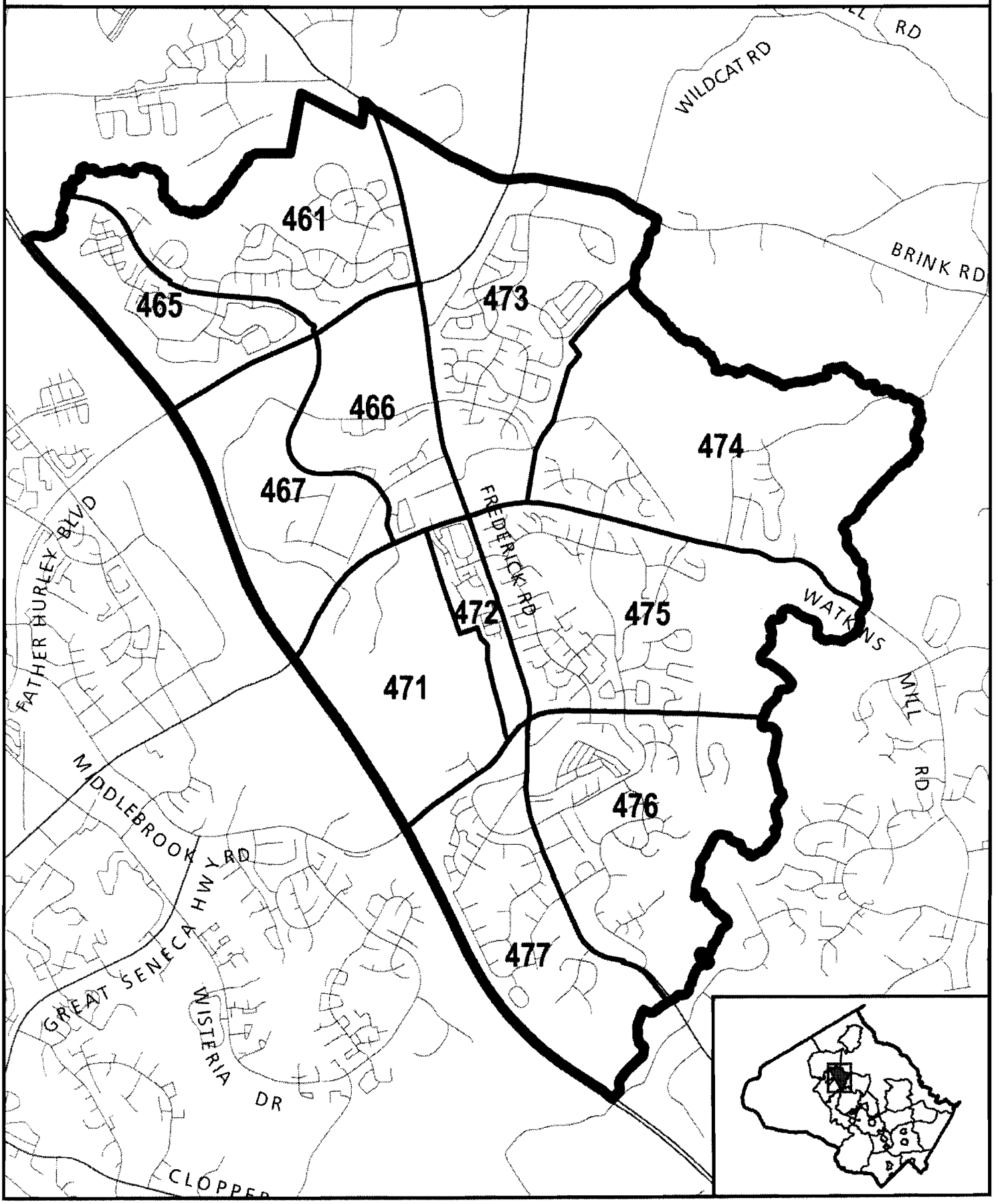
Gaithersburg City Policy Area
with Traffic Zones

MAP 11



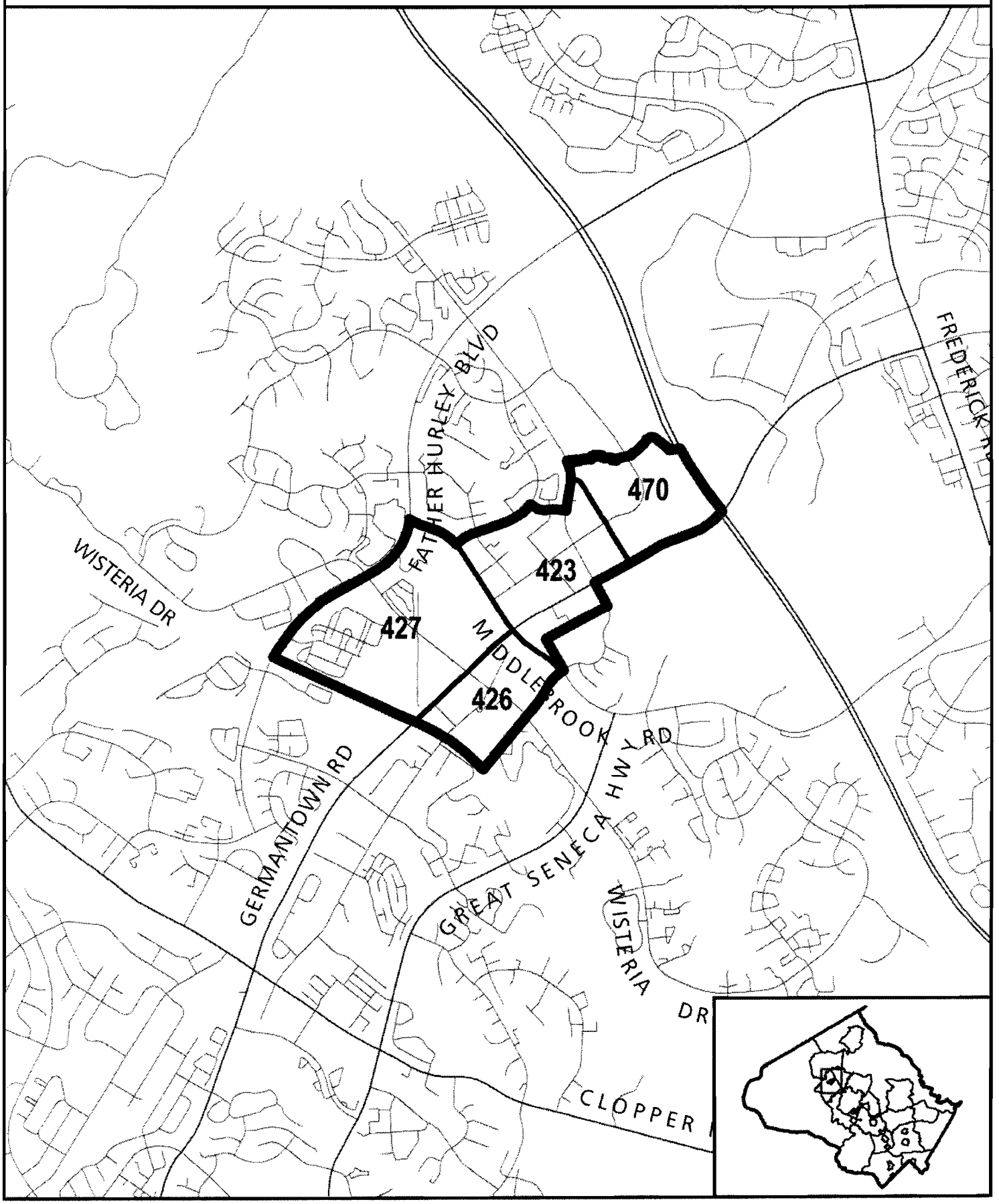
Germantown East Policy Area
with Traffic Zones

MAP 12



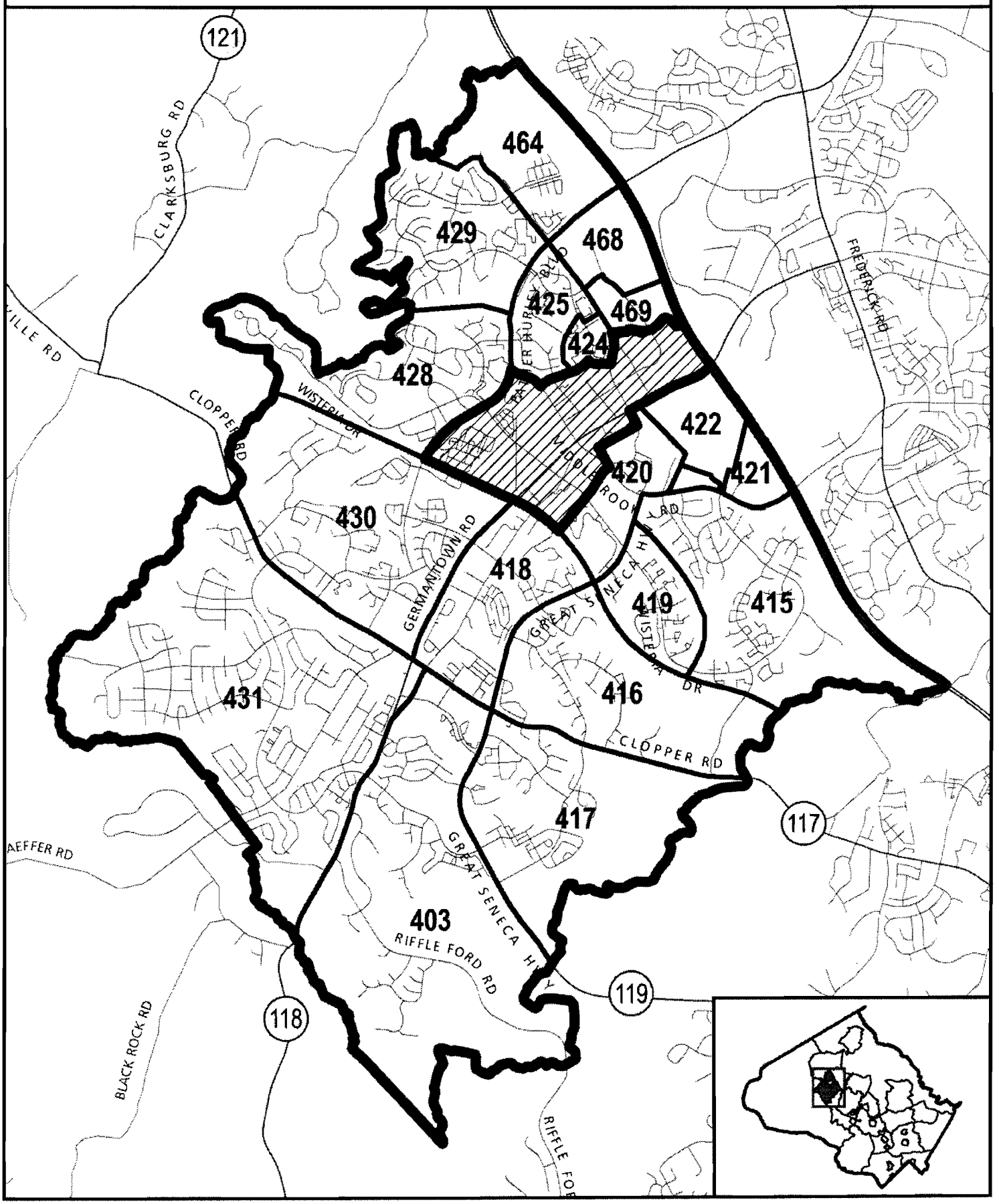
Germantown Town Center Policy Area
with Traffic Zones

MAP 13



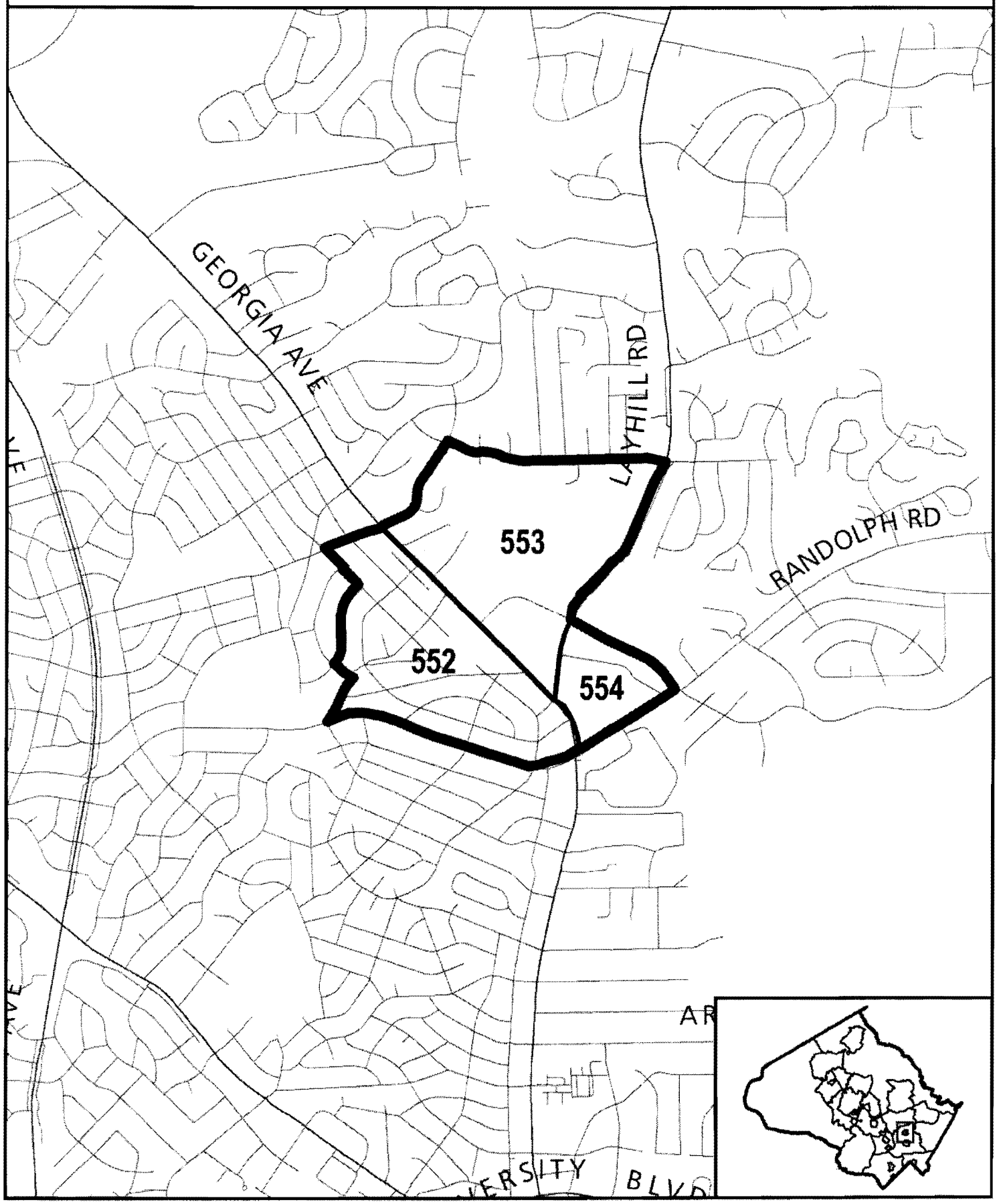
Germantown West Policy Area
with Traffic Zones

MAP 14



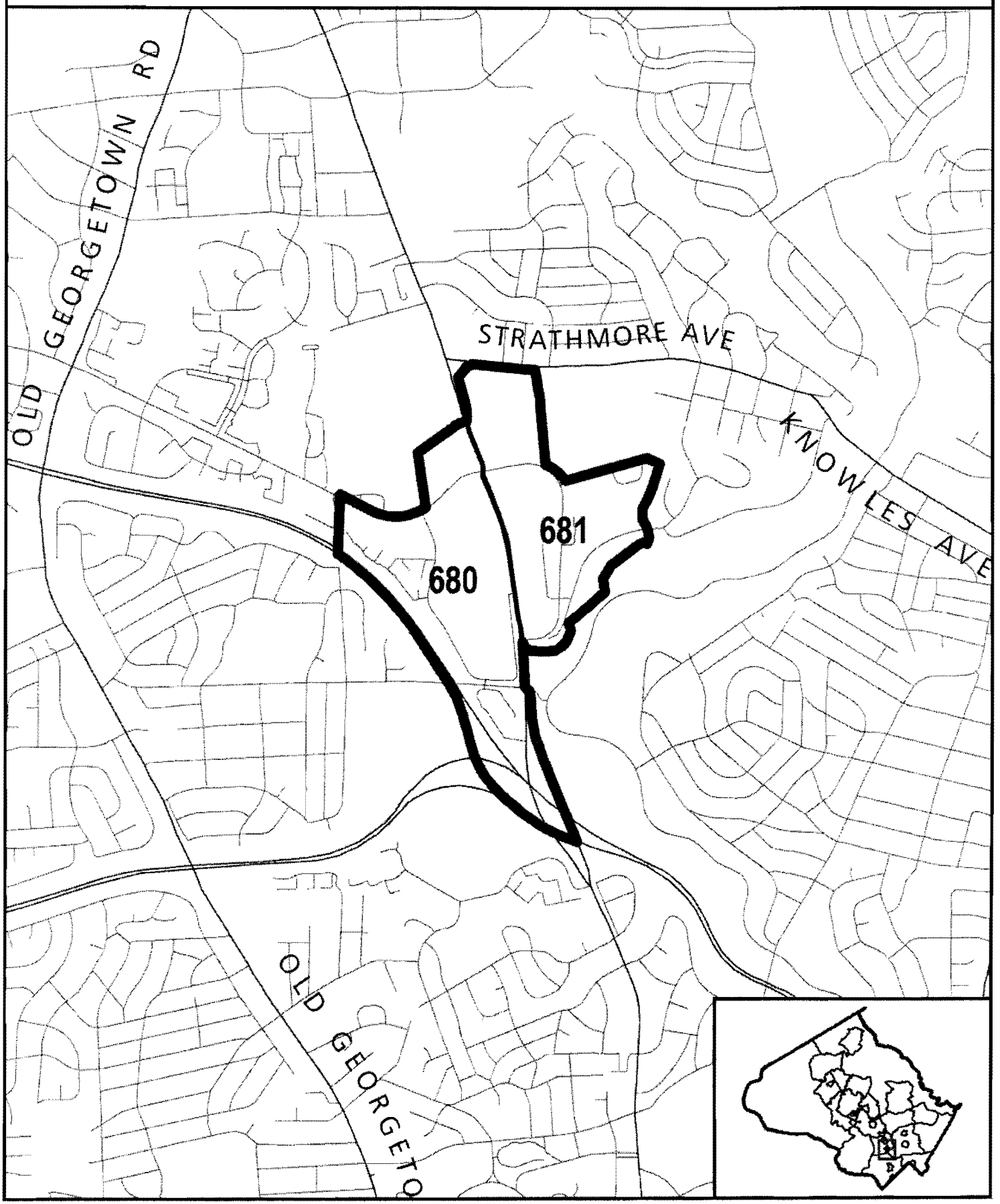
Glenmont Policy Area
with Traffic Zones

MAP 15



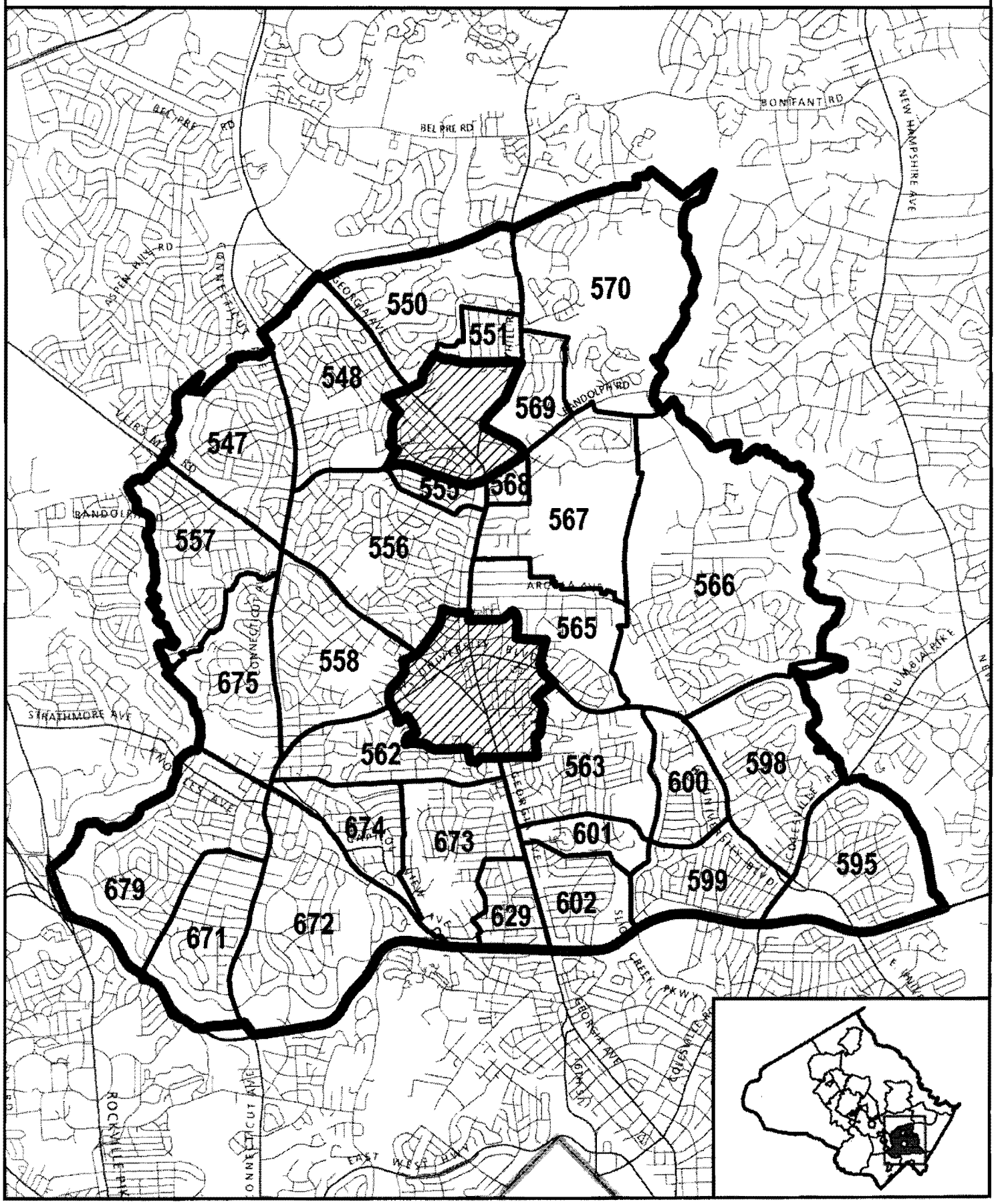
Grosvenor Policy Area
with Traffic Zones

MAP 16



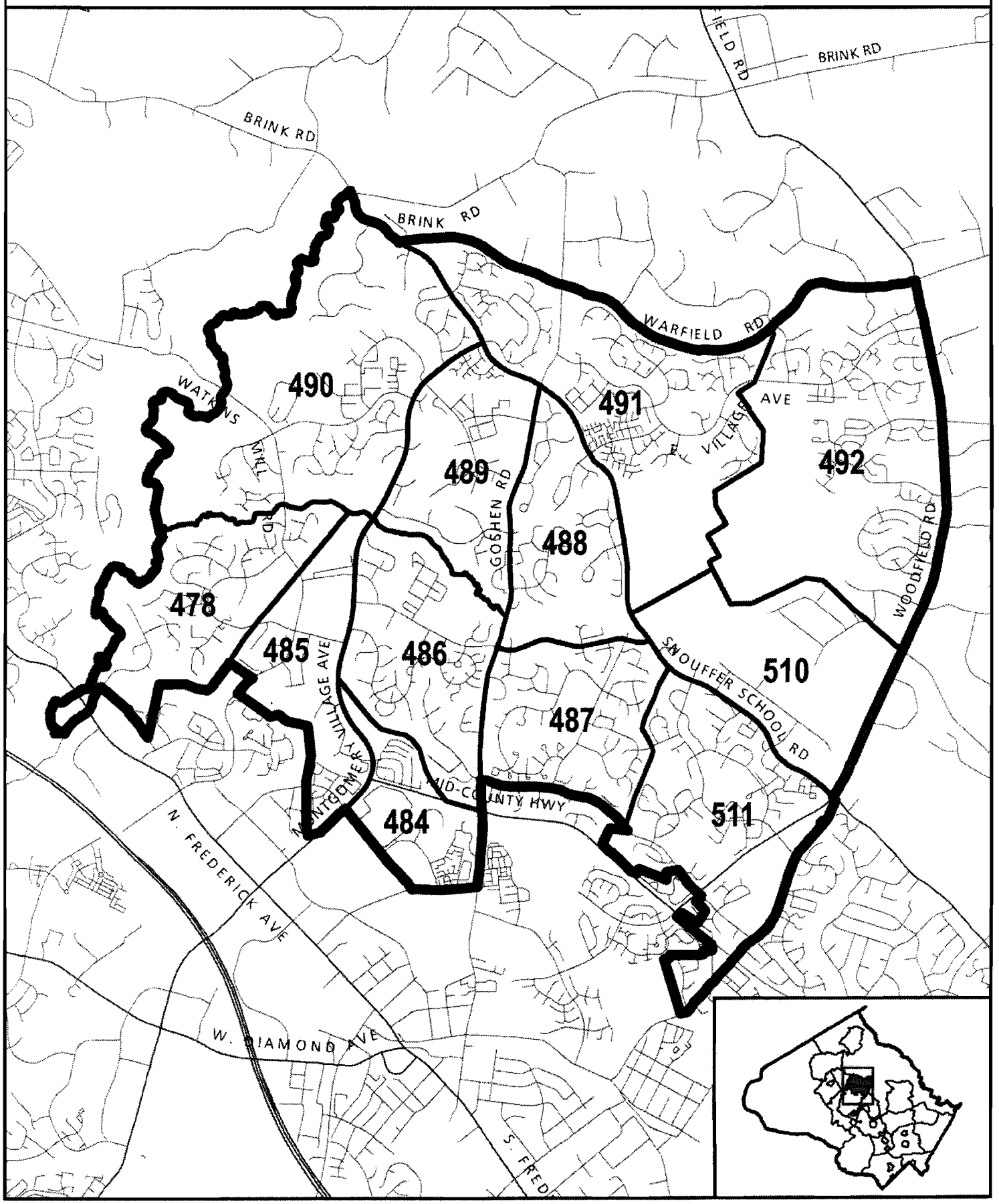
Kensington - Wheaton Policy Area
with Traffic Zones

MAP 17



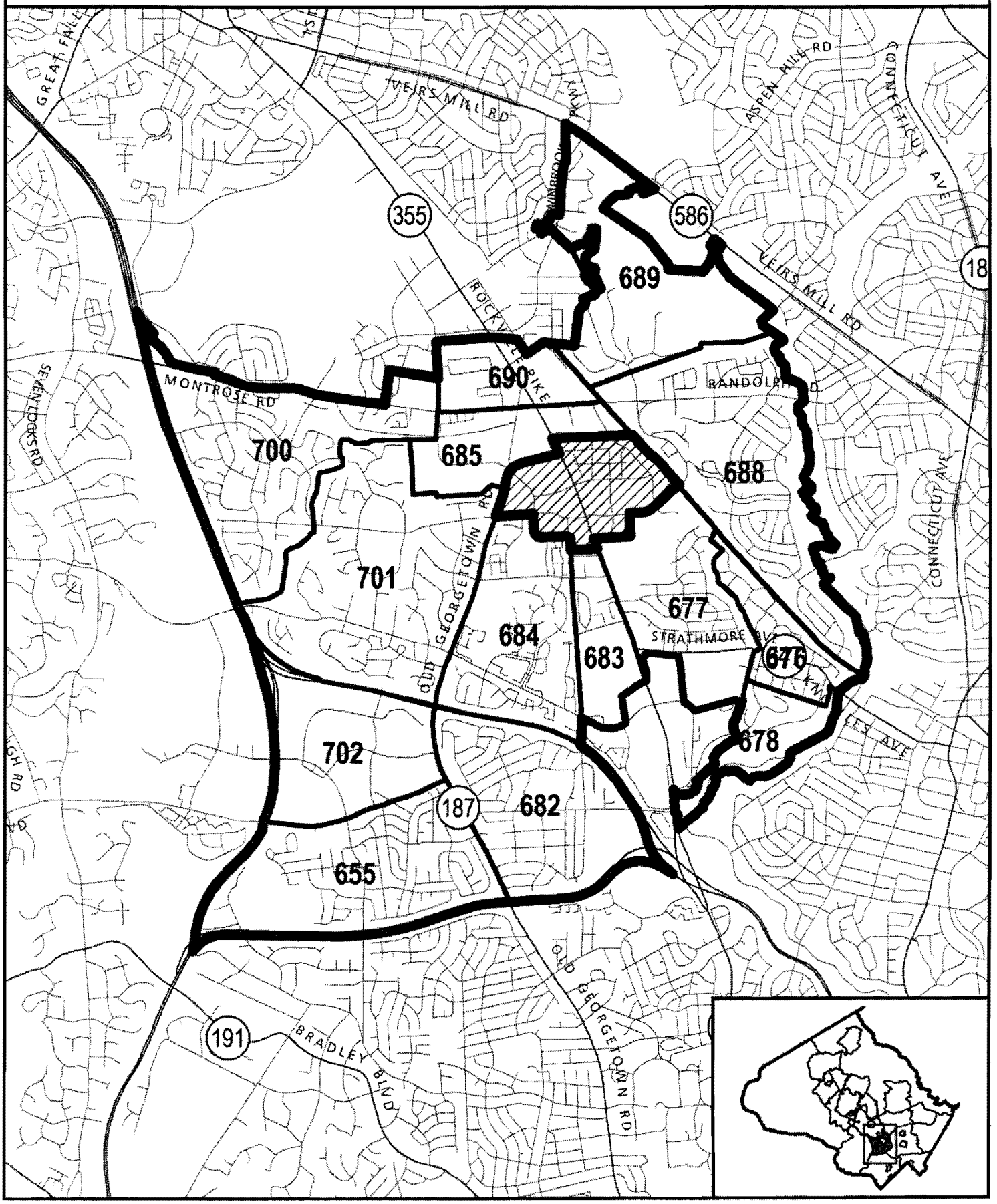
Montgomery Village - Airpark Policy Area
with Traffic Zones

MAP 18



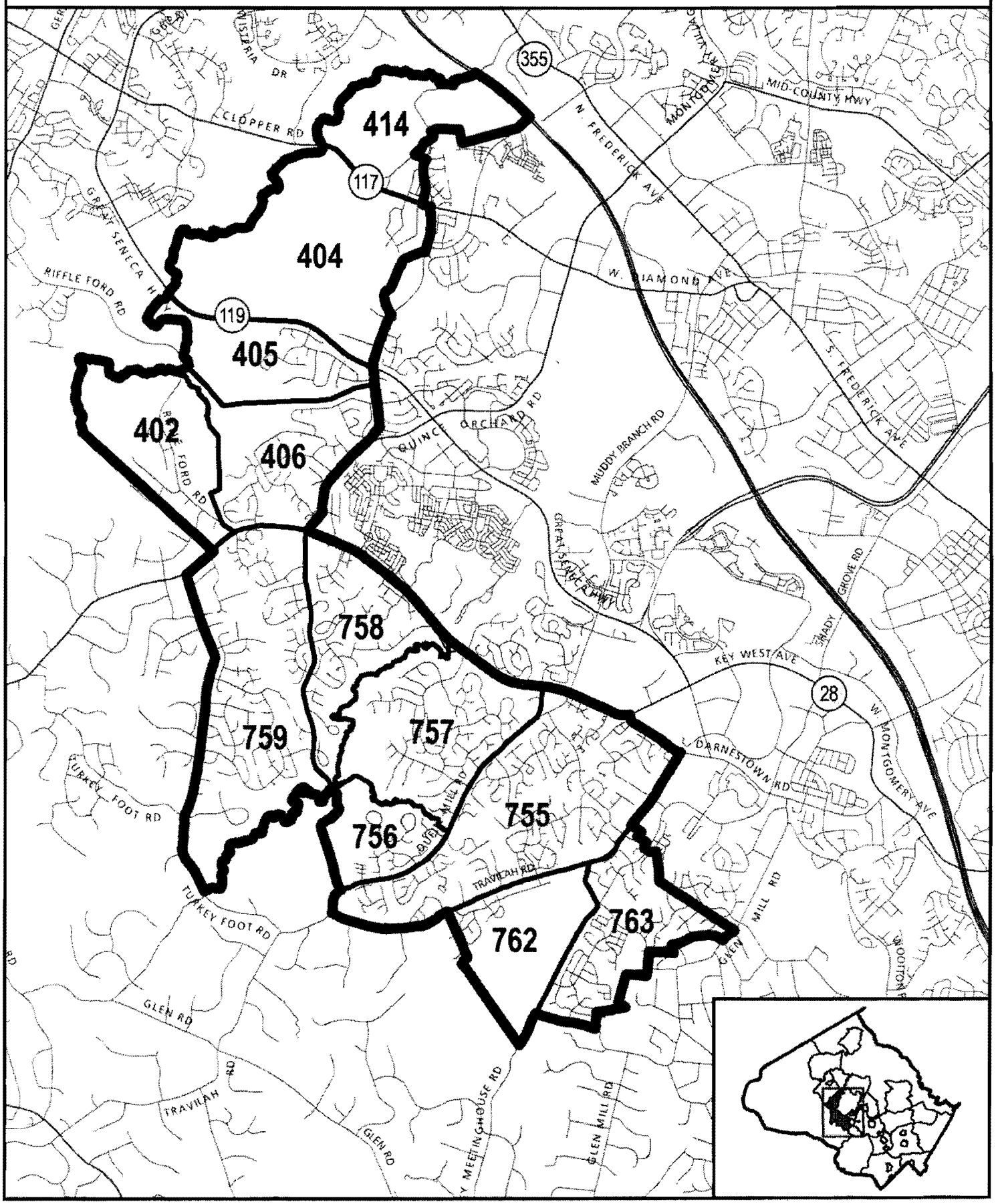
North Bethesda Policy Area
with Traffic Zones

MAP 19



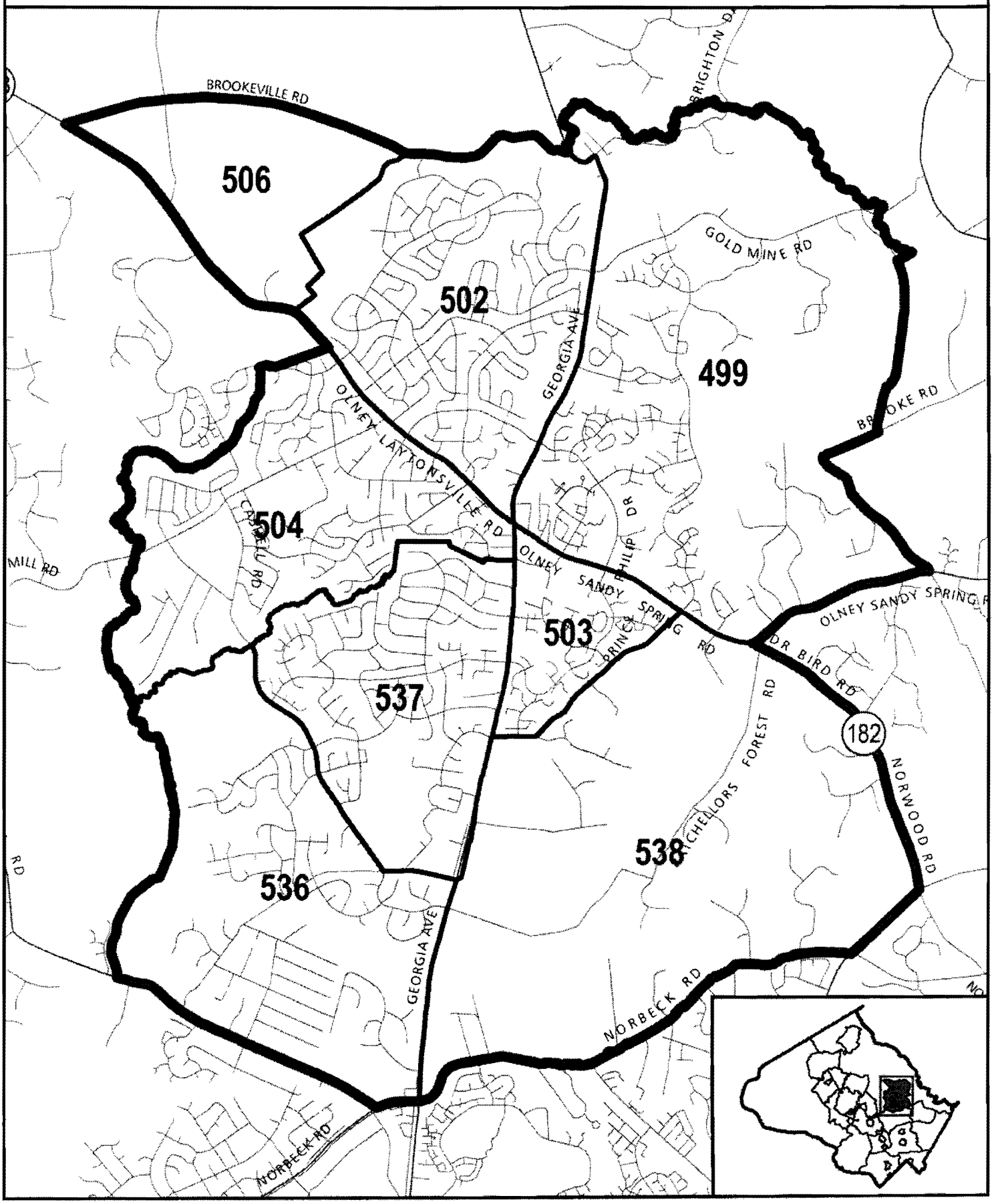
North Potomac Policy Area
with Traffic Zones

MAP 20



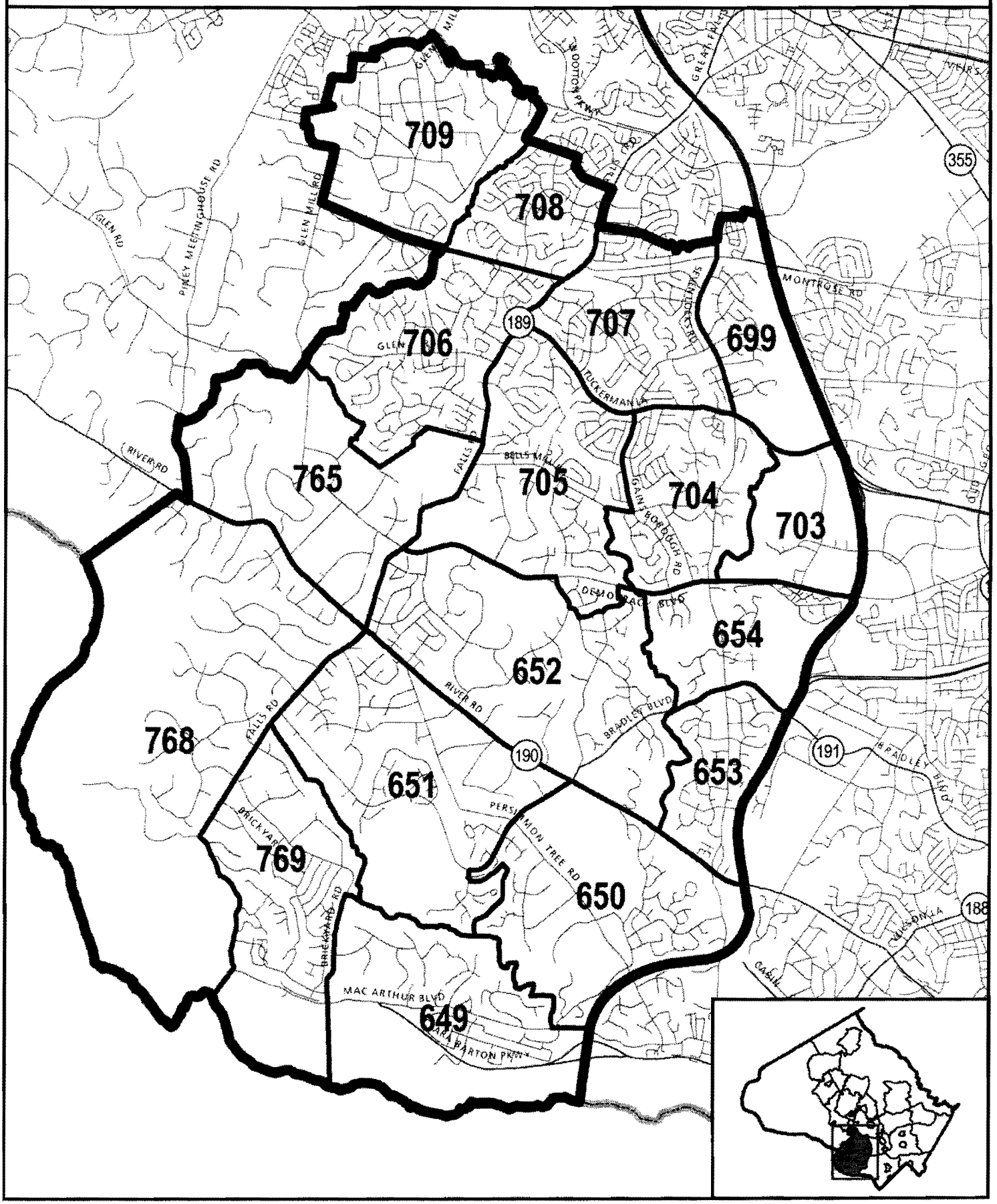
Olney Policy Area
with Traffic Zones

MAP 21



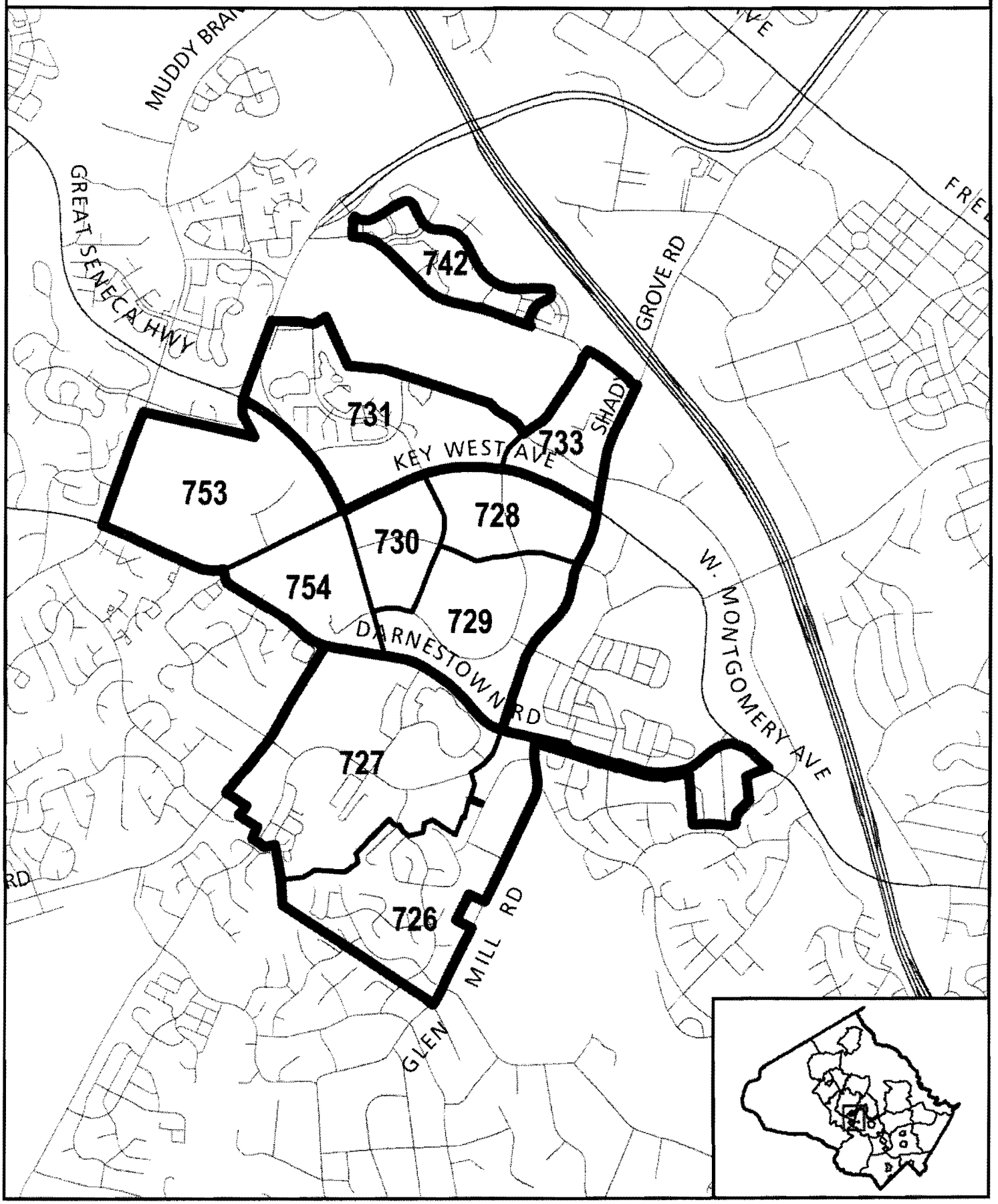
Potomac Policy Area
with Traffic Zones

MAP 22



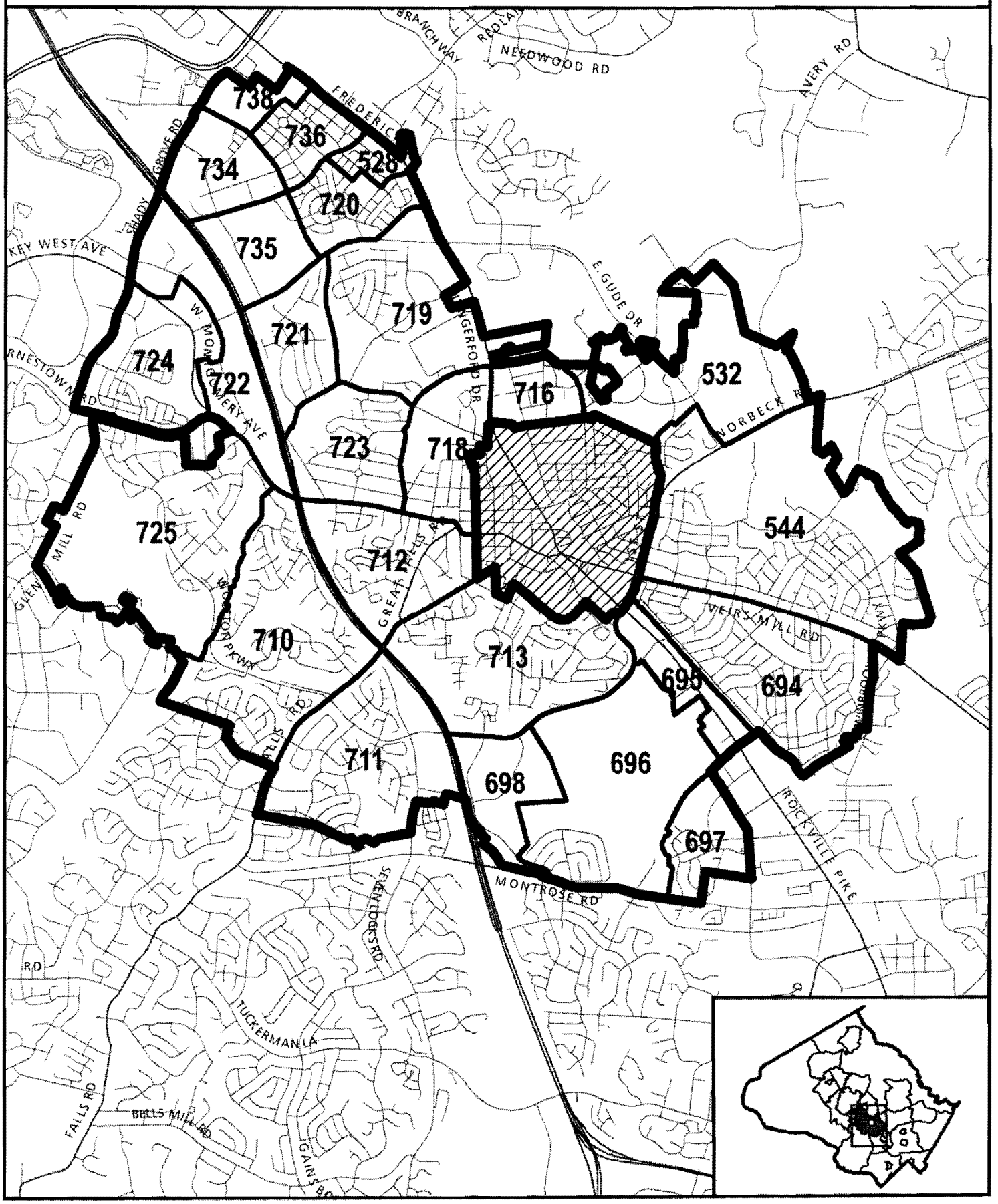
R and D Village Policy Area
with Traffic Zones

MAP 23



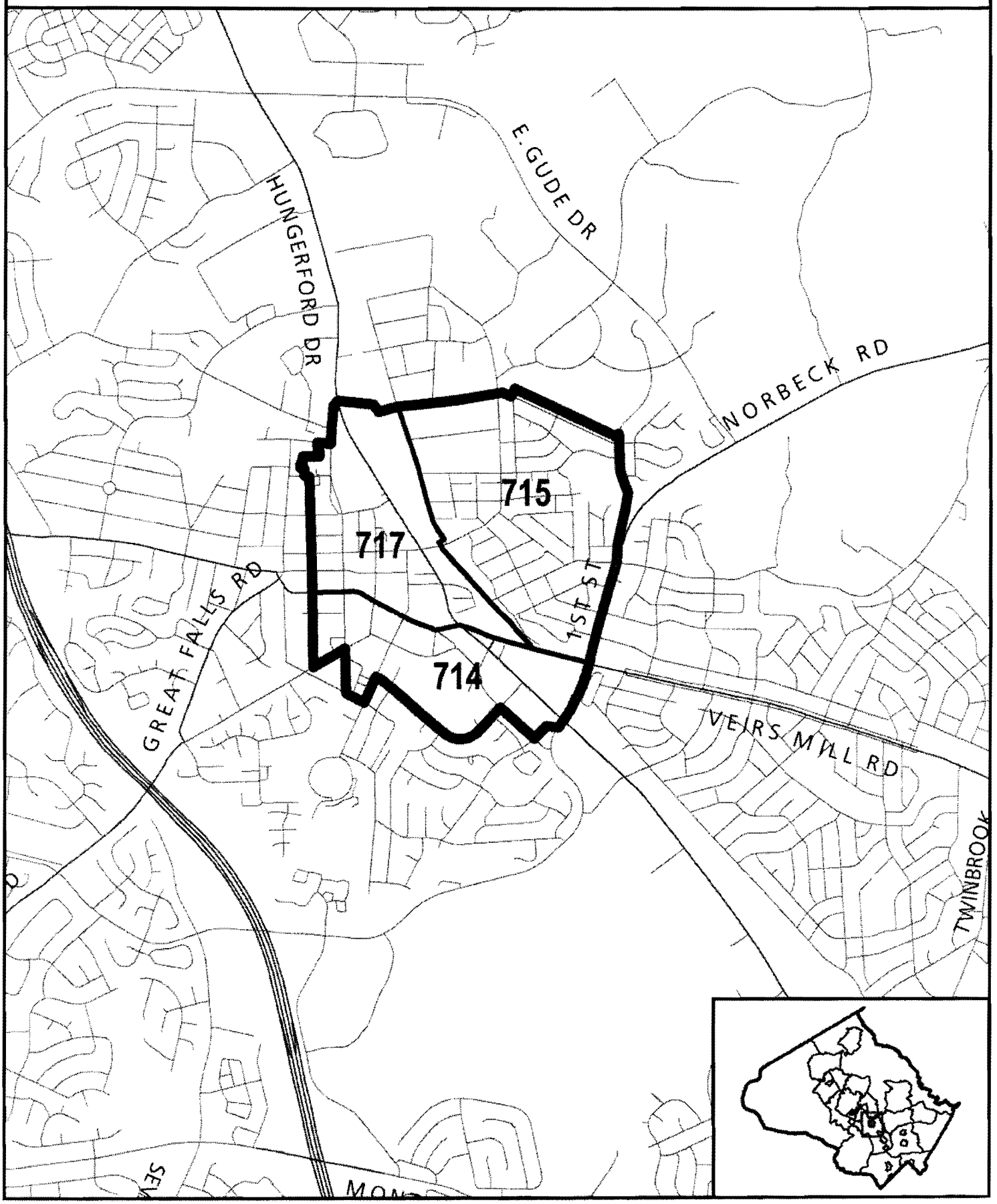
Rockville City Policy Area
with Traffic Zones

MAP 24



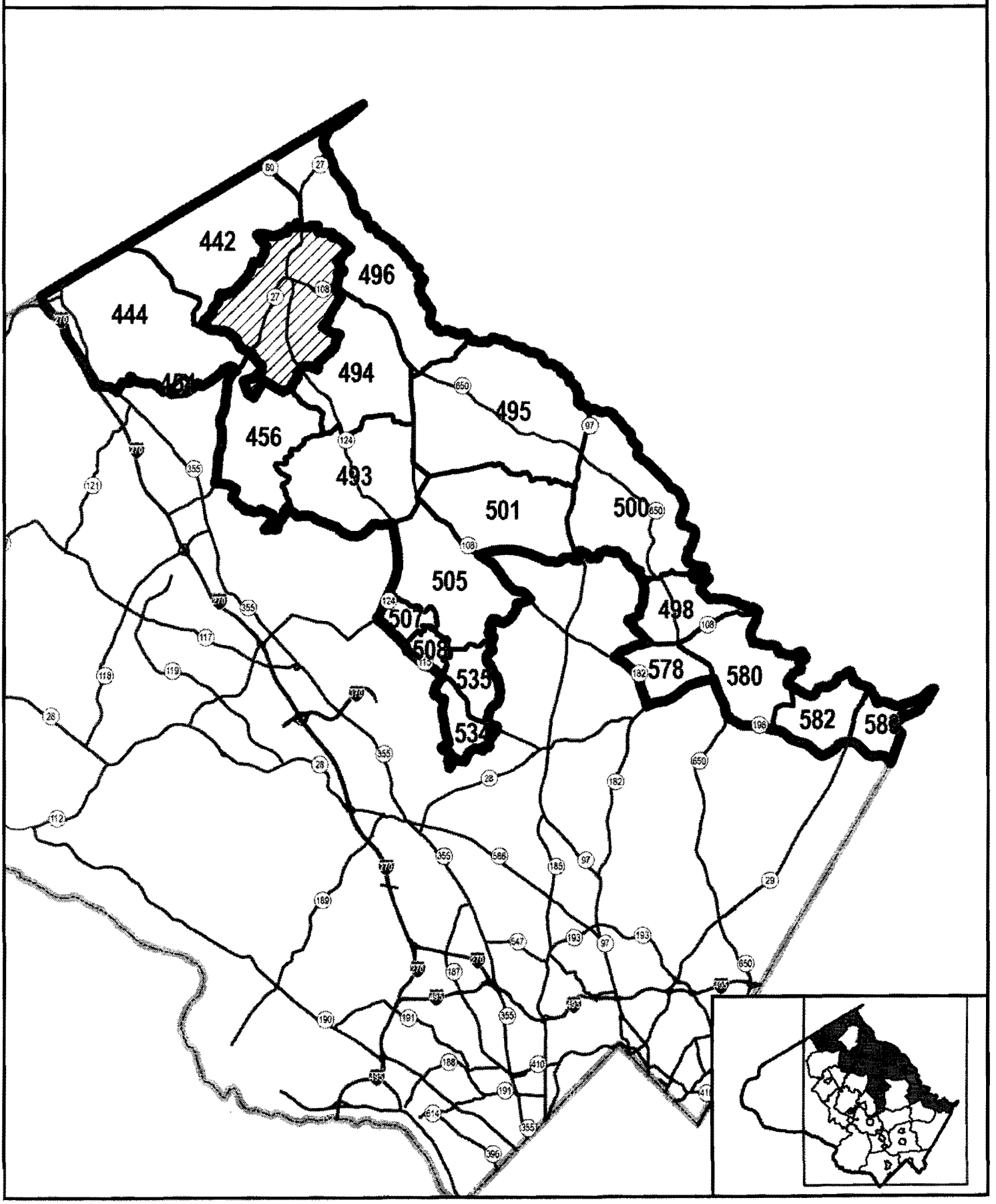
Rockville Town Center Policy Area
with Traffic Zones

MAP 25



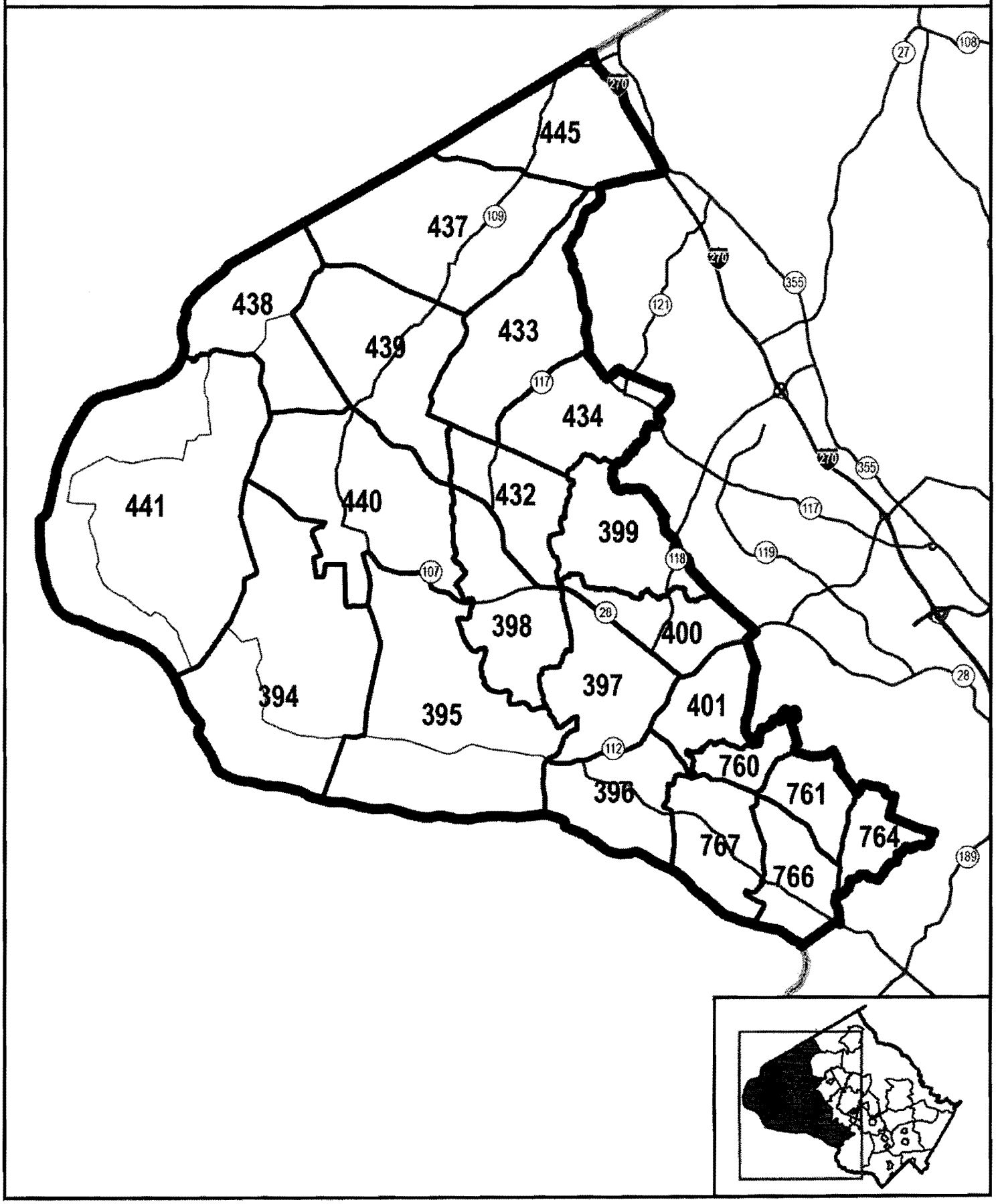
Rural East Policy Area
with Traffic Zones

MAP 26



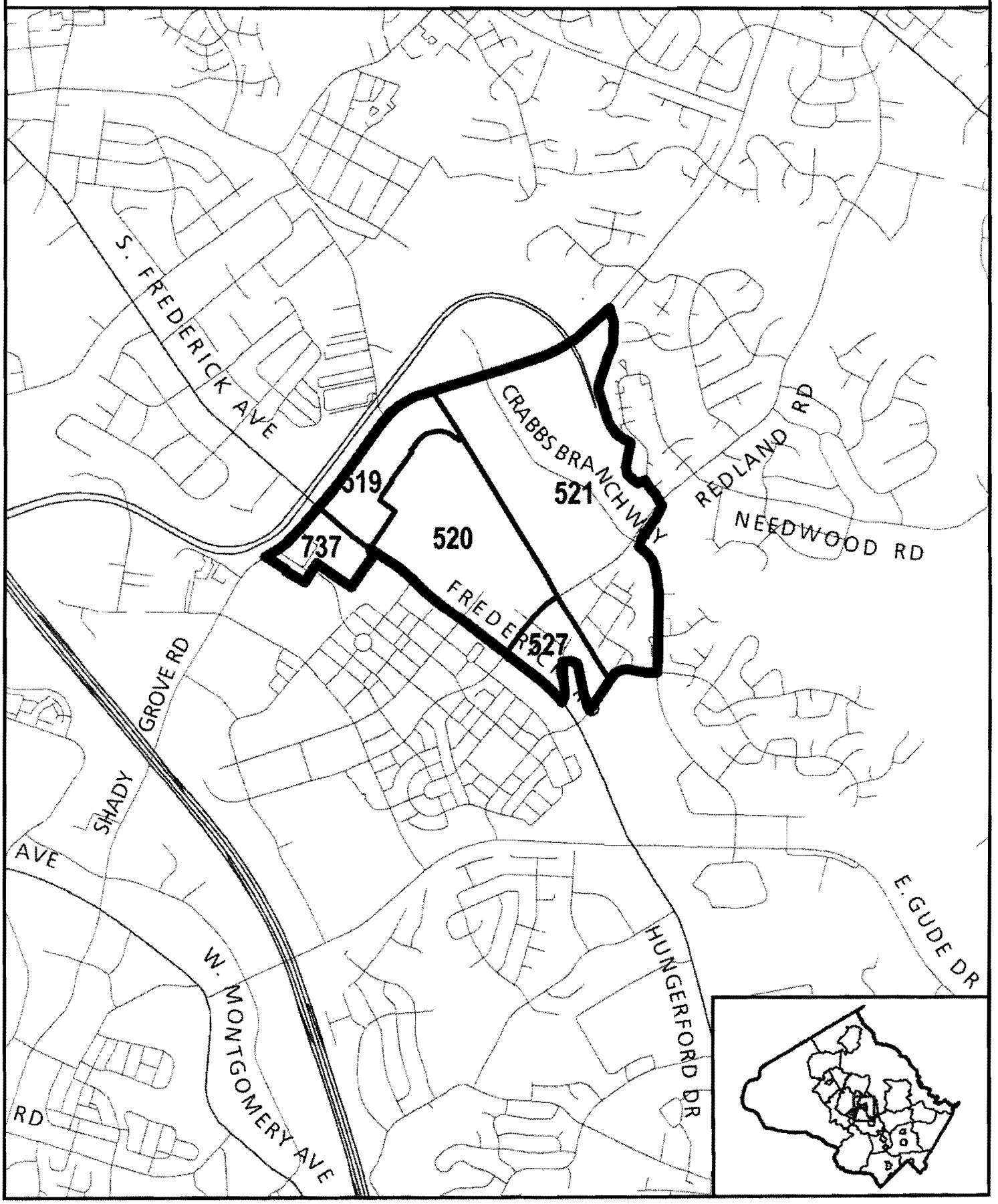
Rural West Policy Area
with Traffic Zones

MAP 27



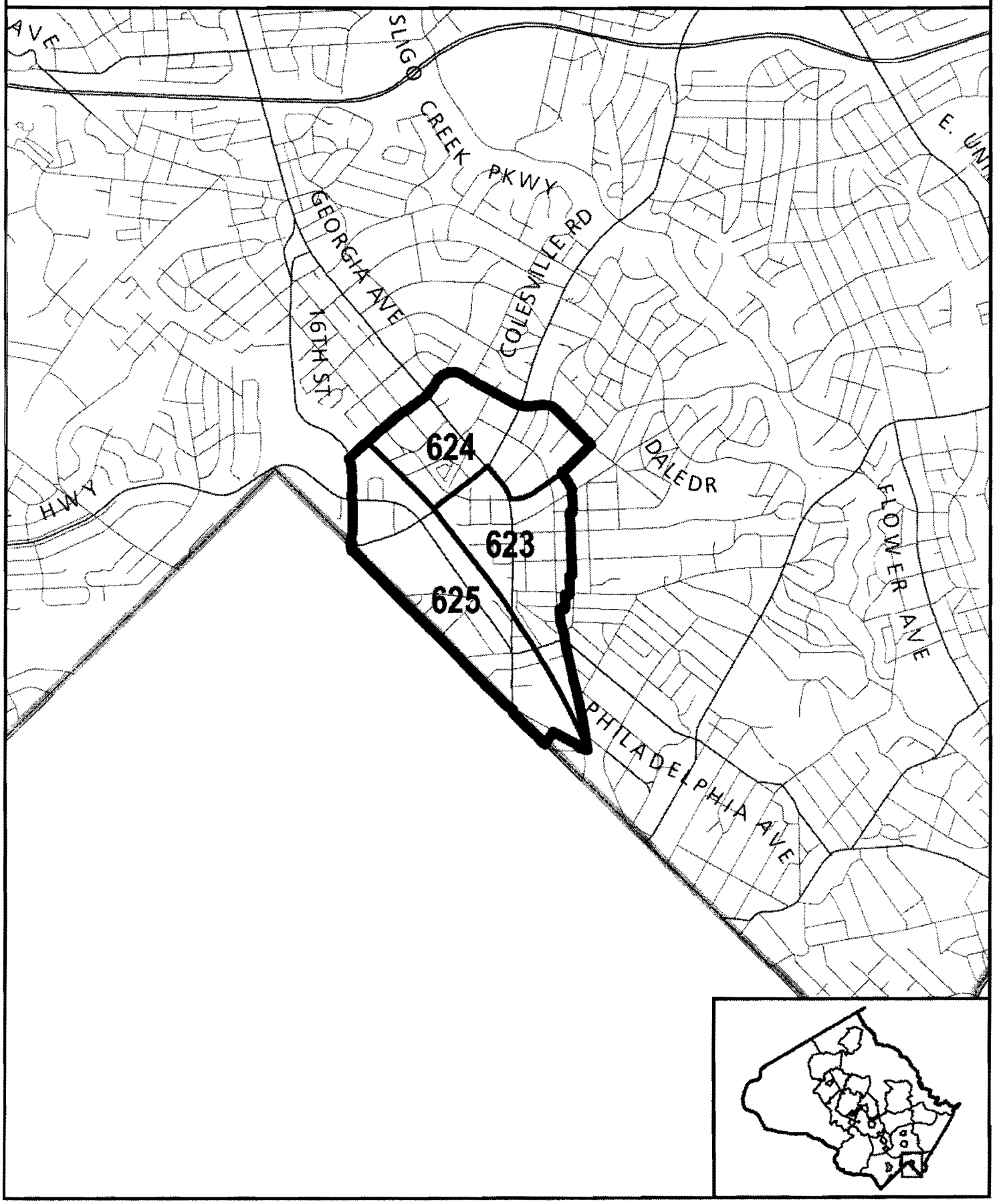
Shady Grove Policy Area
with Traffic Zones

MAP 28



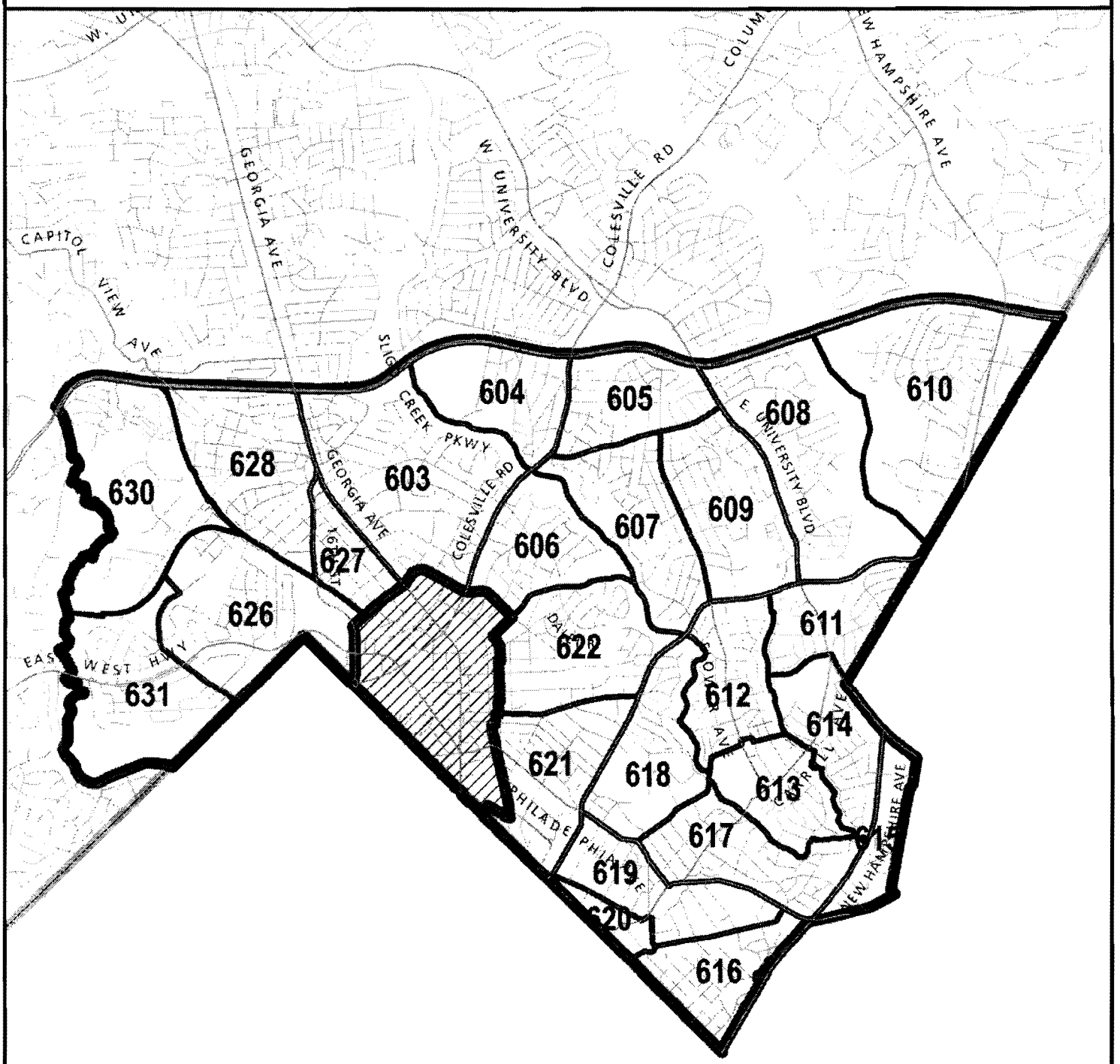
Silver Spring CBD Policy Area
with Traffic Zones

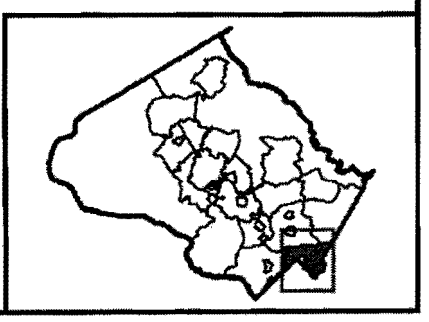
MAP 29



Silver Spring - Takoma Park Policy Area with Traffic Zones

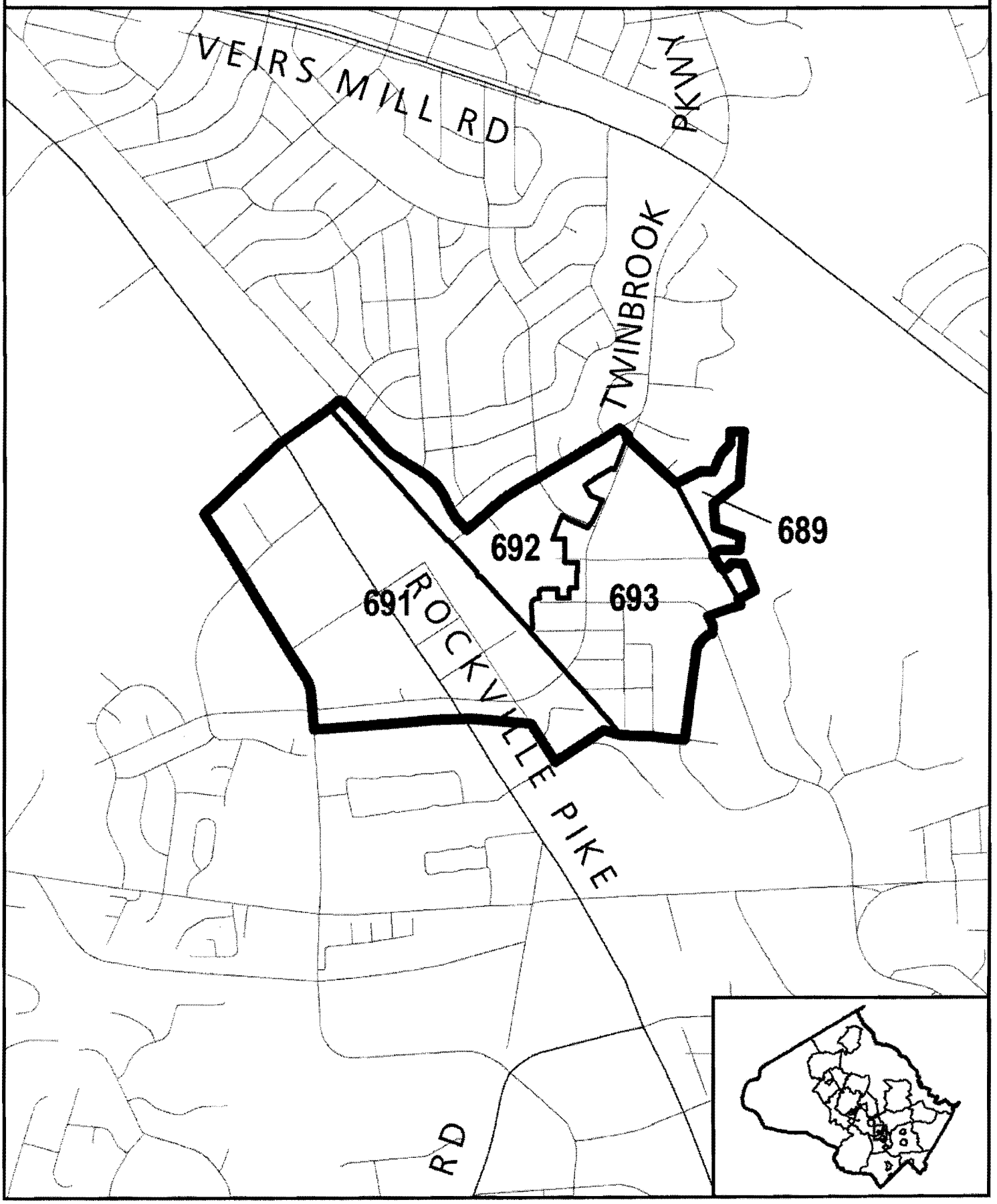
MAP 30





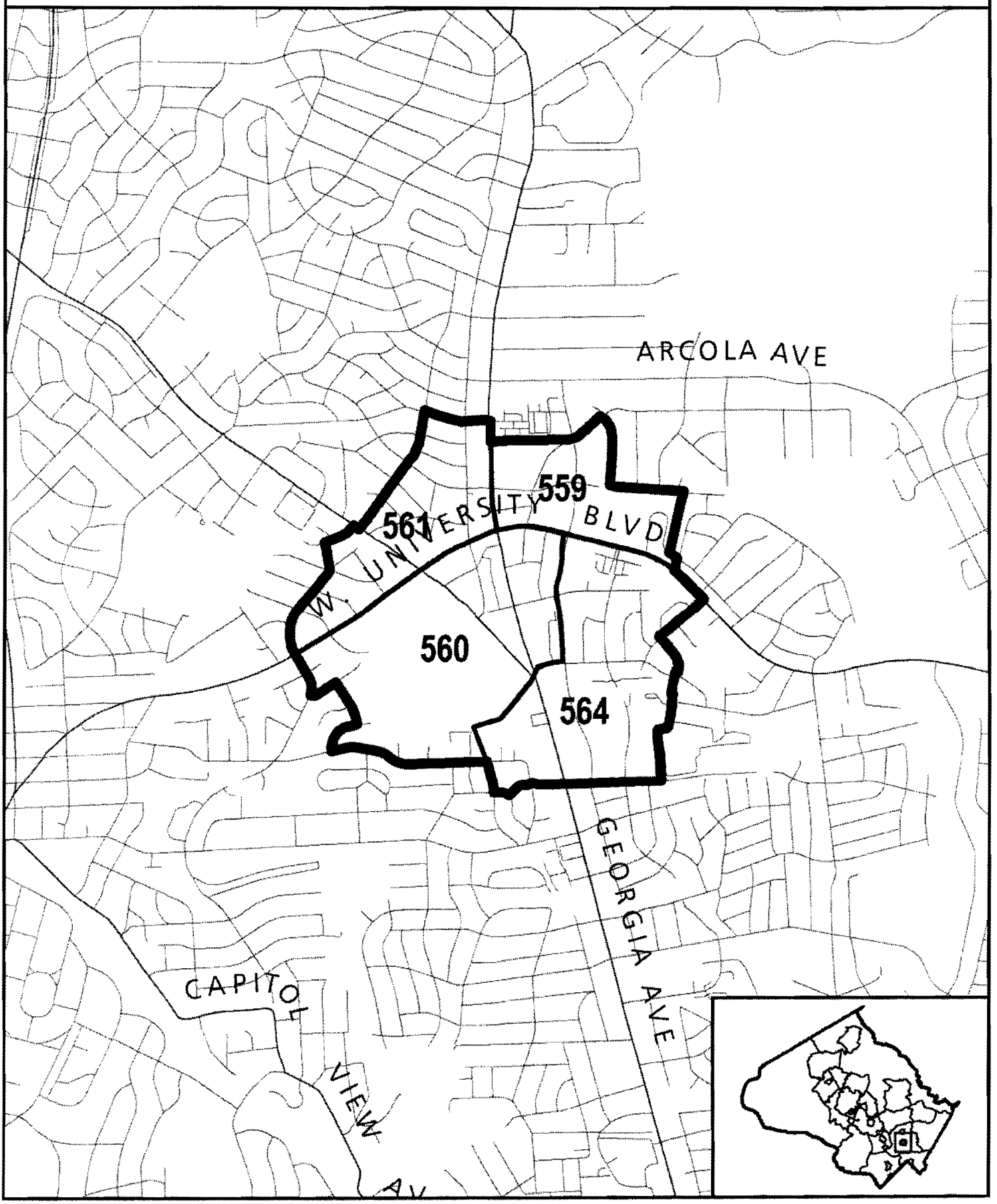
Twinbrook Policy Area
with Traffic Zones

MAP 31



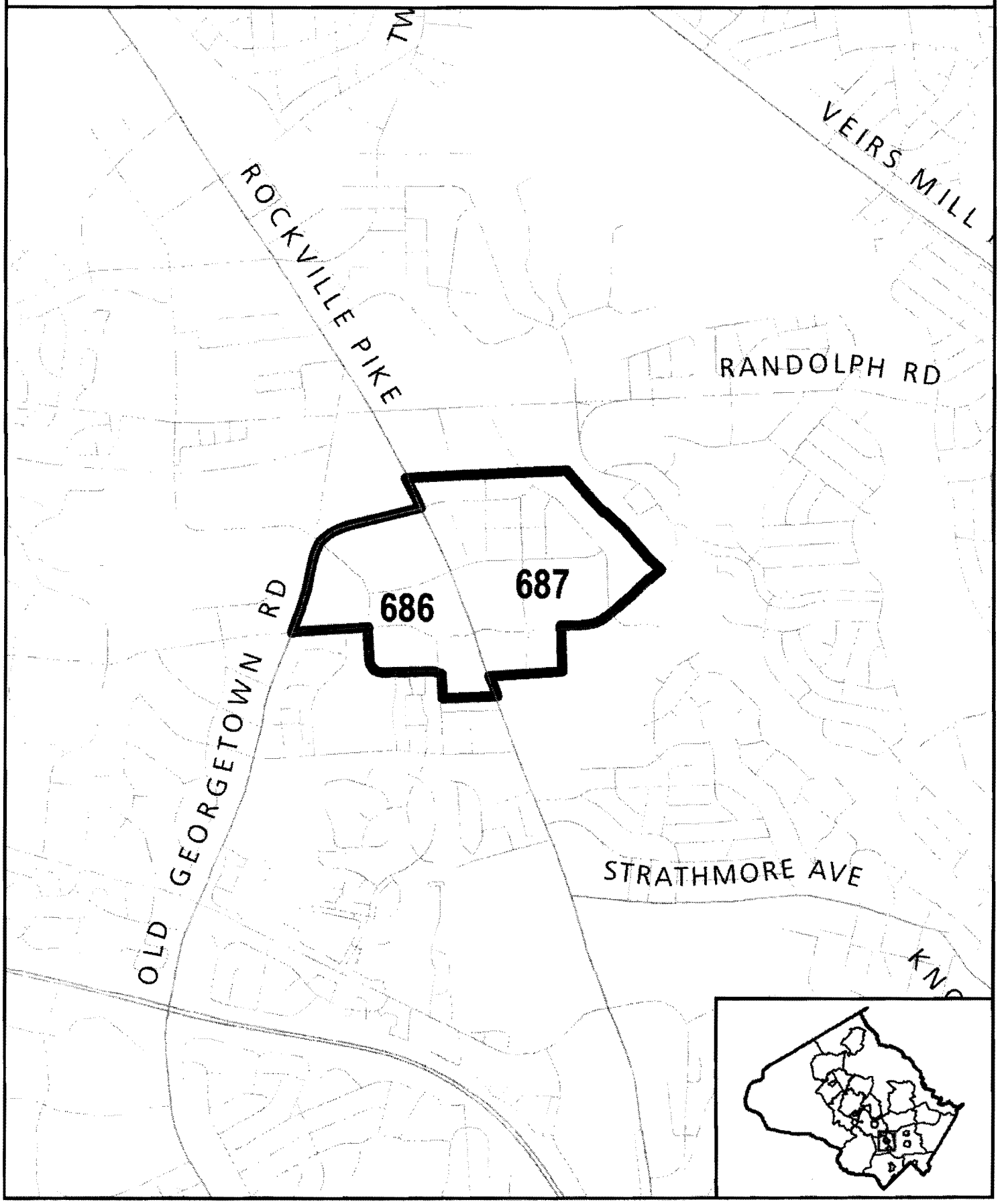
Wheaton CBD Policy Area
with Traffic Zones

MAP 32



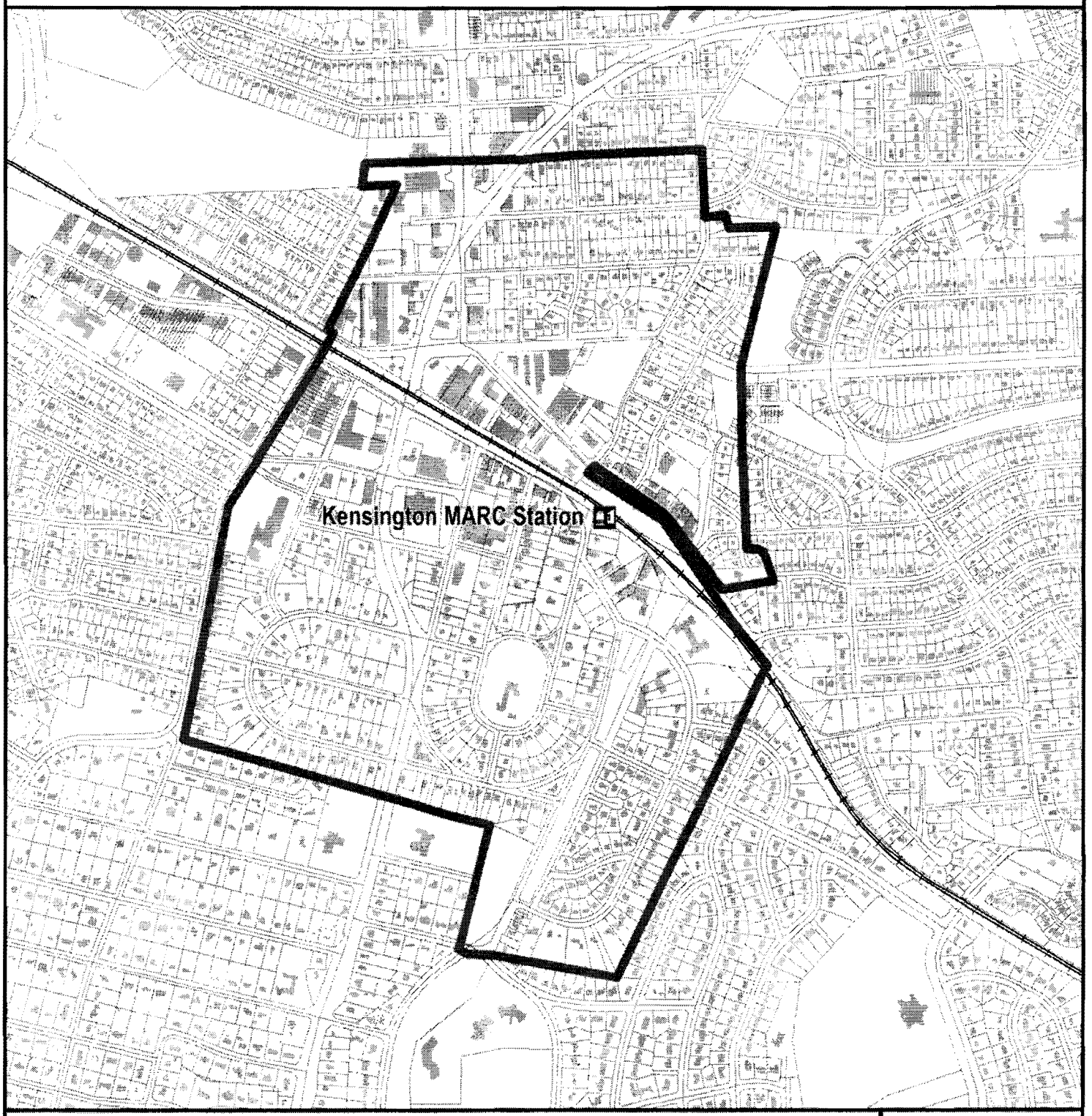
White Flint Policy Area
with Traffic Zones

MAP 33



Kensington Town Center

MAP 34



Metro Stations

MARC Stations

Park and Ride Lots

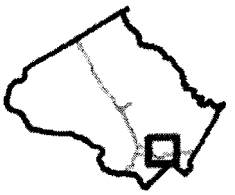
Kensington Town Center

0 0.2 Miles

0 0.4 Kilometers

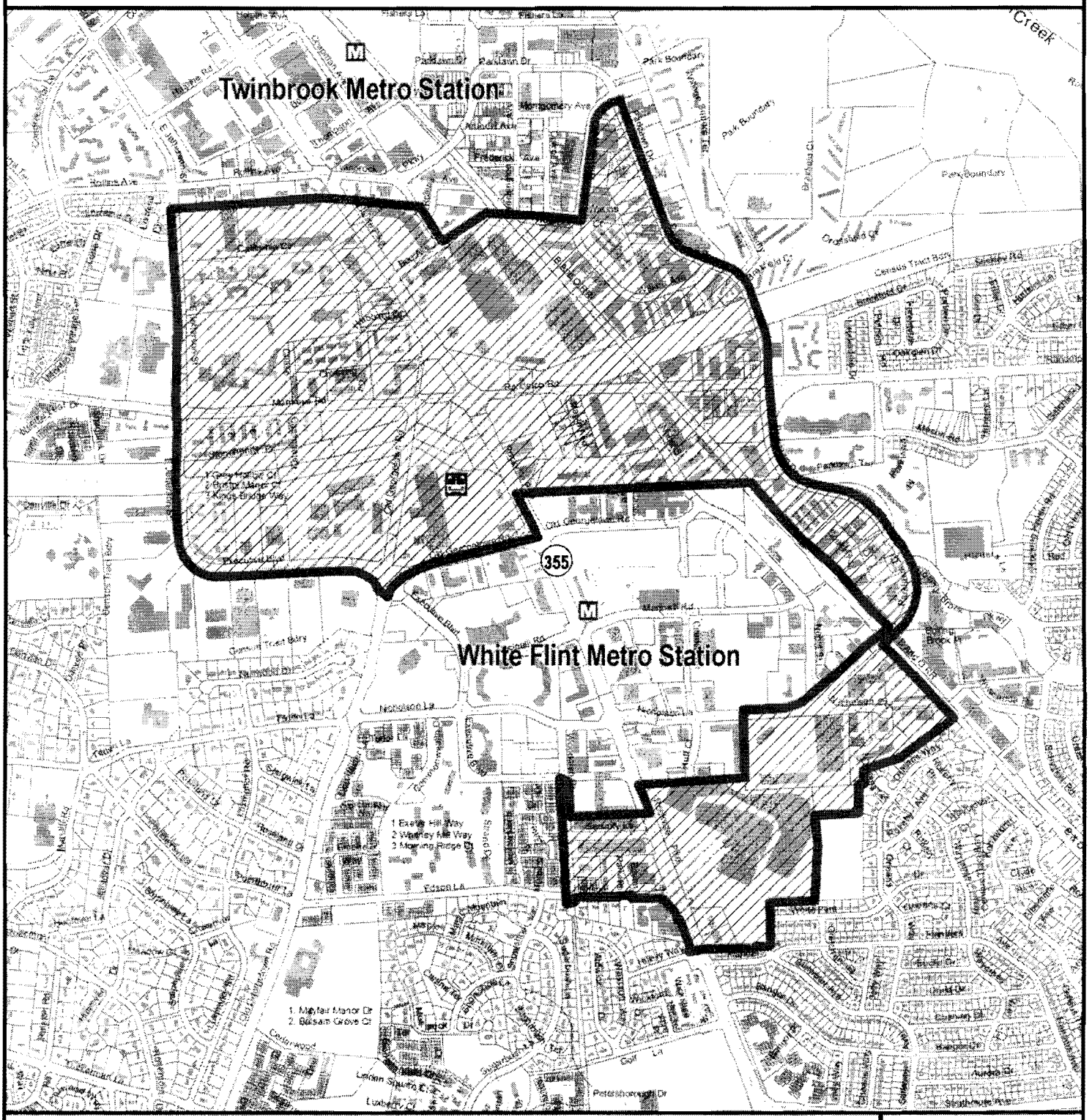
N

Location



North Bethesda Road Code Urban Area
Without the 2003 White Flint MSPA

MAP 35



Metro Stations

MARC Stations

Park and Ride Lots

North Bethesda Road Code Urban Area (Without the 2003 White Flint MSPA)

0 0.3 Miles

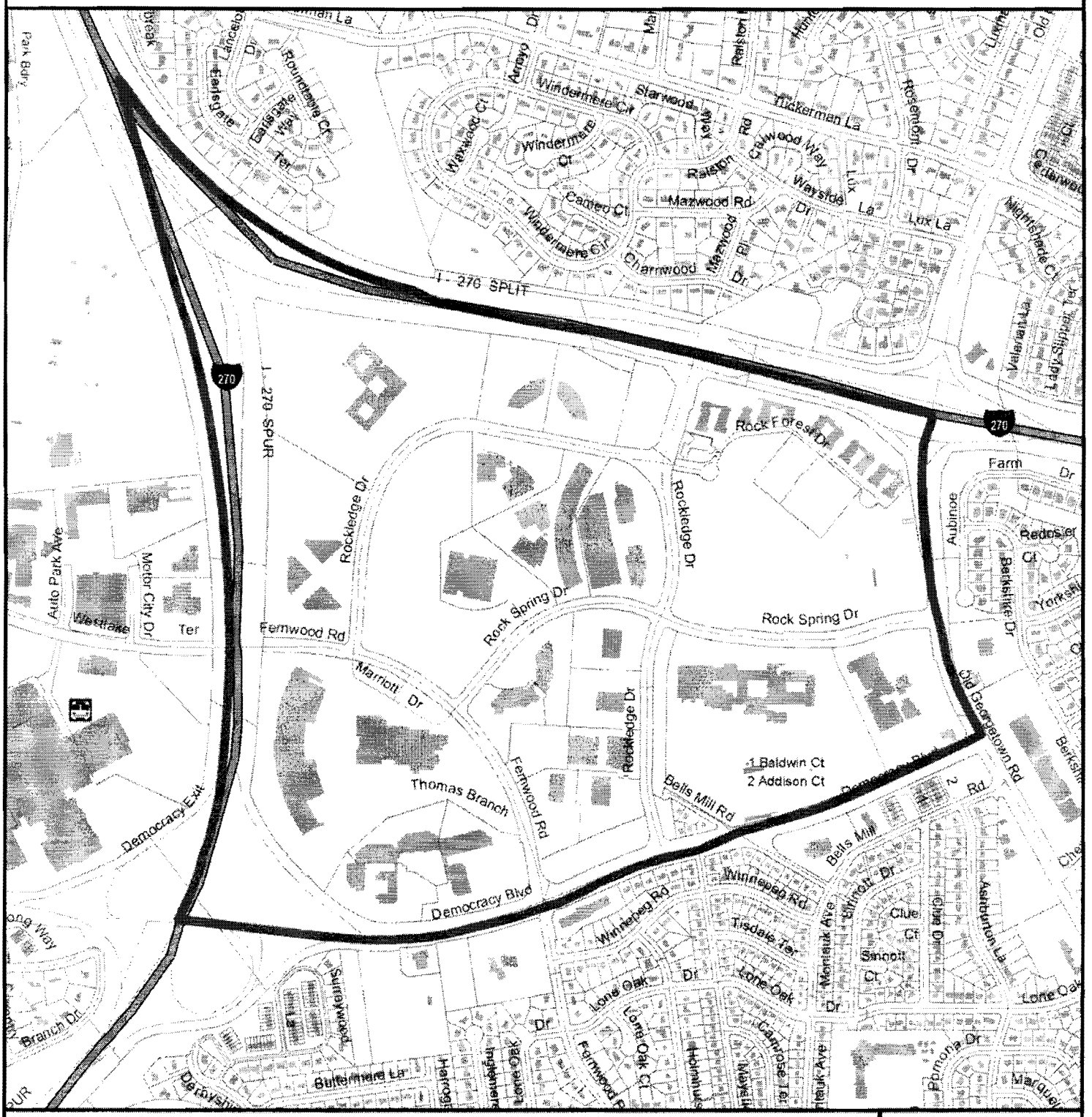
0 0.6 Kilometers

N

Location

Rock Spring Park

MAP 36



Metro Stations

MARC Stations

Park and Ride Lots

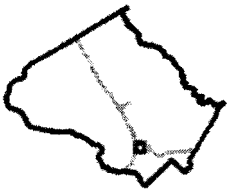
Rock Spring Park

0 0.2 Miles

0 0.5 Kilometers

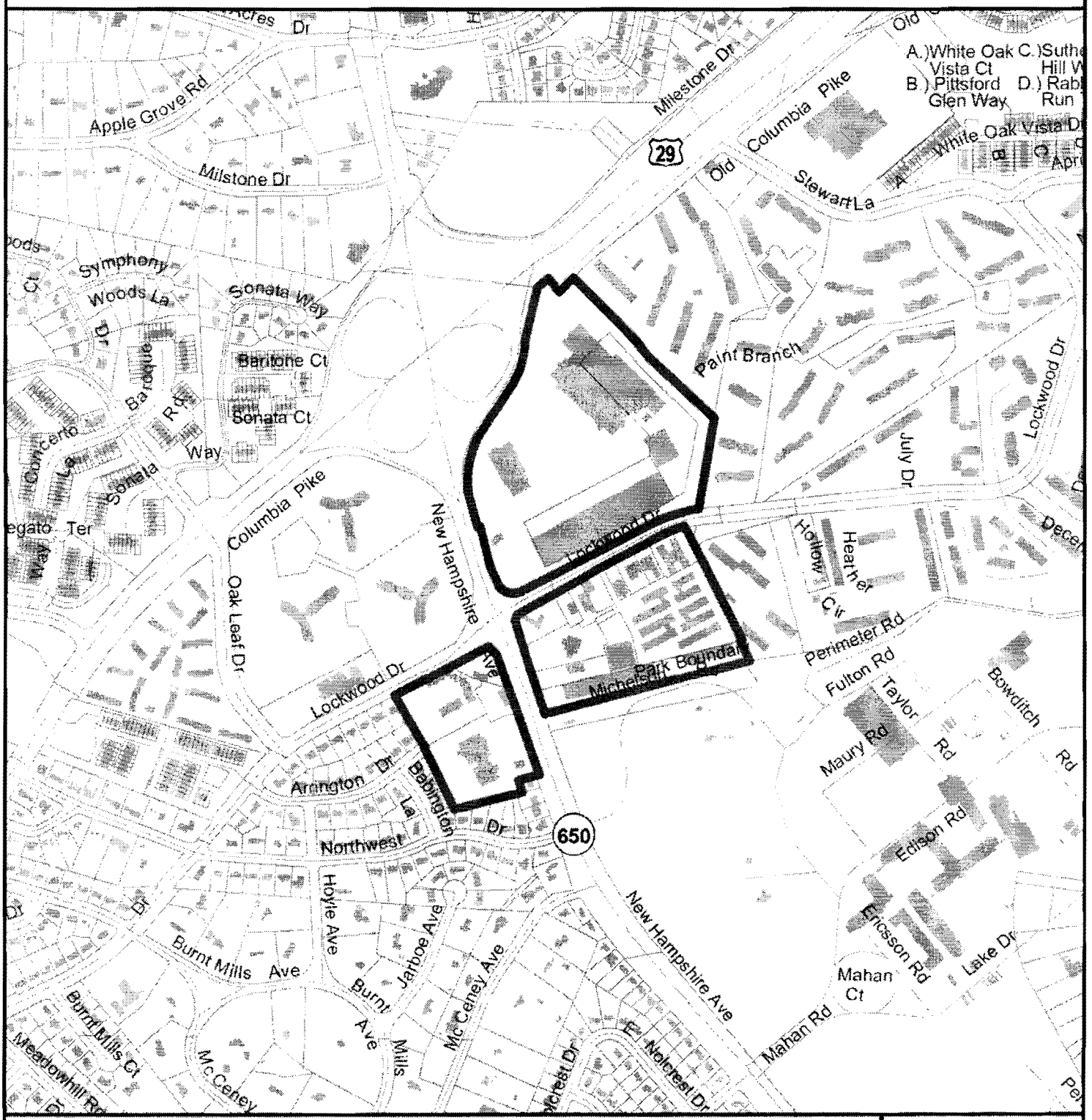
N

Location



White Oak Commercial Center

MAP 37



Metro Stations

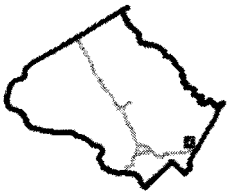
MARC Stations

Park and Ride Lots

White Oak Commercial Center

0 0.2 Miles

0 0.4 Kilometers

N

Location