

M E M O R A N D U M

February 5, 2015

TO: Planning, Housing, and Economic Development Committee

FROM: ^{GO} Glenn Orlin, Deputy Council Administrator

SUBJECT: Subdivision Staging Policy (SSP) Amendment #14-02, White Oak Policy Area Local Area Transportation Review (LATR)

Councilmember Floreen is putting forward an alternative to SSP Amendment #14-02 that would change how LATR is conducted for developments in the White Oak Policy Area, following from a suggestion by the Planning Board Chair last fall. The revised amendment is on ©1-2.

The proposal would have the Council identify all but the largest master-planned transportation improvements needed to serve the planned buildout of the White Oak Policy Area, and have each new development pay a share of those costs through a new LATR payment that would be proportionate to the rush hour trips generated by that development. This set of improvements would be proposed after a consolidated traffic study; a final White Oak Local Area Transportation Improvement Program would be approved by the Council. The new payment would replace the current LATR test, which requires each development to mitigate any congestion it causes at any nearby intersection. Both the Improvement Program and the fee would be adopted by the Council and amended at any time, after a public hearing.

The largest master-planned transportation improvements in White Oak—the US 29 and MD 650 Bus Rapid Transit (BRT) lines, the US 29 grade-separated interchanges at Stewart Lane and at Tech Road/Industrial Parkway, and the widening and extension of Old Columbia Pike—would not be included in the Improvement Program. The assumption is that these projects ultimately would be built with a combination of Federal, State, and County funds.

Councilmember Floreen also proposes that this LATR payment be creditable against a development's transportation impact tax; if this concept is accepted, a subsequent bill to amend the impact tax law would be necessary.

Council staff suggests that the Committee request the Planning Board and the White Oak civic and business stakeholders review this alternative and provide feedback in the next few weeks to the Committee.

Resolution No: _____
Introduced: September 16, 2014
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Floreen

SUBJECT: Amendment to the 2012-2016 Subdivision Staging Policy regarding the White Oak Policy Area

Background

1. On July 29, 2014 the County Council approved Resolution 17-1203, amending the 2012-2016 Subdivision Staging Policy.
2. County Code §33A-15(f) allows either the County Council, County Executive, or the Planning Board to initiate an amendment to the Subdivision Staging Policy.

Action

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

The 2012-2016 Subdivision Staging Policy is amended as follows:

* * *

TL Local Area Transportation Review (LATR)

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TL4 Unique Policy Area Issues

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TL4.7 White Oak [[Science Gateway Master Plan]] Policy Area

[[In the White Oak Science Gateway Policy Area, as used in TL Local Area Transportation Review, background traffic must be calculated as only approved but unbuilt development for which a building permit has been issued.]]

- (a) The Board may approve a subdivision in the White Oak Policy Area conditioned on the applicant paying a fee to the County commensurate with the applicant's proportion of the cost of a White Oak Local Area Transportation Improvement Program, including the costs of design, land acquisition, construction, site improvements, and utility relocation. The proportion is based on a subdivision's share of peak-hour vehicle trips

generated by all master-planned development in the White Oak Policy Area approved after October 7, 2014.

- (b) The components of the White Oak Local Area Transportation Improvement Program and the fee per peak-hour vehicle trip will be established by Council resolution, after a public hearing. The components will be identified from a consolidated traffic study for the entire White Oak Policy Area, assuming the ultimate construction of master-planned development. The components will not include: the US 29 grade-separated interchanges at Stewart Lane and at Tech Road/Industrial Parkway; the US 29 and MD 650 Bus Rapid Transit lines, and the connection and widening of Old Columbia Pike.
- (c) The Council may amend the Program and the fee at any time, after a public hearing.
- (d) The fee must be paid at a time and manner consistent with Transportation Mitigation Payments as prescribed in Section 52-59(d) of the Montgomery County Code.

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This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

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