



## White Oak Science Gateway Master Plan

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Completed: 11/26/13

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### Staff Recommendation:

Discuss and provide direction to staff.

Planning Board members should bring their copies of the September 2013 Planning Board Draft Master Plan.

### Summary

The Planning Board approved the Planning Board Draft of the White Oak Science Gateway Master Plan on September 19, 2013. The Plan was officially delivered to the County Council and County Executive on September 20, 2013. On October 2, 2013, Planning Board Chair Carrier received a letter from County Council President Nancy Navarro requesting that additional work be done on the Master Plan (see Attachment 1). The October 2 letter provided the following direction:

- Land use - transportation balance: *We ask that you and your staff prepare a package of recommendations that allow us to approve a balanced plan...We cannot approve the zoning without a full understanding of how the proposed transportation system will work.*
- Subdivision Staging Policy amendment: *If part of the package includes a recommendation to change the traffic standards, then we ask that you concurrently forward a proposed amendment to the Subdivision Staging Policy that would accomplish this.*
- Timeframe/Coordination: *We will request that the Executive Branch work with the Planning Board and staff to resolve the remaining issues as quickly as possible. It is paramount that we minimize any delay in the adoption of this important plan as we fully address these critical issues.*

Planning Department and Executive Branch staff met during October and November to discuss options that address the issues raised in the Council President's letter. These options, summarized in Attachment 2, include the following:

1. Attempt to achieve land use-transportation balance by reducing density and increasing transportation capacity.
2. Modify standards to achieve land use-transportation balance.
3. Accept land use-transportation imbalance.

Each of these options has advantages and disadvantages, which are outlined in Attachment 2. With regard to the first option, staff does not recommend this approach. One of the main objectives of this Plan has been encouraging economic development and incentivizing redevelopment. There is broad support for the Plan's vision and there is consensus among the Planning Department, the Executive Branch, and many in the



community that the recommended densities are needed to enable the vision to be achieved. The Planning Board supported the densities as well. Reducing the recommended densities would be counterproductive to the major goals of the Plan and would reduce ridership for the BRT recommended in the Countywide Transit Corridors Functional Master Plan (CTCFMP) and the draft White Oak Science Gateway Master Plan. If the Council wants to see a land use scenario that might create balance, despite its negative impact on the desired outcome, this would take additional time and could not be delivered by the end of this year, which is when the Council requested the Board's response.

The Planning Department already included all the transportation infrastructure that would have added development capacity without unacceptable community impacts. All the interchanges and the proposed BRT routes are already in the model. We have also discounted US 29 traffic from Howard County even though it is a reality on the road. Various intersection improvements have been identified that will probably be required when developments undergo Local Area Transportation Review; however, these do not impact the overall land use-transportation balance.

Another option to address the land use-transportation balance issue is to modify the standards. The White Oak Science Gateway Master Plan area is within the Fairland/White Oak Policy Area, which covers a large part of the east County. The Planning Board Draft Master Plan includes a recommendation to create a new White Oak Policy Area coterminous with the Master Plan boundaries before Stage 1 begins. There are currently three broad policy area categories in the Subdivision Staging Policy (SSP) – Urban, Suburban, and Rural. As reviewed in Attachment 2, a new, hybrid Policy Area category between Urban and Suburban - "Suburban Transit Corridor" - could be established with standards in between those for the Urban and Suburban areas. Staff has prepared a draft amendment to the Subdivision Staging Policy so that the Board can review the text revisions that would be necessary if this option is preferred. Attachment 4 is a redline version of the proposed, draft SSP changes that accomplishes the following:

- Creates a new Policy Area category: Suburban Transit Corridor.
- Establishes Adequacy Standards for the new Suburban Transit Corridor Policy Area category.
- Creates a White Oak Transportation Management District (TMD) and includes the Master Plan's non-auto drive mode share (NADMS) goal in Stage 3. The White Oak TMD is already recommended in the Planning Board Draft of the Plan and should be added regardless of the other suggested amendments.
- Adds the White Oak Science Gateway Master Plan Policy Area and the White Oak TMD under the section "Unique Policy Area Issues" and assigns the policy area to the Suburban Transit Corridor category.

Regarding the modification of standards, the relationship between the application of Transportation Policy Area Review (TPAR) in the regulatory context (i.e., 10-year planning horizon) and the master planning context (i.e., build-out time horizon) should be noted. In the regulatory context, under the proposed hybrid TPAR policy area standard, the Fairland/White Oak policy area would be adequate for roadways. The policy area would be inadequate for transit due to inadequate headways (i.e., frequency of local bus service); a TPAR payment would be required at the time of subdivision unless the County has implemented enhanced transit service to improve headways. In the master planning context, under the proposed hybrid TPAR policy area standard, the Fairland/White Oak policy area would be adequate for roadways and therefore considered in balance for land use and transportation. Given that the TPAR transit adequacy test is limited to the evaluation of existing transit service, this component of the TPAR test is not applicable in the master planning context.



A third option that the Board could consider is to recommend again that the Council accept a Plan where the land use and transportation elements in the Fairland/White Oak policy area are not technically balanced at build-out, for the reasons stated in the Plan. The Board could emphasize that the vision, land use, and transportation recommendations are still appropriate and the staging plan ensures that roadway and transit infrastructure are funded and constructed at an appropriate time to support the future development. (It should be noted that the Executive Branch does not support the Plan's staging element or what they refer to as "hard stops" that would impede development of the 300-acre Percontee/Site 2 properties.) This option should include sending a supplement that indicates revisions to the Plan, including removing the Alternative Implementation Mechanism, discussed below.

As a result of our collaboration with the Executive Branch, there is agreement that the "Alternative Implementation Mechanism" section (pages 96-97) of the Implementation and Staging chapter should be deleted. As the Board will recall, most of this section was suggested by, and included in the Planning Board Draft Plan at the request of the Executive Branch to address concerns involving infrastructure costs. Over the past several months, Planning Department and Executive Branch staff (specifically the Department of Transportation) have prepared, reviewed, and agreed on potential cost estimates associated with the proposed development of the Percontee and Site 2 properties. These cost estimates include possible payments that would result from the application of the Transportation Policy Area Review and the Local Area Transportation Review processes. There now seems to be agreement that the potential, estimated costs for intersection improvements are what would be expected from such a large project; therefore, it is not necessary to devise an alternative that replaces the normal Adequate Public Facility Ordinance test and/or transportation impact taxes, in whole or in part.

While not mentioned in the Council President's letter, Council staff relayed to the Department that the Council would prefer that all the major issues be resolved, i.e., their preference would be that the Plan not include recommendations that require follow-up work after the Plan is approved, such as a technical working group established by the Council. In addition, it was suggested that financing strategies should come from the Executive Branch and do not need to be included in the Master Plan. Attachment 3 shows proposed revisions to the Implementation and Staging chapter that reflect the agreement reached with Executive Branch staff to remove the Alternative Implementation Mechanism section and to address the Council's issue regarding ongoing work beyond their approval of the Plan. There is also a parenthetical reference to this section on page 52 that should be deleted. Staff suggests that the Plan contain a reference to possible future funding sources for infrastructure improvements, which had been in the Public Hearing Draft and is standard language that has been included in other Master Plans.

Finally, the Board may wish to consider an issue unrelated to the Council's directive that came to the Board's attention after the Planning Board Draft Master Plan was approved on September 19. At the October 31, 2013 Planning Board meeting, there was a presentation from Partners for Economic Solutions (PES) on their study of Industrial Land Use in the County. Given the new information in this report, the Board indicated that it would like to revisit a request from the Board of Education (in an August 20, 2013 letter to the Chair; see Attachment 5) to retain the I-1 zoning of Montgomery County Public School's West Farm Bus Depot. The Board of Education's primary concern is that the proposed rezoning will place pressure on MCPS and the County to relocate the bus depot in the future to allow for commercial and residential development, a situation currently occurring with the Shady Grove Transportation Depot near the Shady Grove Metro Station. The Board discussed this matter at the September 4, 2013 worksession and decided to retain the proposed zoning of CR-0.75, C-0.75, R-0.25 H-75 for the bus depot, but added the following language to page 42 of the Planning Board Draft Master Plan:



*The Plan recommends that all properties in this node, including publicly owned land, be rezoned to promote flexibility over the long term. At the same time, the Plan supports the continued operation of public uses in this area with the expectation that existing and future uses can co-exist.*

Staff recommends that the following additional language, mentioned in the PES report, be added to page 42 of the Planning Board Draft: When properties adjoining public uses develop or redevelop, non-residential uses should be oriented toward the existing public uses (including the bus depot and state and federal parcels in this area) in order to buffer the new uses from the existing ones.

Attachment 1: October 2, 2013 Letter from Council President Navarro

Attachment 2: Summary of Options

Attachment 3: Revised Master Plan Implementation and Staging Chapter

Attachment 4: Proposed Subdivision Staging Policy Amendments

Attachment 5: August 20, 2013 Letter from Christopher Barclay, President of the Board of Education

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**MONTGOMERY COUNTY COUNCIL**  
**ROCKVILLE, MARYLAND**

**OFFICE OF THE COUNCIL PRESIDENT**

October 2, 2013

Ms. Françoise M. Carrier, Chair  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Ms. Carrier:

We have received the Draft White Oak Science Gateway Master Plan and appreciate the hard work that has gone into it thus far. However, the consensus of the Council is that we need you to complete the transportation analysis before we can consider the Plan.

The Draft Plan is not in balance between land use and transportation. We ask that you and your staff prepare a package of recommendations that will allow us to approve a balanced plan, and that you have the opportunity to vet them with the White Oak community and stakeholders. If part of the package includes a recommendation to change the traffic standards, then we ask that you concurrently forward a proposed amendment to the Subdivision Staging Policy that would accomplish this.

We believe that this work should continue under the aegis of the Planning Board so that the Council will have the full package of recommendations when it takes up the plan. We cannot approve the zoning without a full understanding of how the proposed transportation system will work. We will request that the Executive Branch work with the Planning Board and staff to resolve the remaining issues as quickly as possible.

It is paramount that we minimize any delay in the adoption of this important plan as we fully address these critical issues. Please advise us of your anticipated schedule for completing the work.

Although we have already announced a public hearing on the Draft White Oak Science Gateway Plan for October 29, we will be advising potential speakers that the Council will not be taking up the plan until this further work is completed, and that we will schedule a second public hearing at that time.

We are eager to move forward with a plan that will provide the White Oak community with more opportunities to live, work, and play locally.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nancy Navarro".

Nancy Navarro  
Council President



**Summary of Options: White Oak Science Gateway Master Plan**

Prepared by the Planning Department

November 2013

Summary of Council Direction

The Planning Board Draft of the White Oak Science Gateway (WOSG) Master Plan was approved by the Planning Board on September 19, 2013 and was officially delivered to the County Council and County Executive on September 20, 2013. Shortly thereafter, the County Council indicated that because the draft Plan is not in land use-transportation balance, additional analysis must be completed before they would consider the Plan. In an October 2<sup>nd</sup> letter from Council President Nancy Navarro to Chair Carrier, the following direction was provided:

- Land use - transportation balance: *We ask that you and your staff prepare a package of recommendations that allow us to approve a balanced plan...We cannot approve the zoning without a full understanding of how the proposed transportation system will work.*
- Subdivision Staging Policy amendment: *If part of the package includes a recommendation to change the traffic standards, then we ask that you concurrently forward a proposed amendment to the Subdivision Staging Policy...*
- Timeframe/Coordination: *We will request that the Executive Branch work with the Planning Board and staff to resolve the remaining issues as quickly as possible. It is paramount that we minimize any delay in the adoption of this important plan as we fully address these critical issues.*

Subsequent to the October 2<sup>nd</sup> letter, in conversations and meetings, the following additional information and direction was relayed:

- The Council does not want the Plan to include any recommendations regarding additional work that will be needed after the Plan is adopted. Specifically, the Council does not want the Plan to include recommendations for a follow-up technical working group. The Council wants all of the issues to be resolved.
- Council staff stated that financing strategies need to come from the Executive, not the Planning Board.
- Planning Department and Executive Branch staff should collaborate and draft options to address these issues.
- Schedule: The Council would like an addendum to the Planning Board Draft to be sent to them by the end of the year or the beginning of 2014 and they want to complete their review of this Master Plan prior to the elections.

In summary, the direction from the Council regarding the Plan is:

- Prepare a package of recommendations that will enable the Council to approve a balanced plan
- Do not include recommendations in the Plan that require follow-up work on any issues
- Work with the Executive Branch to resolve the remaining issues as quickly as possible
- The Plan does not need to address financing of infrastructure, that's the Executive's role



### Background

Achieving land use-transportation balance in White Oak is extremely difficult because:

- The 1997 *White Oak Master Plan* and the 1997 *Fairland Master Plan* are out of balance (and those plans didn't increase density) because the recommended transportation improvements (interchanges) have not been completed.
- The objective of the WOSG Master Plan is to reimagine existing centers and provide incentives to redevelop and reinvest in these areas, while also supporting the County's goal of creating a new life sciences center. (See pages 7, 25 of the Planning Board Draft.)
- There are limited ways to improve transportation capacity and all possible options have been assumed in order to try and achieve balance.

There are two important - but conflicting - policy goals:

- The two policy goals are: 1) achieve the conventional objective that this Master Plan should be in land use-transportation balance at build-out and 2) support the County Executive's economic development objective of creating a life sciences center at Percontee/Site 2 and creating incentives for redevelopment at the other commercial centers.
- The Public Hearing Draft and the Planning Board Draft Master Plan address both the balance and economic development goals by recommending the following:
  - To incentivize redevelopment, the Plan proposes rezoning many properties to the Commercial/Residential (CR) Zone.
  - To ensure there is adequate infrastructure to support the land uses, a variety of transportation improvements and strategies are assumed (BRT, US 29 interchanges, Old Columbia Pike bridge reopened, NADMS target goals).
  - To ensure that development does not proceed prior to the infrastructure to support it, the Plan recommends staging to limit development until there is evidence that major infrastructure is being financed and implemented.

### Achieving Land-Use Transportation Balance

In a case of imbalance, there are three factors to consider - separately or in combination - in order to achieve land use-transportation balance:

- Assume more transportation improvements
- Assume less land use and less density
- Modify the standards

There is consensus (among senior staff of the Planning Department and the Executive Branch) that solving the land use-transportation balance problem should not include reducing proposed densities and zoning. And, as stated above, all reasonable transportation improvements and strategies have been assumed in the previous modeling exercises. In addition, various intersection improvements have been identified that will probably be required when developments undergo Local Area Transportation Review; however, these do not impact the overall land use-transportation balance. If the Council is not inclined to approve a plan that is out of balance, the best possible solution may be to modify the standards.



Options to address the imbalance are summarized below and in the accompanying table, which lists the advantages and disadvantages of each option.

Options to Address Imbalance:

1. Attempt to achieve land use-transportation balance by reducing density and increasing transportation capacity. The four options below require remodeling, which will delay the Plan's consideration by the Council.
  - a. Reduce the Planning Board Draft Plan's proposed zoning recommendations and/or change the mix of uses
  - b. Add transportation infrastructure
  - c. Devise and evaluate some combination of 1a and 1b
  - d. Assume additional transportation strategies, including reclassifying certain roadways to create additional transportation capacity, increasing NADMS requirements, adjusting the mix of uses through staging
2. Modify standards to achieve land use-transportation balance
  - a. Create a new policy area category in the Subdivision Staging Policy with a hybrid TPAR standard.
  - b. Accept the Planning Board Draft; create a hybrid policy area category that achieves balance; retain TPAR, LATR and staging as the regulatory "checks"; delete the tasks that were to be done subsequent to the Master Plan
3. Accept land use/transportation imbalance
  - a. Keep the 1997 Plans in place (recognize they are not in balance)
  - b. Accept the Planning Board Draft; delete the tasks that were to be done subsequent to the Master Plan (the Alternative Implementation Mechanism section); retain TPAR, LATR, and staging to ensure that build-out takes place in a balanced way
  - c. Accept the Planning Board Draft as is with the Alternative Implementation Mechanism



## ATTACHMENT 2

Options		Description	Advantages	Disadvantages
1. Revise land use and transportation recommendations to achieve balance	1a	Reduce proposed zoning in Planning Board Draft	<ul style="list-style-type: none"> <li>Some Council members may be expecting the Department to reduce density to address the imbalance</li> </ul>	<ul style="list-style-type: none"> <li>Reducing land use is complicated, potentially controversial given expectations established to date; little support among stakeholders</li> <li>Not clear that densities can be reduced enough to balance area since it is out of balance now in the current Master Plans</li> <li>Reducing density defeats goal of incentivizing redevelopment</li> <li>Adversely affects potential BRT ridership</li> <li>Requires remodeling and delay</li> </ul>
	1b	Add transportation infrastructure		<ul style="list-style-type: none"> <li>Full range of transportation improvements have already been assumed in modeling; intersection improvements have been identified but are not part of modeling</li> <li>Requires remodeling and delay</li> </ul>
	1c	Devise combination of 1a and 1b		<ul style="list-style-type: none"> <li>Involves remodeling, causes delay, and still may not achieve balance</li> </ul>
	1d	Assume additional transportation strategies		<ul style="list-style-type: none"> <li>Full range of transportation improvements have already been assumed in modeling</li> <li>Additional analysis on specific intersection improvements has been done but does not impact the overall balance</li> <li>Requires remodeling and delay</li> </ul>
2. Modify standards	2a, b	Create a new Policy Area category (see table below) with a hybrid TPAR standard by amending SSP; Retain TPAR, LATR	<ul style="list-style-type: none"> <li>Plan will be in TPAR balance (42%); approach does not cause delay</li> <li>New category supports Plan goal of transforming White Oak from auto-centric to transit-served</li> <li>New hybrid policy area was discussed during SSP</li> <li>Council adopted CTCFMP, providing further rationale for a new category</li> </ul>	<ul style="list-style-type: none"> <li>Assumes US 29 traffic is “discounted” and currently unfunded interchanges are built, which some find objectionable</li> <li>Future work is required to analyze Countywide implications and criteria by which other existing policy areas could be considered for the new category; potential loss in revenue if areas are in balance</li> </ul>



## ATTACHMENT 2

			<ul style="list-style-type: none"> <li>• Additional rationale for new category for White Oak is its potential for 2 or 3 BRT corridors</li> <li>• SSP amendment is drafted and can be sent with Plan when it is resubmitted to Council/Executive</li> </ul>	<ul style="list-style-type: none"> <li>• Some people consider changing standards to be an administrative solution that does not address the problems; area may pass the adequacy test, but the traffic is still a reality</li> </ul>
3.Accept Imbalance	3a	Retain the 1997 Plans	<ul style="list-style-type: none"> <li>• Several other plans have also been out of balance and this is likely to be more prevalent as the County urbanizes</li> </ul>	<ul style="list-style-type: none"> <li>• Does not achieve objectives of a new vision for area or incentives for redevelopment or support for County's land use goals</li> </ul>
	3b	Accept Planning Board Draft but remove Alternative Implementation Mechanism (AIM- pages 96-97; page 52) except one sentence regarding exploring possible funding sources for infrastructure improvements	<ul style="list-style-type: none"> <li>• Removing the AIM text eliminates technical work group and a post-Plan product the Council objects to</li> <li>• Infrastructure cost estimates are not atypical; no need to create alternative financing mechanism</li> <li>• Staging plan helps match development with infrastructure</li> <li>• Plan can reference SSP amendments</li> </ul>	<ul style="list-style-type: none"> <li>• Executive Branch staff agree to removal of the AIM section but they still have concerns about staging</li> </ul>
	3c	Accept the Planning Board Draft as is with the AIM text		<ul style="list-style-type: none"> <li>• Does not address the stated reason for sending the Plan back or the concerns regarding post-Plan approval tasks</li> <li>• Tacit acceptance of one developer's concern that customary regulatory procedures and payments are too onerous and new mechanisms need to be created</li> </ul>



## ATTACHMENT 2

EXISTING POLICY AREAS with PROPOSED NEW <i>HYBRID</i> POLICY AREA		
Policy Area Category	CLV Congestion Standard	Policy Area
Urban	1800	Metro Station Policy Areas: Bethesda, White Flint, Grosvenor, Shady Grove, Twinbrook, Rockville Town Center, Friendship Heights, Silver Spring, Wheaton, Glenmont
	1600	Bethesda/Chevy Chase, Silver Spring/Takoma Park, Kensington/Wheaton, Germantown Town Center
	1550	North Bethesda
	1500	Rockville City
<b>Suburban Transit Corridor</b>	1475	<b>White Oak</b> <b>Fairland/White Oak</b>
Suburban	1475	<del>Fairland/White Oak</del> , Aspen Hill, Derwood
	1450	Cloverly, Olney, Potomac, North Potomac, R&D Village
	1425	Clarksburg, Germantown West, Germantown East, Montgomery Village/Airpark, Gaithersburg City
Rural	1400	Damascus
	1350	Rural East, Rural West



## IMPLEMENTATION AND STAGING

### Staging Overview

Growth and change must be managed and timed with the delivery of the infrastructure necessary to support it. Transforming the White Oak area requires a transit and road network that will support increased densities and changes to the built environment and mix of uses over a long period of time. This Plan seeks to guide future public and private investment and development in a manner that meets the area's needs thereby collectively benefitting and enhancing the communities of White Oak. This Plan's staging recommendations address the timing of development in relation to the infrastructure needed to support it.

The Subdivision Staging Policy (SSP) is used to establish the policies and procedures for administration of the Adequate Public Facilities Ordinance (APFO), which, as of the time of this Plan, involves three tests for adequacy: Transportation Policy Area Review (TPAR), Local Area Transportation Review (LATR), and the Public Schools Facilities Test. The goal of the APFO is to ensure that transportation and school facilities have sufficient capacity for the Planning Board to approve specific projects during the regulatory approval process. The 2012-2016 SSP concluded that the Fairland/White Oak Policy Area (which covers this Plan area and most of the eastern County) has inadequate roadway transportation capacity conditions. Under the current regulatory procedures, any new development in this area must fully mitigate the incremental traffic impact by adding capacity, implementing a trip reduction program, or making a transportation mitigation payment that would contribute toward an eventual improvement addressing the particular inadequacy.

In addition to the APFO requirements in the SSP, this Plan recommends staging to ensure that infrastructure, particularly BRT, and other mechanisms to reduce single-occupant vehicle travel, are in place before significant amounts of development (i.e., beyond Stage 1) are allowed to proceed in the three activity centers where the bulk of development is anticipated. Outside of the three centers, development is not subject to the Master Plan staging. Staging helps achieve the desired level of growth and ensures that the transportation network is sufficient to accommodate the next phases of growth. This Plan calls for staging development tied to infrastructure and transportation management goals (see Table 6).

Experience shows that the full density allowed by zoning is rarely built, and certainly not all at once. Market demand and absorption rates are two of the limiting factors. Therefore, the maximum potential development of the zoning proposed in this Plan is almost certain to be more density than will be used over the life of the Plan. Keeping track of the actual development that occurs will be particularly important to assess how the area is developing, the need for and programming of infrastructure, and whether the vision is being achieved. These issues will be tracked by a biennial monitoring program, as discussed below. This Plan may need to be amended if transit and road infrastructure are not being programmed and constructed.



This Plan recommends that the County create a new White Oak Policy Area that is coterminous with the boundaries of the Master Plan area. The SSP will need to be amended to include this new policy area. ~~The new policy area's goals, including more specific non-auto driver mode share (NADMS) targets, should be included in the SSP amendment and should reflect the creation of an alternative implementation mechanism, as described below.~~

### **Alternative Implementation Mechanism**

~~This Plan recommends that an alternative implementation mechanism be developed that could replace the customary Adequate Public Facility Ordinance (APFO) review process and/or transportation impact taxes, in whole or in part. This Plan will be implemented over a long period of time, on a property-by-property basis, through a combination of public and private initiatives such as redevelopment and upgrading of private properties; public projects funded through Federal, State, and County Capital Improvement Programs; and public/private partnership projects. In addition to these implementation methods, other sources for funding infrastructure improvements may need to be pursued, such as a development district, a transportation impact tax, or a special benefit assessment. This Plan recommends that County and State agencies explore the full range of tools that might be available to implement this Plan.~~

~~Achieving this Plan's vision will be challenging given the scale, type, and cost of the transportation infrastructure necessary to support future development. The Plan recommends that an alternative implementation mechanism be developed that would identify solutions to these challenges. The goals of the alternative implementation mechanism should include reducing single-occupant vehicle trips, providing sureties to ensure the achievement of NADMS targets, and creating an alternative to the standard APFO review process for private financing of transportation infrastructure. Applicants would have the option to either follow the regular development process or utilize the alternative implementation mechanism.~~

~~Once this Master Plan is approved and adopted, the County Council should establish a Technical Work Group (TWG) to devise and work out the details of an alternative implementation mechanism that will help achieve the Plan's goals and vision. The TWG should include all relevant public and private sector stakeholders involved with implementing the Master Plan (including the Planning Department, County and State agencies, property owners, and the local community). The County Council should direct that, within nine months of its formation, the TWG produce an alternative implementation mechanism for the Planning Board to evaluate as part of an SSP amendment, which will be considered by the County Council.~~

~~Any alternative implementation mechanism must involve County and State or Federal partnerships with the private sector and should, at a minimum, include the following elements:~~

- ~~• An equitably shared transportation funding program that adequately finances the necessary infrastructure improvements and creates alternatives that will encourage non single-occupant vehicle trips.~~



- ~~An adequate infrastructure financing and construction phasing plan to ensure planning, design, and construction of the transportation infrastructure needed to serve the new development in a timely manner, as well as a procedure for allocating implementation costs to individual projects.~~
- ~~A requirement that each new project or any redevelopment within the Plan area achieve a minimum 30 percent NADMS at full build-out. For phased development projects, prior to full build-out, at specified phases of the project, the developer should commit to a graduated NADMS goal at the time of regulatory approval, with implementation guaranteed by adequate sureties. For smaller, or single-phase, projects the TWG should propose an appropriate NADMS target and/or methods for smaller projects to participate most effectively in the White Oak Transportation Management District.~~
- ~~An independent and comprehensive monitoring and verification program to track NADMS at all development phases and ensure timely delivery of the transportation infrastructure.~~
- ~~All funding from the alternative implementation mechanism should go toward transit that improves mobility and increases NADMS in the Plan area.~~

### Staging Requirements

Within the Plan area, there is currently about 11 million square feet of existing commercial development and half of this amount, 5.5 million, consists of the FDA's headquarters facility on New Hampshire Avenue and the Army's Adelphi Laboratory Center on Powder Mill Road at the County line. Approximately 3.4 million commercial square feet are in the Life Sciences/FDA Village Center area; another one million is in the White Oak area, half of which consists of retail uses at the White Oak Shopping Center; and there are 750,000 square feet of commercial space in Hillandale, including the shopping center, several office buildings, and the National Labor College. There are 7,118 existing dwelling units in the Plan area, of which 4,858 are multi-family and 2,260 are single-family (includes townhouses).

There is just over one million square feet of approved, un-built development in the "pipeline," most of which is Washington Adventist Hospital (about 802,000 square feet). The remaining approved, un-built development (225,000 square feet) was allocated by the original West Farm preliminary plan to two adjacent sites on Plum Orchard Drive that are now publicly-owned, the SHA maintenance facility and the United States Postal Service distribution center. Table 5 summarizes existing development, COG forecast development, and this Plan's alternative development scenario.

Through the 1990 *Trip Reduction Amendment to the 1981 Eastern Montgomery County Master Plan*, trip reduction restrictions were placed on certain properties in the Cherry Hill Road Employment Area. This Plan supports the removal of those restrictions so these property owners are not at a disadvantage relative to other developers in the area. Property owners who executed voluntary trip reduction agreements with the Planning Board may take action to have these restrictions removed from the land records.



**Table 5 Existing and Potential Development**

	Existing	Existing & Approved	2040 COG (adjusted)	2012 Master Plan Scenario*
Commercial (sf)	11,187,298	12,000,000	15,854,064	25,434,851
Single-Family dus	2,260	2,260	2,404	2,785
Multi-Family dus	<u>4,858</u>	<u>4,858</u>	<u>5,194</u>	<u>12,903</u>
Total Dwelling Units	7,118	7,118	7,598	15,688
Jobs	27,688	31,168	40,063	70,312
Plan Area J/H ratio	3.8/1	4.3/1	5.2/1	4.4/1

\*Reflects densities from February 2012 traffic modeling; does not reflect the maximum potential densities allowed by the Plan's full recommended zoning.

### Stage 1

Stage 1 allows for approval of an additional 4 million square feet of new commercial and/or residential development, which reflects the zoning capacity of the portions of the two 1997 Master Plans that this Plan amends, and is the approximate amount of development in the adjusted COG forecast (see Table 5).

11 million square feet existing commercial development

1 million approved, un-built (pipeline) commercial development

4 million square feet of additional new commercial or residential development

16 million square feet total Stage 1 development

In Stage 1, the Plan recommends allocating development to each of the three major nodes in recognition of the importance of the individual centers of White Oak, Hillandale, and Life Sciences/FDA Village in successfully achieving this Plan's vision. In Hillandale and White Oak, the ability to add housing in places now exclusively devoted to commercial activity offers a potentially significant redevelopment incentive. In the Life Sciences/FDA Village Center, where redevelopment has already been established as an important County public policy, emphasizing non-residential development in the initial stages appropriately supports that policy.

Development projects will be required to demonstrate how they are addressing the Plan vision and how the Plan's urban design guidelines (regarding areas such as building relationships, compatibility, and public spaces) for the particular center are being achieved. While the three centers are allocated a total of 6 million square feet, no more than 4 million square feet may be developed in the Plan area in Stage 1. For example, if the White Oak and Hillandale centers receive building permits with 500,000 square feet of new development in each area, there would be 3 million square feet available in the Life Sciences/FDA Center during Stage 1. Or, if the White Oak and Hillandale centers receive building permits totaling 750,000 square feet in each center, there would be 2.5 million square feet available in the Life Sciences/FDA Village Center during Stage 1.



The 4 million square feet of additional new development available in Stage 1 will be geographically allocated to each of three areas (with new development density allocated at the time a building permit is issued) as follows:

- *White Oak Center* will have up to 1.5 million square feet for either commercial or residential development or a mix of commercial and residential uses per the recommended zoning.
- *Hillandale Center* will have up to 1.5 million square feet for either commercial or residential development or a mix of commercial and residential uses per the recommended CR zones.
- *Life Sciences/FDA Village Center* will have up to 3 million square feet of commercial or a combination of commercial and residential development, with residential development limited to a maximum of 1 million square feet.

The Planning Board may approve a development that does not conform to the above geographical allocation if development activity at the respective Centers proceeds at an uneven pace such that restricting development to these geographical distributions is not in the public interest. If, for example, there are development projects in the Life Sciences/FDA Village Center that exceed the 3 million square feet allocated to that area in Stage 1 and, at the same time, there is no proposed development in the other centers, the Planning Board could decide to allow more than 3 million square feet, but no more than the total of 4 million square feet in Stage 1.

In addition, if a Preliminary Plan in one of the major activity centers - that is existing and valid when the Plan is approved - expires during the course of Stage 1, the development capacity associated with it becomes available to the major activity center it is in. All of the pipeline development in the Plan area is in the Life Sciences/FDA Village Center and consists primarily of the approval for Washington Adventist Hospital. Currently, this approved, un-built project is part of the 12 million square feet of existing and approved development in Stage 1. If the hospital's Preliminary Plan expires, this amount of development would shift from the category of existing and approved development to the category of additional new development in the Life Sciences/FDA Village Center, while the total in Stage 1 would remain the same.

A biennial monitoring report will be produced by the Planning Department during the spring of odd-numbered years, starting in 2017. It will include a section describing any recommended amendments to existing Project Description Forms (PDFs) in the CIP or new PDFs to be added to the subsequent biennial CIP (developed for public hearing in the spring of even-numbered years). This monitoring report could also address whether any changes to the Subdivision Staging Policy (SSP) or Master Plan staging are needed, a particularly important element considering that the SSP and this Master Plan cannot anticipate the full range of circumstances that will arise in the future. The Planning Board and County Council may consider changes to



the SSP at any time (i.e., they need not wait for a biennial review), but they must consider the performance of the SSP at the time of the biennial review.

Before Stage 1 begins, all of the following must occur:

- Approve and adopt the Sectional Map Amendment (SMA).
- Create a new Policy Area (a subset of the Fairland/White Oak Policy Area) using the boundaries of the Plan area, but retain the CLV congestion standard for the new Policy Area at 1475.
- Establish and fund a White Oak Transportation Management District (TMD) coterminous with the Master Plan boundaries.
- Develop a monitoring program within 12 months of adopting the Sectional Map Amendment.
  - The Planning Board must develop a biennial monitoring program that includes periodic assessment of development approvals, public facilities and amenities, the status of new facilities, and the CIP and SSP as they relate to the White Oak area. The program must include a Comprehensive Local Area Transportation Review (or comparable analysis) that will identify and recommend for Council approval and action specific projects and services necessary to promote adequate transportation service. The program should include a regular assessment of the staging plan and determine if any modifications to the Master Plan or SSP are necessary. The biennial monitoring report must be submitted to the Council and Executive prior to the development of the biennial CIP.
  - The Planning Board must establish an advisory committee of property owners, residents and interested groups that are stakeholders in the redevelopment of the Plan area, as well as representatives from the Executive Branch, to evaluate the assumptions made regarding congestion levels and transit use. The committee's responsibilities should include monitoring the Plan recommendations, identifying new projects for the Amenity Fund, monitoring the CIP and SSP, and recommending action by the Planning Board and County Council to address issues that may arise.
- Document the baseline non-auto driver mode share (NADMS) for the new policy area through monitoring and traffic counts.

## **Stage 2**

16 million square feet of Stage 1 development

+5 million square feet of Stage 2 additional new commercial development

+2000 - Total Stage 2 additional residential dwelling units

Before Stage 2 begins, the following must occur:

- The County Council must increase the CLV congestion standard for the new Policy Area that was created in Stage 1 to 1600 (which is the current standard in Bethesda/Chevy Chase, Kensington/Wheaton, Silver Spring/Takoma Park and the Germantown Town Center).



In addition, before Stage 2 begins, mobility enhancements must be achieved and must include programming of one of the following infrastructure improvements:

- BRT on US 29 from the Silver Spring Transit Center to the Burtonsville Park and Ride Station must be fully funded for implementation and construction within the first six years of the County's CIP or the State's Consolidated Transportation Program (CTP).  
OR
- BRT on New Hampshire Avenue from US 29 to the Takoma/Langley Transit Center must be fully funded for implementation and construction within the first six years of the County's CIP or the State's Consolidated Transportation Program (CTP).  
OR
- Mobility improvements identified by the most recent biennial monitoring review that provide transit capacity equivalent to one of the BRT segments listed above must be fully funded for implementation and construction within the first six years of the County's CIP or the State's Consolidated Transportation Program (CTP).  
OR
- Development can proceed beyond Stage 1 if all Stage 1 development has received a use and occupancy permit and, based on a comprehensive mobility assessment by the Planning Department and Planning Board, the County Council decides through an SSP amendment that mobility is adequate to support some or all of the Stage 2 development.

### **Stage 3**

21 million square feet of Stage 1 and Stage 2 development

+ Any additional development allowed by zoning

Before Stage 3 begins, all of the following must occur:

- The three activity centers (see Map 5 on page 27) have attained on average at least 25 percent NADMS for all redevelopment and new development, as confirmed by the White Oak Transportation Management District.
- BRT on US 29 must be operating from the Silver Spring Transit Center to the Burtonsville Park and Ride Station (alone or in combination with the New Hampshire Avenue BRT described in Stage 2 above).
- If BRT on New Hampshire Avenue from the Colesville Park and Ride Station to the Takoma/Langley Transit Center has not yet been programmed, it must be fully funded for implementation and construction within the first six years of the County's CIP or the State CTP.
- Mobility improvements identified by the most recent biennial monitoring review that provide transit capacity equivalent to one of the BRT segments listed above must be fully funded for implementation and construction within the first six years of the County's CIP or the State's Consolidated Transportation Program (CTP).



**Table 6 Staging Plan Summary**

<b>Stage 1</b> 4 million sf commercial or residential development	<b>Stage 2</b> 5 million sf commercial 2000 dwelling units	<b>Stage 3</b> remaining development allowed by zoning
<b>PREREQUISITES TO EACH STAGE</b>		
Approve SMA	Raise WOSG Policy Area CLV to 1600	US 29 BRT is operational
Develop monitoring program	Fund US 29 BRT <b>OR</b>	Fund New Hampshire Avenue BRT if this did not occur in Stage 2
Establish and fund White Oak TMD	Fund New Hampshire Avenue BRT <b>OR</b>	Mobility improvements that provide equivalent capacity to BRT are fully funded for construction
Create new WOSG Policy Area	Mobility improvements that provide equivalent capacity to BRT are fully funded for construction <b>OR</b>	Three activity centers have attained on average at least 25% NADMS
Document NADMS	After a comprehensive mobility assessment, if the Council decides through an SSP amendment that mobility is adequate, and all Stage 1 development has use and occupancy permits, development can proceed	

Development capacity in each stage will be allocated at building permit (rather than at Preliminary Plan) through a Staging Allocation Request (SAR).

### **Sectional Map Amendment**

Following the Plan's approval by the County Council and adoption by The Maryland-National Capital Park and Planning Commission, a Sectional Map Amendment (SMA) will apply the Plan's recommended zoning to the official zoning map of the County.

### **Design Guidelines**

The Planning Board will approve design guidelines that will help guide developers, the community, and staff in implementing the Plan.

### **Public Benefits in the CR Zone**

The CR Zone has two development methods: standard and optional. The standard method allows up to 0.5 FAR in the CR Zone and up to 1.0 FAR in the CRT Zone and requires compliance with a specific set of development standards. The optional method allows for greater density and height but requires projects to provide public benefits to achieve the incentive density above the standard method density. The additional optional method density may be achieved through a series of incentive increases that can be combined to achieve the



maximum allowable density. Public benefits provided under the optional method are drawn from among seven categories outlined in the Zoning Ordinance.

The following list of public benefits should be considered priorities during project development and review of optional method projects in the CR Zone within the boundaries of this Plan. This list is not mandatory nor does it preclude consideration of other benefits listed in the CR Zone to achieve the maximum permitted FAR. The requested benefits should be analyzed to make sure that they are the most suitable for a particular location, are consistent with the Plan's vision, and that they will satisfy the changing needs of the area over time. When selecting these benefits, the Planning Board should consider community needs as a determining factor.

- Major public facilities
  - Bus Rapid Transit
  - Bus circulator to connect centers to BRT stations
  - Elementary school
  - Parks and Trails
- Transit proximity
- Connectivity between uses, activities, and mobility options
  - Trip mitigation
  - Neighborhood Services
  - Streetscape
  - Way-finding
- Diversity of uses and activities
  - Affordable Housing
  - Dwelling Unit Mix
  - Care Centers
- Quality building and site design
  - Structured Parking
  - Public Open Space
- Protection and Enhancement of the Natural Environment
  - Energy Conservation and Generation
  - Tree Canopy

### **County Capital Improvements Program**

The Capital Improvements Program (CIP), which is funded by the County Council and implemented by County agencies, establishes how and when construction projects are completed. The CIP cycle starts every two years when regional advisory committees and the M-NCPPC hold forums to discuss proposed items for the six-year CIP. This Plan's land use and staging recommendations will require the inclusion of the following projects as elements of the CIP. Some projects may include private sector participation.

In the Plan area, priority should be given to the following CIP projects:

- bus rapid transit (as described in this Plan's staging element)
- reconstructing the Old Columbia Pike bridge over the Paint Branch



- a new elementary school, if needed
- routes and facilities in the proposed bike and trail network, particularly the shared use loops in the Life Sciences/FDA Village Center and in the White Oak Center, including the proposed connection to FDA.



ATTACHMENT 4

Resolution No: \_\_\_\_\_  
Introduced: November 13, 2012  
Adopted: November 13, 2012

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Council President at the request of the Planning Board

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**SUBJECT:** 2012- 2016 Subdivision Staging Policy

**Background**

1. County Code §33A-15 requires that no later than November 15 of the second year of a Council's term, the County Council must adopt a Subdivision Staging Policy to be effective until November 15 of the second year of the next Council term, 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, 2012, in accordance with §33A-15, the Planning Board transmitted to the County Council its recommendations on the 2012-2016 Subdivision Staging Policy. The Final Draft Subdivision Staging Policy, as submitted by the Planning Board, contained supporting and explanatory materials.
3. On September 18, 2012, the County Council held a public hearing on the Subdivision Staging Policy.
4. On September 24 and October 8, 15, and 18, 2012, the Council's Planning, Housing, and Economic Development Committee conducted worksessions on the recommended Subdivision Staging Policy.
5. On October 23, and November 5 and 6, 2012, the Council conducted worksessions on the Subdivision Staging 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.



Resolution No. \_\_\_\_\_

### **Action**

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

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

### **Applicability; transition**

#### **AP1      Effective dates**

This resolution takes effect on January 1, 2013, 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, 2012.

#### **AP2      Transition**

For any complete application for subdivision approval submitted before January 1, 2013, the applicant may meet its requirements under **TP Transportation Policy Area Review** by either complying with all applicable requirements of **Transportation Policy Area Review** under this resolution or all applicable requirements of **Policy Area Mobility Review** that were in force immediately before this resolution was amended in 2012. The applicant must decide, by the later of March 1, 2013, or 30 days after the Planning Board adopts guidelines to administer **Transportation Policy Area Review**, which set of requirements will apply to its application.

### **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 Subdivision Staging 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 Subdivision Staging Policy are based primarily on the public facilities in the approved FY 2013-18 Capital Improvements Program (CIP) and the Maryland



Department of Transportation FY 2012-17 Consolidated Transportation Program (CTP). The Council also reviewed related County and State and Federal 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 staged growth limits, which properly relate to the ability of the County to program and construct facilities necessary to accommodate growth. These growth stages will substantially advance County land use objectives by providing for coordinated and orderly development.

These guidelines are intended to be used as a means for government to fulfill its responsibility to provide adequate public facilities. Quadrennial review and oversight, combined with periodic monitoring by the Planning Board, allows the Council to identify problems and initiate solutions that will serve to avoid or limit the duration of any imbalance between the construction of new development and the implementation of transportation improvements 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 Subdivision Staging Policy guidelines, the guidelines in the adopted master plan or sector plan must be used to the extent that they are more restrictive. The Subdivision Staging 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 on their transportation characteristics, these zones 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. Each policy area is categorized as ~~either~~ Urban, Suburban Transit Corridor<sup>1</sup>, Suburban, or Rural. The policy areas in effect for 2012-2016 are:

Urban: Bethesda CBD Metro Station Policy Area (MSPA), Bethesda-Chevy Chase, Derwood, Friendship Heights MSPA, Glenmont MSPA, Grosvenor MSPA, Kensington/Wheaton, North Bethesda, Rockville City, Rockville Town Center, Shady

<sup>1</sup> As defined by the character of transit service described in the Countywide Transit Corridors Functional Master Plan.



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Grove MSPA, Silver Spring CBD MSPA, Silver Spring/Takoma Park, Twinbrook MSPA, Wheaton CBD MSPA, and White Flint MSPA.

Suburban Transit Corridor: Fairland/White Oak and White Oak.

Suburban: Aspen Hill, Clarksburg, Cloverly, Damascus, Fairland/White Oak, Gaithersburg City, Germantown East, Germantown Town Center, Germantown West, Montgomery Village/Airpark, North Potomac, Olney, Potomac, and R&D Village.

Rural: Rural East and Rural West.

The boundaries of the policy areas are shown on maps 2-34.

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 Transportation Policy Area Review (TPAR)**

**TP2.1 Components of Transportation Policy Area Review**

There are two components to Transportation Policy Area Review: *Roadway Adequacy* and *Transit Adequacy* for each policy area.

**TP2.1.1 Roadway Adequacy**

*Roadway adequacy* 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 2010 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. The travel speed reflects the projected travel demand in 10 years on a transportation network that includes both the existing network of roads and transit facilities and any road or transit facility funded for completion within 10 years in an approved state, county, or municipal capital improvements program for which construction is funded to begin within 6 years. 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 excluding 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. The travel speeds are calculated in the peak direction during the PM peak hour, which presented the worst condition in the analysis.



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### Roadway Travel Speed and Arterial LOS

<i>If the actual urban street travel speed is</i>	<i>TPAR Arterial LOS is</i>
At least 85% of the free-flow speed	A
At least 70% of the highway speed	B
At least 50% of the highway speed	C
At least 40% of the highway speed	D
At least 30% of the highway speed	E
Less than 30% of the highway speed	F

The following standards are established to assess the level of roadway adequacy for the purposes of Transportation Policy Area Review:

### Standards of Acceptable Roadway Average Level of Service

<b>Policy Area Categories</b>	<b>Acceptable Weighted Arterial Level of Service</b>
Urban	Borderline between Levels of Service “D” and “E” in peak directions
<a href="#">Suburban Transit Corridor</a>	<a href="#">Mid-way between Urban and Suburban Policy Area Levels of Service in peak directions</a>
Suburban	Mid-Level of Service “D” in peak directions

TPAR 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, TPAR indirectly measures freeway congestion to the extent that travelers choose local roadways over congested freeways.

#### TP2.1.2 Transit Adequacy

Transit Adequacy is based on the use of measures of three transit service performance factors for combined Ride-On and Metrobus service using the arterial roadway network in the County. It is based on and consistent with the performance factors defined in the 2003 *Transit Capacity and Quality of Service Manual* published by the Transportation Research Board. The three transit service performance factors are: (1) coverage, which indicates how close service is to potential users; (2) peak headway, which indicates how frequent the scheduled service is so as to be convenient to users; and (3) span of service, which indicates over what time duration during a typical weekday the service is available to potential users. Transit Adequacy is determined by comparing bus route coverage, scheduled headways and actual hours of operation based on 2011 data to established standards, as illustrated in the table below.



Transit Adequacy Standards			
	Minimum Coverage	Maximum Headway	Minimum Span
Urban	≥80%	≤14 minutes	≥17 hours
<a href="#">Suburban Transit Corridor</a>	≥75%	≤17 minutes	≥15 hours
Suburban	≥70%	≤20 minutes	≥14 hours

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## TP2.2 Conducting Transportation Policy Area Review

### TP2.2.1 Geographic Areas

In conducting Transportation Policy Area 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 Germantown Town Center and Germantown West policy areas are treated as a single policy area. [The White Oak and Fairland/White Oak 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.

Any proposed development in a Metro Station policy area is exempt from the transit adequacy test. Any proposed development in the Rural East or Rural West policy area is exempt from the roadway and transit adequacy tests.

Any proposed development located in the White Flint Metro Station policy area is exempt from Transportation Policy Area Review if that development, as a condition of approval of a preliminary plan of subdivision, is required to provide substantial funds to the Special Tax District created to finance transportation improvements for that Policy Area. However, the traffic impact of any development in that policy area must be considered in any Transportation Policy Area Review calculation for any development that is not exempt under this paragraph where that impact would otherwise be considered.

#### TP2.2.2 Determination of Adequacy



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Each even-numbered year, not later than July 1, the Planning Board must evaluate roadway and transit adequacy for each policy area. At any time between these assessments, the Planning Board may revise its evaluation to reflect a material change in a state, county, or municipal capital improvements program. If the Planning Board revises its measure of adequacy during a fiscal year because of a material change in transportation capacity, that revision must be used during the rest of that fiscal year in reviewing subdivision applications.

Using a transportation planning model, the Planning staff must compute the relationship between the programmed set of transportation facilities and the forecast growth in households and employment, using the Cooperative Regional Forecast. The traffic model tests this forecast growth for its traffic impact, comparing the resulting directional traffic volume, link speed, and distribution to the roadway level of service standard for each policy area. Any policy area that does not achieve the level of service standards specified in **TP2.1.1** is inadequate for roadways. Any policy area that is inadequate for roadways, for transit, or for both is inadequate for transportation.

An applicant for a preliminary plan of subdivision need not take any action under Transportation Policy Area Review if the proposed development will generate 3 or fewer peak-hour trips.

The Planning Board may adopt Transportation Policy Area Review guidelines and other technical materials to further specify standards and procedures for its adoption of findings of policy area adequacy or inadequacy.

The transportation planning model considers all forecast development and all eligible programmed transportation CIP projects. For these purposes, "forecast development" includes all households and employment forecast by the Cooperative Regional Forecast. "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 10 years of the applicable program and for which construction is funded to begin within 6 years.

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 10 years of the County or State capital improvements program and for which construction is funded to begin within 6 years.

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.

### **TP3        Imposition of Transportation Mitigation Payment**

If projected transportation capacity in a policy area is not adequate, the Planning Board may approve a subdivision in that area if the applicant commits to either: (1) fully mitigate the incremental traffic



impact of the subdivision by adding capacity or implementing a trip reduction program; or (2) pay a Transportation Mitigation Payment as provided in County law.

If an MSPA is located in an Urban area that does not meet the Roadway Test standard, the Transportation Mitigation Payment is equal to 25% of the MSPA transportation impact tax for that subdivision. If any other policy area does not meet either the Roadway Test or Transit Test standard, the Transportation Mitigation Payment is equal to 25% of the General District transportation impact tax for that subdivision. If any other policy area that is not otherwise exempt does not meet both the Roadway Test and Transit Test standards, the Transportation Mitigation Payment is equal to 50% of the General District transportation impact tax for that subdivision.

Table 1 shows the adequacy status for each policy area from January 1, 2013 - July 1, 2014.

#### **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 Subdivision Staging 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 Subdivision Staging 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 vehicular traffic congestion is permitted in policy areas with greater transit accessibility and usage. Table 2 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 vehicle 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.



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In administering Local Area Transportation Review for any project that would generate 50 or more peak hour vehicle trips, the Planning Board must not approve a subdivision if it finds that unacceptable peak hour congestion levels 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 6 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 for 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.



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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.

The Planning Board may adopt administrative guidelines that allow use of Highway Capacity Manual 2010 methodologies and standards for "delay" and queuing analysis at intersections operating at or above a 1600 Critical Lane Volume threshold to determine the level of intersection congestion.

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 quadrennial Subdivision Staging 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.



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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 an 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.

If an approved subdivision already has constructed or participated in the construction of off site improvements to accommodate its peak hour trips, based on the LATR requirements the Board imposed when it approved a preliminary subdivision plan, and if the subdivision later converts one or more approved uses or reduces its size so that the subdivision generates fewer peak hour trips than estimated when the Board imposed the LATR requirements, the trip mitigation agreement must reduce the subdivision's peak hour trip mitigation requirement by one trip for each peak hour trip that the subdivision would no longer generate. If the conversion of all or part of a subdivision from one use to another would cause a different trip distribution or would place new or different burdens on one or more intersections, and if the subdivision is otherwise required to do so, the subdivision must construct or contribute to improvements specified by the Board to mitigate that result.

#### **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.

Any proposed development located in the White Flint Metro Station Policy Area is exempt from Local Area Transportation Review if the development will be required to provide substantial funds to the Special Tax District created to finance master-planned public improvements in that Policy Area. However, the traffic impact of any development in that Policy Area must be considered in any Local Area Transportation Review calculation for any development elsewhere where it would otherwise be considered.

#### **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; (j) River Road at Falls Road; (k) Falls Road at Democracy Boulevard; and (l) River Road at Seven Locks Road.



**TL4 Unique Policy Area Issues**

**TL4.1 Silver Spring CBD Policy Area and Transportation Management District**

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 2 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% 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



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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.

**TL4.2. North Bethesda TMD**

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

**TL4.3 Bethesda TMD**

In the Bethesda Transportation Management District, the goal is 37% non-driver mode share for workers.

**TL4.4 Friendship Heights TMD**

In the Friendship Heights Transportation Management District, the goal is 39% non-driver mode share for workers.

**TL4.5 Greater Shady Grove TMD**

In the Shady Grove Policy Area, the goal is a transit ridership goal of 35% for residents in the Shady Grove Policy Area, 25% for residents elsewhere in the Sector Plan, and 12.5% for employees of office development traveling to work.

Each development that receives preliminary plan approval in the Shady Grove Metro Station Policy Area and generates at least 100 additional peak-hour vehicle trips, other than pass-by trips, must enter into a Traffic Mitigation Agreement (TMAg). The trip mitigation requirement for this Agreement is 50% of the residential-related vehicle trips and 65% of the non-residential-related vehicle trips that would otherwise be expected, based on countywide trip generation rates before any applicable deduction, such as proximity to a Metrorail station. The breakdown in the reduction of trips should be identified in the Agreement. County-owned property in the Shady Grove Policy Area must enter into a TMAg on all new development or redevelopment, with no deduction of existing trips.

**TL4.6 White Oak TMD**

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In the White Oak policy area, a 25% non-auto driver mode share (NADMS) must be attained in the three activity centers (see Map 35) as confirmed by the White Oak Transportation Management District before Stage 3 begins.



**TL4.67 Great Seneca Science Corridor Master Plan**

In the Great Seneca Science Corridor, an 18% non-auto driver mode share (NADMS) must be attained before Stage 2 begins, a 23% NADMS must be attained before Stage 3 begins, and a 28% NADMS must be attained before Stage 4 begins.

**TL 4.78 White Oak Science Gateway Master Plan**

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In recognition of the potential for significant BRT service in the White Oak Science Gateway Master Plan area, the categorization of the parent Fairland/White Oak policy area as a “Suburban Transit Corridor” area in the application of TPAR is appropriate. With the adoption of the Countywide Transit Corridors Functional Master Plan, it may be appropriate to categorize other policy areas in a similar manner. This determination will be made in the context of the next scheduled comprehensive update of this Subdivision Staging Policy.

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**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 Transportation Policy Area 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, and provide a surety document to ensure that the reduction of trips in fact takes place;
- 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**



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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.

**TA3 Automobile related uses in the Cherry Hill Employment Area**

For any property located in the Cherry Hill Employment Area with automobile repair, service, sales, parking, storage, or related office uses:

**TP Transportation Policy Area Review** and **TL Local Transportation Review** are not required.

This provision applies to any application for a preliminary plan of subdivision, site plan, or building permit approved before July 26, 2016.

**TA4 Public Facility Project**

An applicant for a development which will be built solely as a public facility (such as a school, firehouse, police station, or library) need not take any action under **TP Transportation Policy Area Review** or **TL Local Area Transportation Review** when it undergoes a mandatory referral review by the Planning Board.

**TA5 Affordable Housing**

The provision of affordable housing in the County is crucial to providing long lasting reductions to regional congestion. Long distance trips affect the County's traffic in many parts of our community. The provision of affordable housing is a fundamental element of the County's General Plan and part of the County's economic development strategy. All trips generated by any moderately priced dwelling unit (MPDU) and any other low- and moderate-income housing which is exempt from paying a development impact tax must also be exempt from any TPAR payment.

**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 a fiscal year 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 2013 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, 2012, to July 1, 2013. 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 2013 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, 2012, to July 1, 2013. 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



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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 is inadequate in any cluster, the Planning Board may nevertheless approve a subdivision in that cluster without requiring a School Facilities Payment if the subdivision consists solely of housing and related facilities for elderly or handicapped persons or housing units located in the age-restricted section of a planned retirement community.

**S7 De Minimis Development**

If public school capacity is 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 1-3), 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.



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

### **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 non-auto driver trips by employees of a proposed development must be at least the following percentage greater than the prevailing non-auto driver mode share of comparable nearby land use:

<b>In Policy Areas With LATR CLV Standard of</b>	<b>Required Percentage Greater Than Prevailing Non-Auto driver Mode Share</b>
1800 and 1600	100%
1550	80%
1500	60%
1475 and 1450	40%

LATR CLV standards for each policy area are shown on Table 2.

- (2) The portion of peak-period non-auto driver 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 non-auto driver mode share; conducting new studies, as necessary, of non-auto driver mode share; and identifying the prevailing base non-auto driver 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 non-auto driver 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).
- (7) As noted in paragraph (5), traffic mitigation agreements are used to assure compliance with reductions in traffic generation from a subdivision, or to achieve non-auto driver mode share goals specified in approved master or sector plans. The Director of Transportation must determine whether a security instrument is required to assure completion and continuation of



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the elements of a traffic mitigation agreement. When the Director so finds, the Department must require a security instrument to be attached to an agreement. Each security instrument must be held by the Department until performance of each element of the agreement has been satisfied. If the developer or its successor is unable to satisfactorily perform each element of an agreement as specified therein, the security instrument must be forfeited and the Department may retain the funds to operate a program to satisfy the agreement's goals.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council



**Table 1- Results of TPAR Test, January 1, 2013-June 30, 2014**

<b>Policy Area</b>	<b>Adequacy Status</b>
Aspen Hill	Adequate under Roadway and Transit Tests
Bethesda CBD	Adequate under Roadway Test; exempt from Transit Test
Bethesda-Chevy Chase	Inadequate under Transit Test
Clarksburg	Inadequate under Transit Test
Cloverly	Inadequate under Transit Test
Damascus	Adequate under Roadway and Transit Tests
Derwood	Inadequate under Transit Test
Fairland/White Oak	<del>Inadequate</del> Adequate under Roadway Test; <del>Inadequate</del> under Transit Test
Friendship Heights	Adequate under Roadway Test; exempt from Transit Test
Gaithersburg City*	Inadequate under Roadway Test
Germantown East	Inadequate under Transit Test
Germantown Town Center	Inadequate under Transit Test
Germantown West	Inadequate under Transit Test
Glenmont	Adequate under Roadway Test; exempt from Transit Test
Grosvenor	Adequate under Roadway Test; exempt from Transit Test
Kensington/Wheaton	Inadequate under Transit Test
Montgomery Village/Airpark	Inadequate under Transit Test
North Bethesda	Inadequate under Transit Test
North Potomac	Inadequate under Transit Test
Olney	Inadequate under Transit Test
Potomac**	Inadequate under Transit Test
R&D Village	Inadequate under Transit Test
Rockville City*	Inadequate under Transit Test
Shady Grove	Adequate under Roadway Test; exempt from Transit Test
Silver Spring CBD	Adequate under Roadway Test; exempt from Transit Test
Silver Spring/Takoma Park	Inadequate under Transit Test
Twinbrook	Adequate under Roadway Test; exempt from Transit Test
Wheaton CBD	Adequate under Roadway Test; exempt from Transit Test
<u>White Oak</u>	<u>Adequate under Roadway Test; Inadequate under Transit Test</u>

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\*Applies to any development that would be located in the policy area but not in the City.

\*\*Under applicable master plans, the Potomac policy area is exempt from the Roadway Test.

The White Flint MSPA and the Rural East and Rural West policy areas are exempt from both the Roadway and Transit Tests.



**Table 2****Local Area Transportation Review Intersection Congestion Standards – Critical Lane Volume and Highway Capacity Manual Volume-to- Capacity Equivalencies**

<b>Critical Lane Volume Congestion Standard</b>	<b>Policy Area</b>	<b>HCM volume-to-capacity equivalent</b>
1350	Rural East/ West	0.84
1400	Damascus	0.88
1425	Clarksburg Germantown East Germantown West Gaithersburg City Montgomery Village/Airpark	0.89
1450	Cloverly North Potomac Potomac Olney R&D Village	0.91
1475	Derwood Aspen Hill Fairland/White Oak <a href="#">White Oak</a>	0.92
1500	Rockville City	0.94
1550	North Bethesda	0.97
1600	Bethesda/Chevy Chase Kensington/Wheaton Silver Spring/Takoma Park Germantown Town Center	1.0
1800	Bethesda CBD Silver Spring CBD Wheaton CBD Friendship Heights CBD White Flint Twinbrook Grosvenor Glenmont Shady Grove Rockville Town Center	1.13



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**Subdivision Staging Policy**  
**Results of School Test for FY 2013**

Reflects County Council Adopted FY 2013 Capital Budget and FY 2013–2018 Capital Improvements Program (CIP)  
Effective July 1, 2012

School Test Level	Description	Cluster Outcomes by Level		
		Elementary Inadequate	Middle Inadequate	High Inadequate
<u>Clusters over 105% utilization</u>  School facility payment required in inadequate clusters to proceed.	5-year test  Effective July 1, 2012  Test year 2017-18	Blake (106.7%) Gaithersburg (110.0%) Magruder (105.4%) Paint Branch (114.5%) Quince Orchard (108.9%) Rockville (113.3%) Seneca Valley (111.9%)	Blair (106.9%) Walter Johnson (112.3%) Rockville (115.4%) Springbrook (106.7%) Wheaton (109.4%) Whitman (116.0%)	B-CC ( 115.8%) * Blake (106.7%) Walter Johnson (106.3%) Northwood (111.5%) Quince Orchard (107.1%) Whitman (109.3%) Wootton (107.6%)
<u>Clusters over 120% utilization</u>  Moratorium required in clusters that are inadequate.	5-year test Effective July 1, 2012  Test year 2017-18			

\* Utilization of B-CC HS includes a "placeholder" capital project of ten classrooms, pending a request for an addition in a future CIP.



Resolution No. \_\_\_\_\_

Table 4					
Subdivision Staging Policy FY 2013 School Test: Cluster Utilizations in 2017–2018					
Reflects County Council Adopted FY 2013 Capital Budget and FY 2013–2018 Capital Improvements Program (CIP)					
Effective July 1, 2012					
Elementary School Test: Percent Utilization >105% School Facility Payment and >120% Moratorium					
Cluster Area	Projected August 2017 Enrollment	100% MCPS Program Capacity With Adopted FY13–18 CIP	Cluster Percent Utilization in 2017	School Test Result Capacity is:	Cluster is?
Bethesda-Chevy Chase	3,501	3,810	91.9%	Adequate	Open
Montgomery Blair	4,222	4,154	101.6%	Adequate	Open
<b>James Hubert Blake</b>	<b>2,585</b>	<b>2,423</b>	<b>106.7%</b>	<b>Inadequate</b>	<b>School Payment</b>
Winston Churchill	2,650	2,887	91.8%	Adequate	Open
Clarksburg	4,029	3,998	100.8%	Adequate	Open
Damascus	2,395	2,409	99.4%	Adequate	Open
Albert Einstein	2,760	2,639	104.6%	Adequate	Open
<b>Gaithersburg</b>	<b>4,001</b>	<b>3,637</b>	<b>110.0%</b>	<b>Inadequate</b>	<b>School Payment</b>
Walter Johnson	4,089	3,946	103.6%	Adequate	Open
John F. Kennedy	2,773	2,910	95.3%	Adequate	Open
<b>Col. Zadok Magruder</b>	<b>2,683</b>	<b>2,546</b>	<b>105.4%</b>	<b>Inadequate</b>	<b>School Payment</b>
Richard Montgomery	2,745	2,978	92.2%	Adequate	Open
Northwest	4,249	4,309	98.6%	Adequate	Open
Northwood	3,464	3,376	102.6%	Adequate	Open
<b>Paint Branch</b>	<b>2,464</b>	<b>2,152</b>	<b>114.5%</b>	<b>Inadequate</b>	<b>School Payment</b>
Poolesville	652	758	86.0%	Adequate	Open
<b>Quince Orchard</b>	<b>3,035</b>	<b>2,787</b>	<b>108.9%</b>	<b>Inadequate</b>	<b>School Payment</b>
<b>Rockville</b>	<b>2,609</b>	<b>2,303</b>	<b>113.3%</b>	<b>Inadequate</b>	<b>School Payment</b>
<b>Seneca Valley</b>	<b>2,401</b>	<b>2,145</b>	<b>111.9%</b>	<b>Inadequate</b>	<b>School Payment</b>
Sherwood	2,017	2,427	83.1%	Adequate	Open
Springbrook	3,295	3,151	104.6%	Adequate	Open
Watkins Mill	2,663	2,721	97.9%	Adequate	Open
Wheaton	3,156	3,304	95.5%	Adequate	Open
Walt Whitman	2,554	2,560	99.8%	Adequate	Open
Thomas S. Wootton	2,893	3,246	89.1%	Adequate	Open



Resolution No. \_\_\_\_\_

Middle School Test: Percent Utilization >105% School Facility Payment and >120% Moratorium					
Cluster Area	Projected August 2017 Enrollment	100% MCPS Program Capacity With Adopted FY13-18 CIP	Cluster Percent Utilization in 2017	School Test Result Capacity is:	Cluster is?
Bethesda-Chevy Chase	1,608	2,007	80.1%	Adequate	Open
<b>Montgomery Blair</b>	<b>2,455</b>	<b>2,296</b>	<b>106.9%</b>	<b>Inadequate</b>	<b>School Payment</b>
James Hubert Blake	1,301	1,314	99.0%	Adequate	Open
Winston Churchill	1,345	1,593	84.4%	Adequate	Open
Clarksburg	1,871	2,381	78.6%	Adequate	Open
Damascus	758	740	102.4%	Adequate	Open
Albert Einstein	1,234	1,332	92.6%	Adequate	Open
Gaithersburg	1,711	1,797	95.2%	Adequate	Open
<b>Walter Johnson</b>	<b>2,057</b>	<b>1,831</b>	<b>112.3%</b>	<b>Inadequate</b>	<b>School Payment</b>
John F. Kennedy	1,411	1,436	98.3%	Adequate	Open
Col. Zadok Magruder	1,277	1,637	78.0%	Adequate	Open
Richard Montgomery	1,331	1,444	92.2%	Adequate	Open
Northwest	2,135	2,052	104.0%	Adequate	Open
Northwood	1,453	1,459	99.6%	Adequate	Open
Paint Branch	1,279	1,228	104.2%	Adequate	Open
Poolesville	317	459	69.1%	Adequate	Open
Quince Orchard	1,453	1,688	86.1%	Adequate	Open
<b>Rockville</b>	<b>1,099</b>	<b>952</b>	<b>115.4%</b>	<b>Inadequate</b>	<b>School Payment</b>
Seneca Valley	1,302	1,485	87.7%	Adequate	Open
Sherwood	1,127	1,501	75.1%	Adequate	Open
<b>Springbrook</b>	<b>1,361</b>	<b>1,275</b>	<b>106.7%</b>	<b>Inadequate</b>	<b>School Payment</b>
Watkins Mill	1,239	1,359	91.2%	Adequate	Open
<b>Wheaton</b>	<b>1,738</b>	<b>1,588</b>	<b>109.4%</b>	<b>Inadequate</b>	<b>School Payment</b>
<b>Walt Whitman</b>	<b>1,474</b>	<b>1,271</b>	<b>116.0%</b>	<b>Inadequate</b>	<b>School Payment</b>
Thomas S. Wootton	1,434	1,567	91.5%	Adequate	Open
37,692					
High School Test: Percent Utilization >105% School Facility Payment and >120% Moratorium					
Cluster Area	Projected August 2017 Enrollment	100% MCPS Program Capacity With Adopted FY13-18 CIP	Cluster Percent Utilization in 2017	School Test Result Capacity is:	Cluster is?
<b>Bethesda-Chevy Chase*</b>	<b>2,162</b>	<b>1,867</b>	<b>115.8%</b>	<b>Inadequate</b>	<b>School Payment</b>
Montgomery Blair	2,980	2,875	103.7%	Adequate	Open
<b>James Hubert Blake</b>	<b>1,840</b>	<b>1,724</b>	<b>106.7%</b>	<b>Inadequate</b>	<b>School Payment</b>
Winston Churchill	1,860	1,941	95.8%	Adequate	Open
Clarksburg	1,933	1,971	98.1%	Adequate	Open
Damascus	1,267	1,479	85.7%	Adequate	Open
Albert Einstein	1,468	1,618	90.7%	Adequate	Open
Gaithersburg	2,087	2,284	91.4%	Adequate	Open
<b>Walter Johnson</b>	<b>2,437</b>	<b>2,292</b>	<b>106.3%</b>	<b>Inadequate</b>	<b>School Payment</b>
John F. Kennedy	1,694	1,793	94.5%	Adequate	Open
Col. Zadok Magruder	1,626	1,896	85.8%	Adequate	Open
Richard Montgomery	2,301	2,232	103.1%	Adequate	Open
Northwest	2,246	2,151	104.4%	Adequate	Open
<b>Northwood</b>	<b>1,686</b>	<b>1,512</b>	<b>111.5%</b>	<b>Inadequate</b>	<b>School Payment</b>
Paint Branch	1,881	1,899	99.1%	Adequate	Open
Poolesville	1,097	1,152	95.2%	Adequate	Open
<b>Quince Orchard</b>	<b>1,903</b>	<b>1,777</b>	<b>107.1%</b>	<b>Inadequate</b>	<b>School Payment</b>
Rockville	1,499	1,530	98.0%	Adequate	Open
Seneca Valley	1,376	1,694	81.2%	Adequate	Open
Sherwood	1,868	2,013	92.8%	Adequate	Open
Springbrook	1,806	2,082	86.7%	Adequate	Open
Watkins Mill	1,499	1,980	75.7%	Adequate	Open
Wheaton	1,388	1,604	86.5%	Adequate	Open
<b>Walt Whitman</b>	<b>1,998</b>	<b>1,828</b>	<b>109.3%</b>	<b>Inadequate</b>	<b>School Payment</b>
<b>Thomas S. Wootton</b>	<b>2,249</b>	<b>2,091</b>	<b>107.6%</b>	<b>Inadequate</b>	<b>School Payment</b>

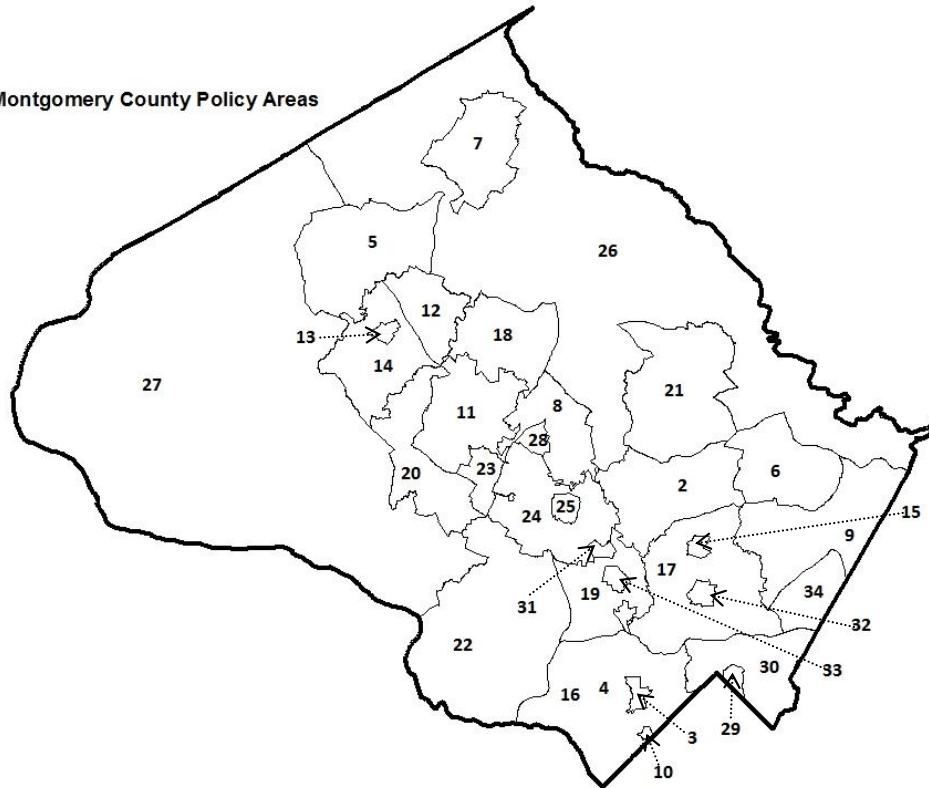
\* Capacity at Bethesda-Chevy Chase HS includes a "placeholder" capital project of ten classrooms, pending a request for an addition in a future CIP.



Resolution No. \_\_\_\_\_

Map 1

Montgomery County Policy Areas



- 2. Aspen Hill
- 3. Bethesda CBD\*
- 4. Bethesda/Chevy Chase
- 5. Clarksburg
- 6. Cloverly
- 7. Damascus
- 8. Derwood
- 9. Fairland/White Oak
- 10. Friendship Heights
- 11. Gaithersburg City
- 12. Germantown East
- 13. Germantown Town Center
- 14. Germantown West
- 15. Glenmont\*
- 16. Grosvenor\*
- 17. Kensington/Wheaton

- 18. Montgomery Village
- 19. North Bethesda
- 20. North Potomac
- 21. Olney
- 22. Potomac
- 23. R&D Village
- 24. Rockville City
- 25. Rockville Town Center\*
- 26. Rural East
- 27. Rural West
- 28. Shady Grove\*
- 29. Silver Spring CBD\*
- 30. Silver Spring/Takoma
- 31. Twinbrook\*
- 32. Wheaton\*
- 33. White Flint\*
- 34. White Oak

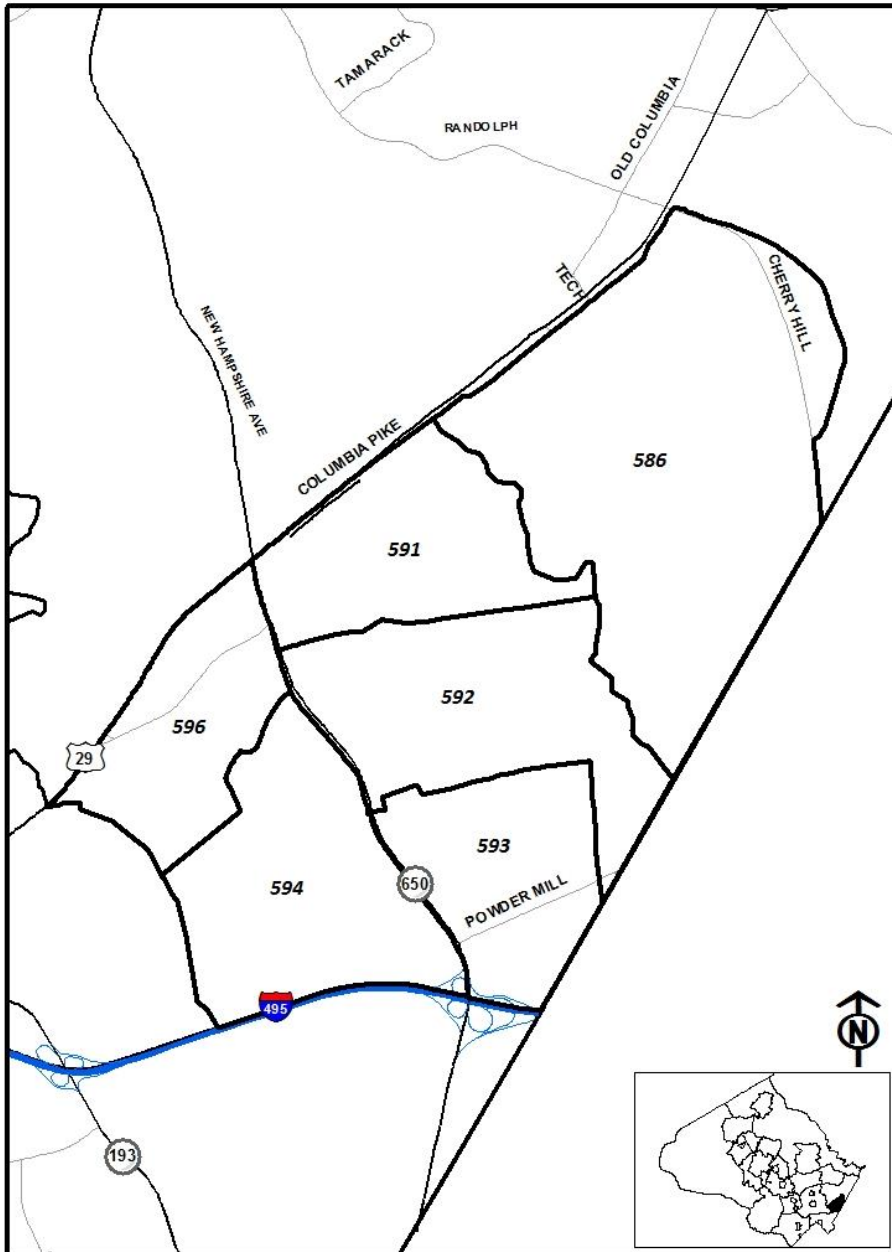
\*Metro Station Policy Area



Resolution No. \_\_\_\_\_

MAP 34

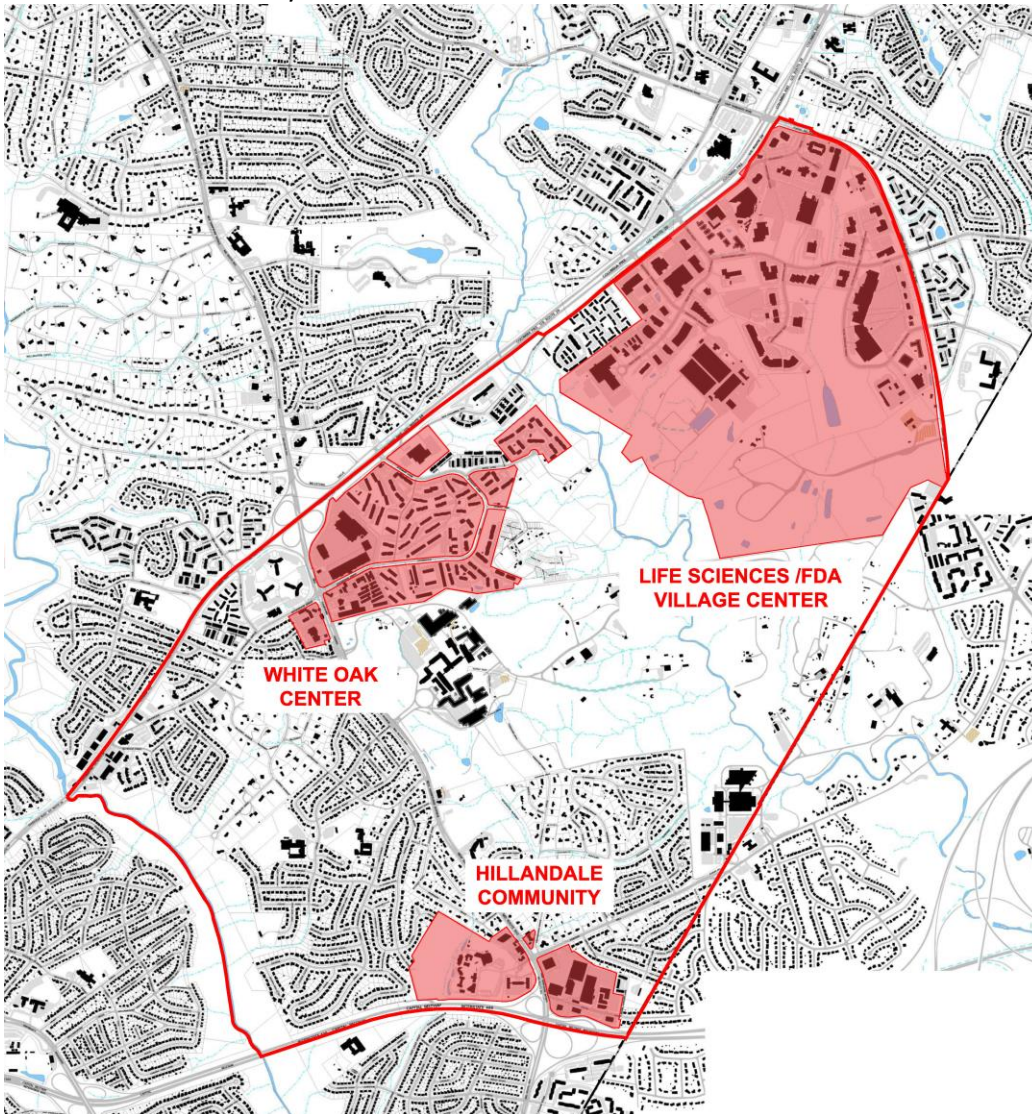
**White Oak Policy Area**  
With Traffic Zones





MAP 35

White Oak TMD Activity Centers

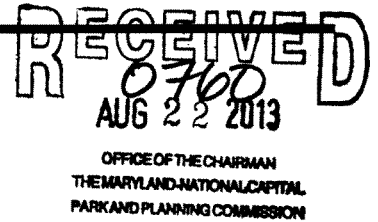




**MCP-CTRACK**

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**From:** Crispell, Bruce <Bruce\_Crispell@mcpsmd.org>  
**Sent:** Thursday, August 22, 2013 8:51 AM  
**To:** MCP-Chair  
**Cc:** Sturgeon, Nancy; Wright, Gwen  
**Subject:** Letter from BOE President Christopher Barclay  
**Attachments:** Barclay to Carrier WOSG & West Farm Depot Aug 20, 2013.pdf



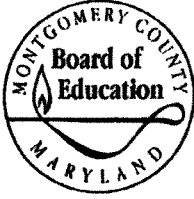
Attached is a letter commenting on the White Oak Science Gateway Master Plan from Board of Education president Christopher Barclay. I am sending this now to ensure it reaches the Planning Board chair, and members as soon as possible. A hard copy of the letter is being sent by mail. Please let me know if you have any questions.

Bruce Crispell

Director, Division of Long-range Planning  
Montgomery County Public Schools  
45 West Gude Drive, Suite 4100  
Rockville, Maryland 20850

(240) 314-4702 (office)  
(301) 279-3062 (fax)





## **MONTGOMERY COUNTY BOARD OF EDUCATION**

850 Hungerford Drive ♦ Rockville, Maryland 20850

August 20, 2013

Ms. Françoise M. Carrier  
Chair, Montgomery County Planning Board  
Vice-Chair, Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Dear Ms. Carrier:

The purpose of this letter is to comment on the draft White Oak Science Gateway Master Plan, which I understand is currently under review by the Montgomery County Planning Board.

The draft White Oak Science Gateway Master Plan calls for the rezoning of much of the area known as the North White Oak/Cherry Hill Center from the current mix of "industrial" zones to a mix of commercial and residential (CR) zoning. This rezoning is suggested in part to complement the large-scale, mixed-use development proposed for the two largest properties in the North White Oak/Cherry Hill Center—the Percontee and Site 2 properties—where the plan provides for up to 5,360 housing units to be constructed. The plan recommends dedication of an elementary school site on the Percontee property. The Montgomery County Board of Education certainly appreciates and supports the inclusion of this future school site in the plan.

The North White Oak/Cherry Hill Center area includes the West Farm Transportation Depot, a critical Montgomery County Public Schools (MCPS) asset and one of five school bus depots serving MCPS students. The depot currently houses 261 buses and serves students in the Montgomery Blair, James Hubert Blake, Paint Branch, and Springbrook clusters. In addition, approximately 40 percent of the MCPS special needs fleet is housed at the West Farm Transportation Depot. In the draft plan, the recommended change from industrial zoning to CR zoning includes the West Farm Transportation Depot property.

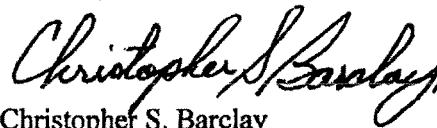
On behalf of the Montgomery County Board of Education, I am requesting that the light industrial zoning currently in place for the West Farm Transportation Depot be maintained in the new plan. I believe that changing this zoning could place pressure on MCPS and the county to relocate the bus depot in the future in favor of commercial and residential development. MCPS currently is facing this situation in regard to its Shady Grove Transportation Depot, where the desire to locate housing in close proximity to the Shady Grove Metro Station is resulting in the need to relocate the bus depot.



The members of the Montgomery County Board of Education are concerned that industrial-zoned land in the county is being eliminated in favor of higher revenue land uses. While we appreciate the need to locate housing and employment in transit-accessible locations, the county should not set the course to accomplish this priority to the exclusion of maintaining essential light industrial zoning. MCPS does not anticipate any change to the need for the West Farm Transportation Depot at its current location. Therefore, I urge you to maintain the light industrial zoning for this property.

I appreciate your consideration of my comments. If I may be of further assistance, please do not hesitate to contact me. Thank you for your continued support of our public schools.

Sincerely,



Christopher S. Barclay  
President

CSB:lmr

Copy to:

Members of the Montgomery County Planning Board

Members of the Board of Education

Dr. Starr

Mr. Bowers

Dr. Schiavino-Narvaez

Dr. Statham

Dr. Zuckerman

Mr. Crispell

Mr. Garcia-Ablanque

Mr. Song

Mr. Watkins

Ms. Sturgeon

Ms. Wright