



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, March 15, 2018, at 9:09 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:06 p.m.

Present were Chair Casey Anderson, Vice Chair Norman Dreyfuss, and Commissioners Natali Fani-González, Gerald R. Cichy, and Tina Patterson.

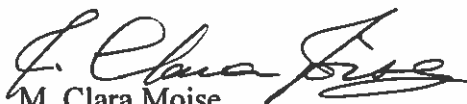
Items 1 through 4 are reported on the attached agenda.


The Board recessed for lunch at 12:05 p.m. and reconvened in the auditorium at 1:43 p.m.

Vice Chair Dreyfuss left for the day during the lunch recess.

Items 5 through 7 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 4:06 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 22, 2018, in the Montgomery Regional Office in Silver Spring, Maryland.


M. Clara Moise
Sr. Technical Writer/Editor


James J. Parsons
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting
Thursday, March 15, 2018
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Consent Agenda

***A. Adoption of Resolutions**

1. 7359 Wisconsin Avenue Sketch Plan 320180070 MCPB No. 18-011
2. 7359 Wisconsin Avenue Preliminary Plan 120180040 – MCPB No. 18-012
3. 7359 Wisconsin Avenue Site Plan 820180040 – MCPB No. 18-013
4. Glen Echo Heights Preliminary Plan 12012010A – MCPB No. 18-010

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Other Consent Agenda Items submitted for approval.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 1, 2018

BOARD ACTION

Motion: **PATTERSON/DREYFUSS**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved Planning Board Meeting Minutes of March 1, 2018, as submitted.**

2. Roundtable Discussion**A. Parks Director's Report****B1. Operating Funds Five Month Financial Report Including Projections to June 30, 2018****B2. Enterprise Funds Five Month Financial Report Including Projections to June 30, 2018****BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing.**

A. Parks Department Director's Report – Parks Department Director Mike Riley briefed the Board on the following ongoing and upcoming Parks Department events and activities: the status of the upcoming County Executive's FY19 Parks Operating Budget recommendations, scheduled to be released today at 12:00 p.m., which proposes a total increase of approximately \$800,000 over the FY18 Parks Department budget, with staff scheduled to return to the Board on March 22 to present non-recommended reductions; the status of the Parks Department advocacy efforts regarding the County Executive's budget recommendations, with registration to speak at County Council public hearings regarding the budget beginning today; the status of the FY19 Capital Budget, with amendments being released today that have the potential to affect the status of the Parks Department Capital Improvements Program; the recent Maryland Recreation and Parks Association Awards, with Mr. David Cohen, Park Police volunteer, receiving the Community Volunteer Award, and the Public Affairs and Community Partnership Division receiving two marketing and communications awards; the status of the Management of Missing Persons Searches training courses; the upcoming Speaker Series, including a presentation on the 11th Street Bridge and Anacostia Watershed projects by Mr. Scott Kratz and Ms. Ariel Trahan scheduled for March 21, a panel discussion with Ms. Stacie West, Ms. Beth Shogren of Green Minneapolis, and Ms. Robin-Eve Jasper of NoMa BID scheduled for April 17, a presentation entitled Maintain and Manage Great Urban Parks by Mr. Tim Marshall scheduled for May 15 and 16, and a presentation on park safety by Lieutenant Nicole Adams of the M-NCPPC Park Police scheduled for June 6; the recent Trail Volunteer Recognition Dinner held on March 11 at Agricultural History Farm Park Activity Center; and the status of the Marye Wells-Harley Dream Camp Scholarship Fund, which to date has been awarded to 15 children in the County.

There followed a brief Board discussion.

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2. Roundtable DiscussionCONTINUED

B1. Operating Funds Seven-Month Financial Report Including Projections to June 30, 2018: Finance Department staff briefed the Board and discussed the status of the FY18 Administration Department and Parks Department operating funds. As of January 31, \$118,922,083, or approximately 97.02 percent, of the Operating Fund tax revenues budget of \$122,573,814 have been collected, an increase of 0.1 percent of the percentage collected in the corresponding FY17 time period. Staff projects property tax collections at 99 percent of budgeted level for all funds. As a result of significant returns on investments, interest revenues are projected to be higher than budgeted by \$165,500. Although Fees and Charges, Interest, and Miscellaneous Revenue are all projected to be higher than budgeted, Revenues for the Administration Fund are expected to be under budget at \$268,794. Expenditure savings are projected at \$1,710,741, with Central Administrative Services Departments projecting savings of \$125,763 due to participation in the County's FY18 savings plan. The Fund Balance in the Administration Fund is projected to decrease by \$438,334 and total \$5,370,500. Revenues for the Park Fund are expected to be \$1,247,315 below budget, with expenditure savings projected at \$2,334,251. The Park Fund balance is projected to increase by \$279,394 and total \$8,159,904. Staff added that for the Enterprise funds, revenue projections are \$11,251,581, reflecting an increase in revenue of \$595,600, and expenditures are projected to be \$9,065,643, resulting in a net income of \$2,384,615.

There followed a brief Board discussion, during which Chair Anderson requested a more in-depth discussion regarding tax collections.

B2. Enterprise Funds Five-Month Financial Report Including Projections to June 30, 2017: Enterprise Division staff briefed the Board and discussed the status of FY18 Enterprise Division operating funds and Enterprise Division events and activities. According to staff, the ice rinks projected revenues are \$4,998,876, which is \$494,076 more than the approved budget of \$4,504,800, due to the delay of Cabin John Ice Rink renovations. Staff noted that a study regarding the feasibility of a new ice rink at the Ridge Road Recreational Park is currently underway. Staff is currently preparing for scheduled spring skating shows at the ice rinks. Regarding tennis facilities, repairs have been made to the Wheaton Indoor Tennis Center following damage caused by recent wind storms. Classes at the tennis facilities are well-attended, particularly the ACEing Autism youth tennis clinic. Revenues for the event centers are projected to be lower than budgeted, due in part to fewer rentals at Rockwood Manor due to revised rental restrictions implemented to comply with guidelines in the updated community agreement, and rentals being phased out at Woodlawn Manor. Recent improvements at Rockwood Manor include new chairs and flooring. Upcoming events at Rockwood Manor include a wedding fair and a women's retreat. Recently completed projects at parks facilities include the new Black Hills Boats rental building, which is scheduled to open on May 5; the purchase of a new pontoon tour boat for Lake Needwood; the new camp store, and recreational vehicle water and sewer utilities at Little Bennett campground, with a new water feature and cabins to be constructed soon; and a new dehumidifier system at the Wheaton Ice Arena.

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2. Roundtable Discussion

CONTINUED

Ongoing improvements to the South Germantown Recreational Park include accessibility improvements to the mini-golf course, and a new water feature for the splash park. Staff added that the spring Eye Spy Trains at Cabin John and Wheaton Regional Parks are scheduled to begin on March 24 and will continue through April 2.

There followed a brief Board discussion.

3. **Zoning Text Amendment No. 18-01, Solar Collection System – Standards --- ZTA 18-01 amends the Montgomery County Zoning Ordinance to revise the Solar Collection System use standards to allow larger facilities in certain zones.**

Staff Recommendation: Transmit Comments to County Council

(NOTE: Action required for County Council public hearing of 4/3/18)

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 4-0-1

Nay: DREYFUSS

Other:

Action: Approved staff recommendation to transmit comments to the County Council, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Zoning Text Amendment (ZTA) that would modify the existing solar collection system provisions. Currently, a solar collection system is limited to an accessory use in the Agricultural Reserve, Rural Residential, Residential, Commercial/Residential, and Employment Zones. According to staff, the Maryland Public Service Commission recently adopted regulations for a Community Solar Pilot Program in Maryland, with an emphasis on providing renewable energy benefits for low and moderate-income customers. As proposed, ZTA 18-01 would continue the current limits on solar collection systems as an accessory use in the Agricultural Reserve Zone, while revising the use standards to allow larger collection facilities as either an accessory or principle use in Rural Residential, Residential, Commercial/Residential, Employment, and Industrial Zones. The sponsors of the ZTA believe it is in the public interest to expand the opportunities for solar production in areas where development is anticipated. The ZTA would provide more opportunities for community oriented solar facilities that offer the benefit of solar power to those who either cannot or prefer not to install solar panels on their homes, enabling individuals, businesses, or organizations to purchase or lease a share in a community solar project. In the case of solar facilities that are a principle use, limited use standards for collection systems will include site plan approval, a minimum site area of three acres, a height limit of 20 feet, a minimum 50-foot set-back from property lines, a minimum six-foot tall fence surrounding the facility, a minimum screening depth of 30 to 50 feet, use of either solar thermal or photovoltaic panels or shingles that utilize either textured glass or an anti-reflective coating, removal of the facility within 12 months of termination of use, and a power generation limit of two megawatts or less. Any facility producing more than two megawatts would fall into the

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3. Zoning Text Amendment No. 18-01, Solar Collection System – Standards

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category of a Public Utility and require a conditional use approval. Staff noted that they did receive comments from community members requesting that the Agricultural Reserve Zone be included as a zone that allows solar collection systems as a principle use.

Ms. Ellen Mann of Mayflower Drive, Ms. Mary Hemingway of Snider Lane, and Mr. Quentin Remain, representing the Cloverly Civic Association, offered testimony.

There followed extensive Board discussion with questions to staff and Legal Counsel to the Planning Board, during which the Board instructed staff to include additional information regarding existing restrictions on clearing trees and impervious surface limits in the transmittal letter to the County Council.

Citing the inefficiency and unsightliness of the equipment, Vice Chair Dreyfuss opposed the approval of larger Solar Collection Systems within the Rural Residential, Residential, Commercial/Residential, Employment, and Industrial Zones.

4. Bicycle Master Plan - Worksession #5

Staff Recommendation: Discuss Public Testimony on the Bicycle Master Plan Public Hearing Draft and Provide Guidance to Staff

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by discussion.**

Planning Department staff offered a multi-media presentation and discussed the comments received during the public comment period for the Bicycle Master Plan Public Hearing Draft. According to staff, worksessions one through three reviewed public comments on the non-bikeway recommendations, with the March 8 worksession addressing bikeway-specific recommendations. Today's worksession will focus on any issues not completed at the previous worksessions, including remaining bikeway issues, equity analysis, and the following issues that were first discussed with the Planning Board at the February 15 meeting: 1) school siting policies; 2) use of developer contributions; 3) flexibility in bikeway prioritization; 4) loading zones; 5) traffic calming for school access; and 6) payments in lieu of constructing sidewalks and bikeways.

Staff discussed revisions to the Master Plan to address recommendations that are inconsistent with recommendations in other existing plans. To address conflicts with the recommendations in the Veirs Mill Corridor Master Plan (VMCMP) for the north side of Veirs Mill Road, staff recommends adding a side path from the City of Rockville to Parkland Drive. Staff agrees with the VMCMP recommendations along the south side of Veirs Mill Road but recommends additional two-way separated bike lanes from Parkland Drive to the Wheaton Central Business District (CBD) with the exception of the area between Pendleton Drive and Newport Mill Road. Staff also recommends revising the Plan with the addition of a side path along the east side of Havard Street from Veirs Mill Road to Colie Drive. Other revisions to address inconsistencies with other plans include the recommendation for a side path or sidewalk rather than separated bike lanes along Dale Drive between Woodland Drive and Piney Branch Road; and for the east side of Frederick Road (MD355), a side path on Shady Grove Road to Ridgemont Avenue, two-way separated bike lanes from Ridgemont Avenue to Paramount Drive, and a side path from Paramount Drive to East Gude Drive.

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4. Bicycle Master Plan - Work Session #5CONTINUED

Staff then discussed the Plan's Equity Analysis, specifically Goal 3, which measures low-stress connectivity for very low-income areas of the County. According to staff, Goal 3 is measured using a threshold of less than 60 percent of median income as the criteria for a low-income area. Using that threshold, County low-income areas, such as portions of New Hampshire Avenue, Downtown Silver Spring, Twinbrook Parkway, Montgomery Village, Aspen Hill, and Leisure World, have only 57 percent low-stress connectivity. The reasons for the inequity in low-stress connectivity include the narrowness, width, or posted speed on the existing roadways; the need to prioritize some roadways higher; and the road recommendations of neighboring jurisdictions. Staff then recommended that Grand Pre Road be re-prioritized as Tier 3, to which the Board agreed.

Staff then discussed the six outstanding issues from the February 15 worksession. In response to a comment regarding school site selection criteria that policies are needed to better consider walking and bicycling in the school site selection process, that the County should improve walking and bicycling connectivity to new schools, and that school zone boundaries should include accessibility for bicycling and walking, staff recommends adding a new policy to the School Site Selection section of the Plan that states that when Montgomery County Public Schools (MCPS) selects a new school site, their criteria should strongly consider the appropriateness of existing walking and bicycling infrastructure for children. Rather than requiring that MCDOT use financial contributions as close as possible to the development project, the Planning Board could consider stating that MCDOT should use financial contributions for improvements to the local bikeway network. In response to the Board's request made during the February 15 worksession for additional flexibility in setting bikeway implementation priorities, staff recommends additional language that recommends that prioritization be reassessed every few years based on available resources, lessons learned, and to ensure consistency with the goals of the Plan, allowing implementation of bikeways and bicycle parking stations that are identified as lower priorities in the plan. To address the Board's instruction at the February 15 worksession that staff assume that residential streets with sidewalks are bikeable for children, retain all side path recommendations on residential streets, and recommend traffic calming where implementing the side path recommendation is not feasible, staff recommends adding a note to page 65 of the Plan stating that where it is impractical or infeasible to implement a master-planned bikeway on a primary residential street, traffic calming such as speed limit reductions, raised crosswalks, curb extensions, or traffic diversions, should be implemented to improve the comfort of bicycling in the street.

Following a brief discussion, the Board instructed staff to include in the note the phrases "in a manner consistent with other transportation policies" after the word "implemented," and "as well as providing safety for pedestrians" after the word "street." In response to the Board's request that the Plan clearly state that when the Planning Board decides not to require a bikeway or sidewalk as a condition of a development approval, that there will be a payment in lieu, staff recommends additional language on page 137 that clarifies that if the Planning Board determines

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4. Bicycle Master Plan - Work Session #5CONTINUED

that a development project may not be required to follow the process of Plan implementation, the developer is required to make a financial contribution in lieu of constructing the sidewalk or bikeway to support the Planning Board's finding of safe, adequate and efficient site access and circulation.

Following a brief Board discussion, the Board agreed to each of these recommended changes, as revised. Staff added that they will return to the Board in April with the final draft of the Plan along with separate redline pages, as well as the requested transmittal letter to the County Council that recommends impact tax offsets and public benefit point adjustments for developers who provide transportation infrastructure improvements within Commercial/Residential Zones.

Mr. Andrew Bossi, representing MCDOT, offered comments.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to include language in the Plan that encourages other jurisdictions and municipalities to implement low-stress bikeways to facilitate bicycle network consistency and connectivity.

5. Technical Update to the Master Plan of Highways and Transitways - Worksession #3 --- The Public Hearing Draft of the Technical Update to the Master Plan of Highways and Transitways Functional Master Plan.

Staff Recommendation: Third of ~~three~~ four work sessions on the Public Hearing Draft Recommendations and Public Comment Received

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and continued discussion of the comments received at the February 15 public hearing for the Technical Update to the Master Plan of Highways and Transitways. Staff also requested Planning Board review and approval of the recommended road classification changes, with some modifications to those proposed in the Public Hearing Draft of the Master Plan. Staff further added that this worksession will focus primarily on the Western (Up-county) side of the County. As discussed in detail in the March 8, 2018 technical staff report and attachments, a total of 35 classification changes are proposed which will affect the following roads: Liberty Mill Road, Observation Drive Connector, Riffle Ford Road, Valley Park Drive, Warfield Road, Whites Ferry Road, Woodfield Road, Broadway Avenue, Cabin Branch Avenue, Clarksburg Road, Gosnell Farm Road, Old Clarksburg Road, and Whelan Lane. Staff noted that these roads were re-classified as either Primary Residential, Business, Arterial, Minor Arterial, Country Arterial, Country Road, and Industrial.

Mr. Andrew Bossi of the Montgomery County Department of Transportation (MCDOT) offered comments.

Staff added that an additional worksession is scheduled for April 12 to further discuss public comments received, a proposed urban road code, and any pending issues. Staff also added that if needed, another worksession will be scheduled following the April 12 meeting.

There followed a brief Board discussion with questions to staff and Mr. Bossi.

6. **R&SP Briefing Demographic Overview** --- R&SP staff will provide an update on recent County demographic trends based on the 2016 American Community Survey data.

Staff Recommendation: Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed an overview of Montgomery County’s population, employment, and housing data highlights extracted from the recent County Demographic Trends based on the 2016 American Community Survey Data compiled by the U.S. Census Bureau. Staff noted that the Research and Special Projects Division prepares an annual fact sheet describing the latest socio-economic characteristics and trends in the County, which is a two-page summary of fundamental statistics covering topics such as population and housing growth, race, foreign-born residents, employment, education, income, and housing costs.

There followed a brief Board discussion with questions to staff.

7. Legislative Update

1. Forest Conservation – SB610/HB766 (as amended)
2. Wireless Facilities – Permitting and Siting – HB176/SB1188

Staff Recommendation: Briefing

BOARD ACTION

Motion: 1) CICHY/FANI-GONZÁLEZ
 2) FANI-GONZÁLEZ/CICHY

Vote:

Yea: 1. & 2. 4-0

Nay:

Other: DREYFUSS ABSENT

Action: 1) Approved staff recommendation to support House Bill HB766/State Bill SB610, as modified.

 2) Approved staff recommendation to oppose House Bill HB1767/State Bill SB1188, as proposed.

Legal counsel to the Planning Board discussed proposed changes to State Bill and House Bill, SB610/HB766 regarding Forest Conservation, which has been amended following the Planning Board’s recommendations. Counsel noted that with the proposed modifications, staff is recommending that the Board approve and support the proposed Bill.

Legal counsel to the Planning Board and Parks Department staff also discussed proposed State Bill and House Bill SB1188/HB176 regarding wireless facilities, permitting and siting in Montgomery County. Staff noted that given the many inconsistencies in the proposed Bill, staff recommends that the Planning Board oppose the Bill.

Ms. Jean Cavanagh of Worth Avenue offered testimony regarding Bill SB610/HB766 regarding forest conservation

Ms. Doris Stelle of Devere Drive and Ms. Sue Present of La Grande Road offered testimony regarding Bill HB176/SB1188 regarding Wireless Facilities.

At the Board’s request, Ms. Mitsuko Herrera of the Maryland Department of Technology Services offered comments.

There followed a brief Board discussion with questions to staff and Ms. Herrera.