



White Flint Sector Plans Implementation Guidelines Update



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Description

The County Council's approval of the 2018 *White Flint 2 Sector Plan* requires modification to the 2011 *White Flint Sector Plan Implementation Guidelines* to add several properties to the White Flint Special Taxing District and to the staging limits of the 2010 *White Flint Sector Plan*. The White Flint 2 properties that are being added to the Implementation Guidelines are the Willco and Guardian properties, and a portion of the Wilgus properties (Parcels N208, N279, N174 and N231). To clearly show the modifications to the Implementation Guidelines, text changes are underlined in the attached, draft report. Once the Planning Board approves this document, the underlining will be removed and it will be printed as a final document.

Staff Recommendation

Approve the updated White Flint Sector Plans Implementation Guidelines.

Summary

In November 2010, after approval of the 2010 *White Flint Sector Plan*, the County Council enacted the White Flint Special Taxing District (Bill 50-10) as the funding source for several transportation infrastructure improvements in the 2010 Sector Plan. The Council also approved the White Flint Sector Plan Implementation Strategy and Infrastructure List (Resolution No. 16-1570), as a supplement to the tax district legislation. In July 2011, the Planning Board approved the *White Flint Implementation Guidelines* to outline the procedures involved with implementing the 2010 *White Flint Sector Plan*, including coordinating, staging, and monitoring of the Plan's recommendations. Due to recommendations in the 2018 *White Flint 2 Sector Plan*, the Implementation Guidelines have been updated to include the properties listed above, and to update implementation activities that have occurred since the Board approved the document in 2011.

The 2016-2020 SSP has also been amended to allow these three properties to have the same intersection congestion adequacy standards as the White Flint Metro Station Policy Area, which also applies to properties in the 2010 *White Flint Sector Plan*.

Attachment

Revised, draft White Flint Sector Plans Implementation Guidelines.

SEPTEMBER 2018

WHITE FLINT

SECTOR PLANS

PLANNING BOARD APPROVED
IMPLEMENTATION GUIDELINES

2010 White Flint Sector Plan and 2018 White Flint 2 Sector Plan

Planning Board Approved Implementation Guidelines

September 2018

Abstract

This document contains the Planning Board approved procedures for coordinating, staging and monitoring the implementation of the recommendations in the Approved and Adopted 2010 White Flint Sector Plan and portions of the Approved and Adopted 2018 White Flint 2 Sector Plan.

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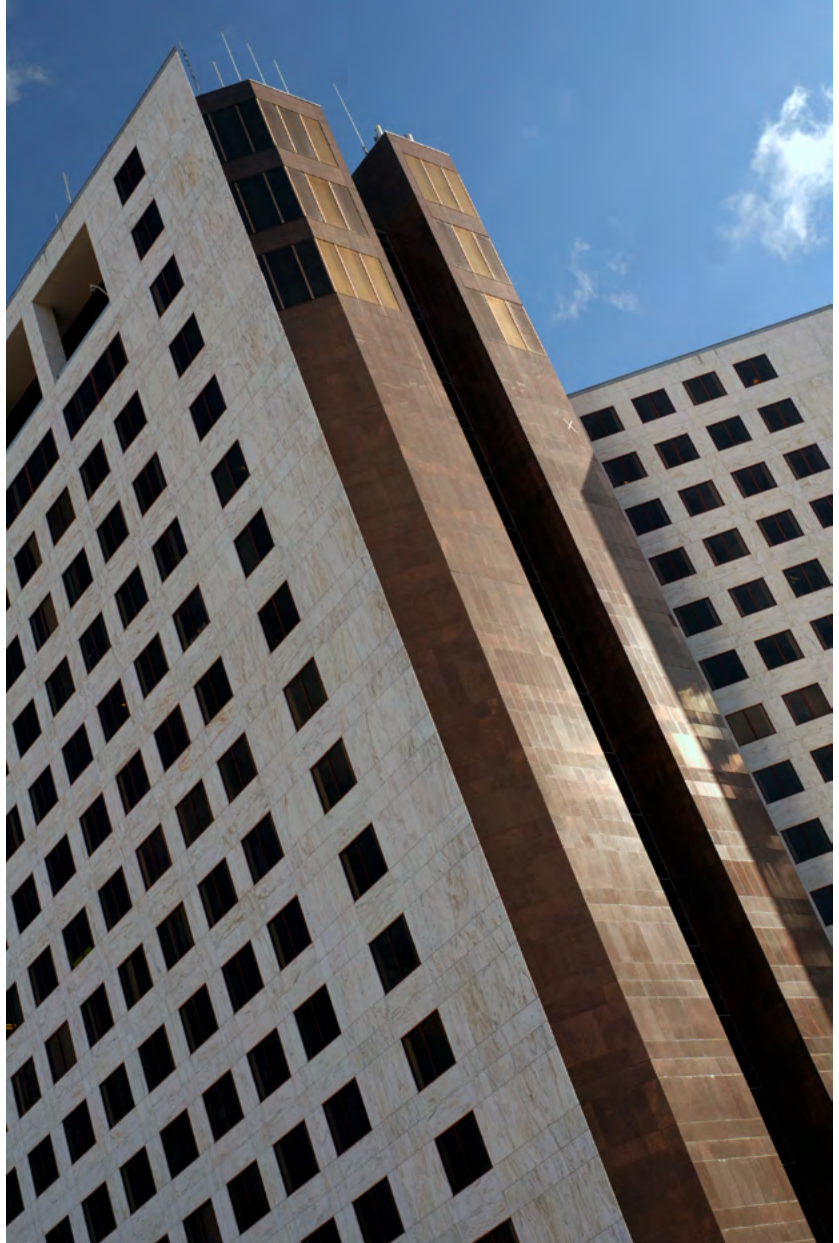
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WHITE FLINT SECTOR PLANS

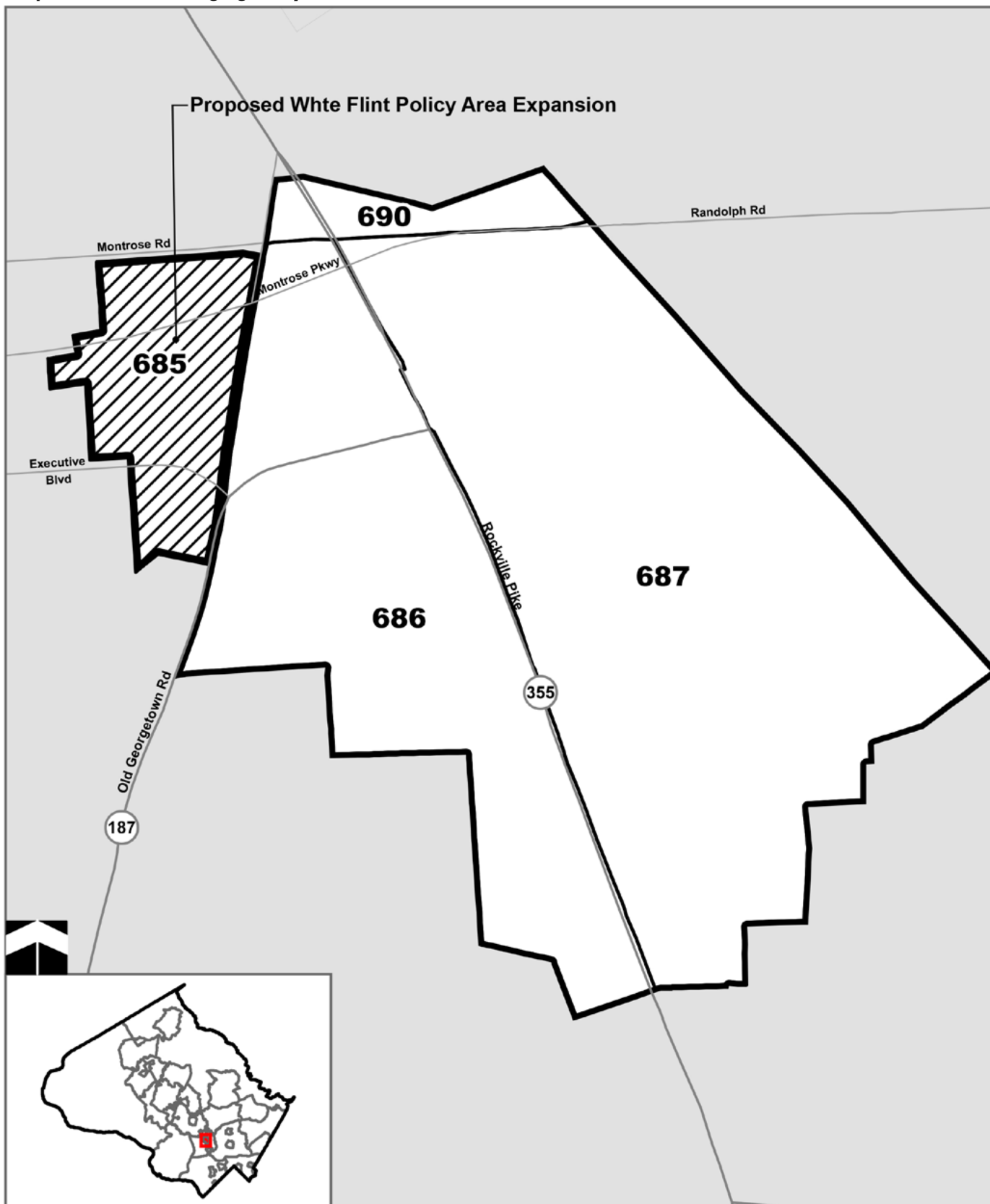
Planning Board Approved
Implementation Guidelines





1	Introduction	3
2	Guideline Procedures	4
2.1	White Flint Implementation Advisory Committee	4
2.2	Use of Guidelines	4
2.3	Changes to Guidelines	4
3	Community Facilities and Amenities	6
3.1	Public Amenities	8
3.2	Commercial Residential (CR) Zone Incentives	8
3.3	Capital Improvements Program (CIP)	9
3.4	Public Facilities and Amenities Assessment	9
4	Completing Phasing Amenities	10
4.1	Transportation Facilities	10
4.2	Mode Share Goals	11
5	Biennial Monitoring Program	12
5.1	Development Approval	12
5.2	Status of New Facilities	12
5.3	CIP and Subdivision Staging Policy	12
5.4	Comprehensive Local Area Transportation Review	12
5.5	Changes to the Staging Plan	13
6	Appendix	14
6.1	Implementing Legislation	15
6.1.1	White Flint Staging Allocation	15
6.1.2	White Flint Sectional Map Amendment	24
6.1.3	White Flint Special Taxing District	29
6.1.4	White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List	40
6.2	Staging Allocation Request Form	46
6.3	White Flint 2 Sector Plan Approval	52
6.4	White Flint 2 Sector Plan Sectional Map Amendment	70
6.5	Amendment to the 2016-2020 Subdivision Staging Policy in association with the White Flint 2 Sector Plan	83

Map 1: Subdivision Staging Policy Modifications for White Flint 2





The Approved and Adopted 2010 White Flint Sector Plan and three properties within the Approved and Adopted 2018 White Flint 2 Sector Plan are being implemented through focused coordination between public and private interests. The 2010 White Flint Sector Plan's vision is to transform an auto-oriented development pattern into an urban center with residential and non-residential development, new amenities including parks and open spaces, and new cultural destinations and public facilities. The 2010 Plan's vision will be implemented through various actions, including zoning, taxing, and staging.

The 2018 White Flint 2 Sector Plan's vision complements the 2010 Sector Plan by recommending opportunities for infill and transitional development at selected locations. These guidelines address the staging process for the 2010 White Flint Sector Plan and three properties within the 2018 White Flint 2 Sector Plan. These guidelines address the staging process for both areas.

New development in White Flint is regulated by the Commercial Residential (CR) Zone. The zone requires a sketch plan for optional method development, which is a conceptual plan that illustrates the general development pattern of a project, including streets, building heights, pedestrian network, parks and open space, and other features.

The White Flint Special Taxing District was enacted in November 2010, via Bill 50-10, as the funding source for several transportation infrastructure improvements in the 2010 White Flint Sector Plan area. Three properties within the 2018 White Flint 2 Sector Plan area: Guardian, Willco, and a portion of the Wilgus properties are included in the White Flint Special Taxing District. (Map 1) The County Council also approved the White Flint Sector Plan Implementation Strategy and Infrastructure List (Resolution No. 16-1570) that complements the tax district.

An ad valorem tax applies to all existing commercial properties within the White Flint Special Taxing District. Since July 1, 2011, the White Flint Special Tax rate has been \$0.115 per \$100 of assessed value. This tax will be levied and collected as other County property taxes.

Pursuant to the 2010 White Flint Sector Plan, the Planning Board has established an implementation advisory committee comprising stakeholders in the Plan's redevelopment, including property owners, residents and Executive Branch representatives. The committee is responsible for monitoring the White Flint Sector Plan's recommendations, Capital Improvements Program (CIP), and subdivision staging, and for recommending action to the Planning Board and Council.

The Planning Department prepares Biennial Monitoring Reports for Master Plans with staging elements to provide a status pertaining to transportation conditions, development approvals, CIP and public amenities and facilities.

These Guidelines provide direction to the Planning Board and their staff on appropriate procedures for implementing both Sector Plans and related enabling legislation. The focus of these revised Implementation Guidelines is to highlight the procedures required to move from Stage 1 to Stage 2 and to incorporate selected recommendations from the 2018 White Flint 2 Sector Plan. The 2010 White Flint Sector Plan and a portion of the 2018 White Flint 2 Sector Plan recognizes that during the decades required for full sector plan implementation, some modifications may be needed to the staging plan. The process for considering amendments to the White Flint Implementation Guidelines is described in Section 2.3 of these Guidelines.



2.1 White Flint Implementation Advisory Committee

The 2010 White Flint Sector Plan requires that the Planning Board establish an advisory committee that consists of property owners, interest groups, and residents who are stakeholders in the redevelopment in the Sector Plan area. The committee is also responsible for monitoring the Plan's recommendations, Capital Improvements Program (CIP), and subdivision staging and recommending action to the Planning Board and Council.

In September 2010, the Board appointed a broad range of individuals, including representatives from surrounding civic and homeowners associations, property owners, and representatives from the Executive Branch. All members are appointed by the Planning Board for two year-terms with reappointments also made by the Board. The Committee typically meets monthly to discuss issues related to the 2010 Plan's implementation, including new private development, public infrastructure and CIP projects.

2.2 Use of Guidelines

These guidelines are intended to be used by the Planning Board and its staff in to support the implementation of the 2010 White Flint Sector Plan and a portion of the 2018 White Flint 2 Sector Plan. These guidelines will provide direction, specific guidance, and address situations that are not specifically addressed in the Sector Plans, Subdivision Staging Policy (SSP) or other County policies.

2.3 Changes to Guidelines

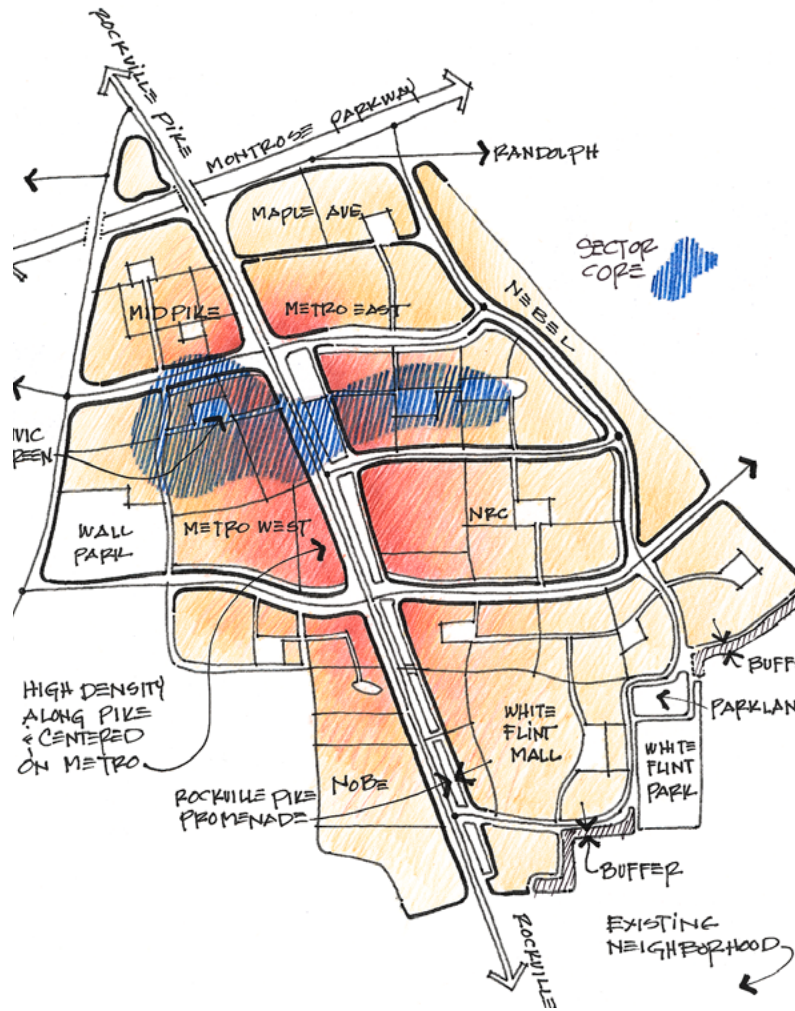
The 2010 White Flint Sector Plan states, "A successful staging plan should be elastic enough to respond to market forces without losing the plan's vision or requiring amendments" (Page 67). The biennial monitoring program established in the 2010 White Flint Sector Plan is charged with several specific tasks, one of which is to "conduct a regular assessment of the staging plan and determine if any modifications

are necessary" (Page 68). The 2010 White Flint Sector Plan clearly contemplates that implementation of the staging plan will be an iterative and evolving process. However, the staging plan and these Guidelines must also remain constant enough that market actors will be able to make rational decisions based on their reasonable expectations that the implementation process is predictable.

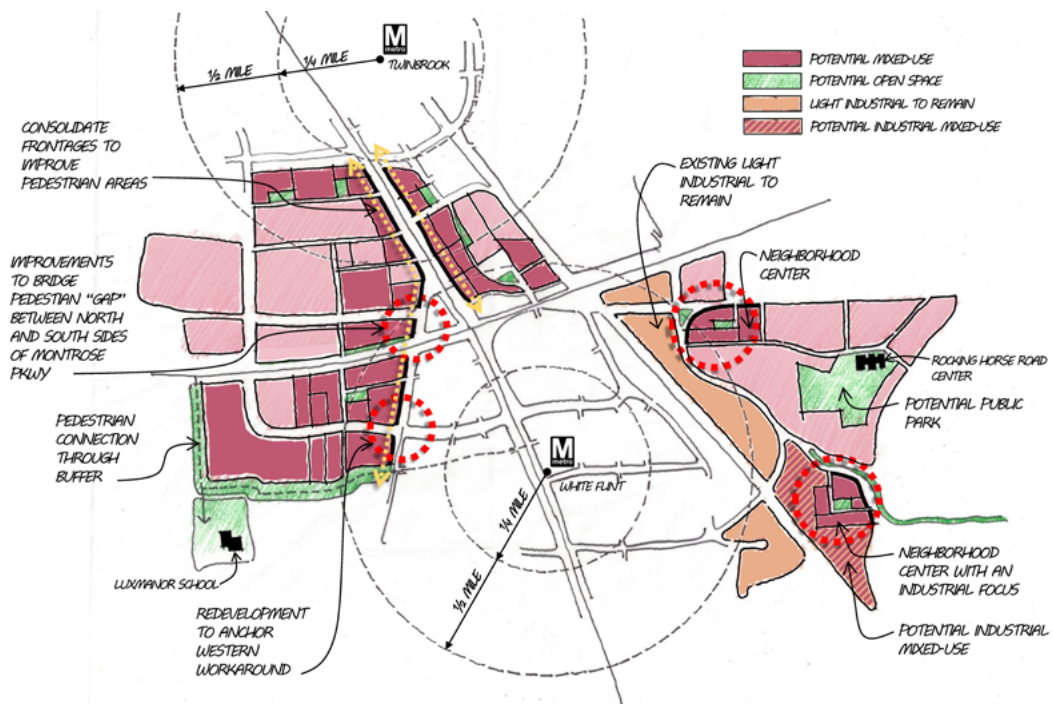
Changes to the Guidelines require Planning Board approval. Changes need to balance flexibility and certainty, and should be guided by the following principles:

- 1) To the extent appropriate, changes should generally take effect at the beginning of the next phase of development as set forth in the staging plan. This would mean that major changes made in Phase 1 generally should not take effect until the beginning of Phase 2. If the Board wants to change the Guidelines before the beginning of the next stage, they may consider a variety of factors, including the nature of the change, the underlying facts that justified the proposed change, and the testimony submitted by stakeholders.
- 2) The Planning Board may consider changing the Guidelines at any time if they find that events have occurred or facts have emerged that render specific Guideline provisions no longer appropriate. The Council's resolution approving the 2018 White Flint 2 Sector Plan requires updating the Implementation Guidelines to include the Willco, Guardian and a portion of the Wilgus properties.
- 3) The Planning Board should consider the Implementation Guidelines in conjunction with their review of the biennial monitoring report or other periodic assessments. However, the Planning Board may revise the Implementation Guidelines before the biennial report.

2010 White Flint Sector Plan Concept



White Flint 2 Sector Plan Concept





The 2010 White Flint Sector Plan recommends several public facilities that will support the transformation of White Flint into an urban center. Public facilities will be owned and operated by a public agency, such as the Department of Public Libraries. Public amenities are elements, such as public use space and art, which are provided by property owners during the redevelopment process (see Map 2).

Most of these public facilities are recommended in the core area of the 2010 White Flint Sector Plan, the Metro East and Metro West districts. The facilities in Metro East and Metro West will create a civic presence and destination within the core area of the Sector Plan. These facilities will be provided either by the public or private sector, or a public-private partnership. The 2018 White Flint Sector Plan does not recommend specific sites for new public facilities in the Plan area. However, it does require that “each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals” (page 96).

District Specific Facilities

The public library, satellite regional services center, civic green and recreation center are recommended for either Metro West or Metro East districts in the 2010 White Flint Sector Plan. The civic green is only recommended for the Metro West district.

Large properties in the Metro West and Metro East districts, such as North Bethesda Conference Center and North Bethesda Center, provide the best opportunity to accommodate either the satellite regional service center or the library, since both properties can accommodate additional development in the long-term. However, North Bethesda Center has a significant amount of approved but not yet built development, and therefore may not proffer major public facilities in the short term. In addition, there are smaller properties in both districts

where redevelopment opportunities for mixed-use development are limited in the near term.

Property Specific Facilities

Fire, rescue and emergency medical services, an elementary school, and a recreation center are located on specific properties in the 2010 White Flint Sector Plan. The fire, rescue and emergency medical services site is specifically identified for the State Highway Administration property east of Rockville Pike and immediately north of the Forum Condominium in the Maple Avenue District. The police sub-station is associated with the fire station.

Wall Local Park, at the intersection of Nicholson Lane and Executive Boulevard, is recommended as the preferred site for the recreation center. Alternatively, the recreation center can be located on other properties in Metro West and Metro East. The southern portion of White Flint Mall is designated as the preferred site for the elementary school in the 2010 White Flint Sector Plan, while the Luttrell property, north of Executive Boulevard and west of Woodglen Drive, is the alternative school site location.

The 2018 White Flint 2 Sector Plan recommended that “each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan’s direction that the Planning Department will negotiate for maximum dedication of land for a school and that this be the top priority benefit under the review process of projects proceeding under these plans” (page 96).

Co-Location of Public Facilities

The co-location of public facilities, such as the satellite regional services center and library, could provide operational and service efficiencies. Moreover, since the cost of acquiring land for new facilities is expensive, co-location is an efficient strategy.

This aerial map of the White Flint area in Washington, D.C., features several key locations highlighted with colored shapes and labels:

- Montrose School Historic Site:** Indicated by a purple square in the upper left.
- White Flint:** The central urban area, with a black 'M' icon marking a specific location.
- Wall Local Park:** A green-shaded area on the left side of the map.
- Josiah Henson Special Park:** A small green-shaded area at the bottom left.
- Expanded Park:** A large green-shaded area on the right side of the map.
- White Flint Neighborhood Park:** A green-shaded area at the bottom right.
- Druid Drive Neighborhood Park:** A green-shaded area at the very bottom right.
- Tilden Middle School:** A blue-shaded area at the bottom left, with a blue triangle icon nearby.

Other notable features include a red star icon near the center, a red circle with 'F' near the top center, a blue circle with 'L' near the center, a yellow circle with 'S' near the center, a pink circle with 'R(a)' near the top right, and a blue triangle with '(a)' near the bottom center. The map also shows various streets, including Montrose Road, Randolph Road, Old Georgetown Road, and Rockville Road.



Non-Recommended Sites

During the life of the 2010 White Flint Sector Plan, a property owner in any district may propose the location of a public facility on a site not recommended for that facility in the 2010 Plan. If this occurs, the Planning Board must determine, according to Section 4.7.3. A of the Zoning Ordinance, that the site plan is consistent with the objective of the both Sector Plans.

3.1 Public Amenities

The 2010 White Flint Sector Plan recommends that a farmers' market, public art, child daycare centers, and undergrounding of utilities are some of the amenities that will contribute to the livability of the Plan area. These amenities are not owned or operated by a public agency. Some of these amenities, such as public art and streetscape, will be provided through private redevelopment. The White Flint Sector Plan Implementation Advisory Committee should identify whether any additional amenity projects are necessary, and monitor the status of amenities identified in the 2010 White Flint Sector Plan during its reports to the Planning Board. The 2018 White Flint 2 Sector Plan recommends a range of public benefits, via the CR, CRT and EOF zones, with the dedication of land for school sites as the highest priority. If land is not dedicated for a school site or athletic fields, the provision of 15 percent MPDUs is the highest public benefit for new residential development.

3.2 Commercial Residential (CR) Zone Incentives

Off-Site Options: Public Use Space

Developers in both White Flint Sector Plan areas are encouraged to provide required public use space and amenities on-site. However, the Commercial Residential (CR) Zone, Section 6.3.6.C, also allows a developer to satisfy all or a portion of the on-site public use space requirement by implementing a public use space improvement offsite, subject to Planning Board approval.

Implementing a public park or public use space improvements within or near an applicable plan area is one way to meet the public use space requirement. Developers have the option of making a payment for the total amount or a portion of the design,

construction, installation, and/or operation of an off-site public use space. Any development that uses the off-site option should address the priority projects listed in of the 2010 White Flint Sector Plan (page 66). Any project chosen from the priority projects must be fully funded before other priority projects are chosen. Some of the amenities, such as public art, are eligible for incentive density under the optional method of development in the CR zone.

Major Public Facilities

Major public facilities are often funded by the public sector (see Section 4.7.3 of the Zoning Ordinance). The CR Zone also establishes incentives for developers to provide major public facilities, such as an urban park, school, and a library. The 2010 Sector Plan states that "public facilities should be provided in conjunction with private land development, including dedication of land for public use in order to reduce the costs to the public" (page 67). Land for the civic green may be secured through dedication, if there is an assemblage of properties on the Conference Center Block, or purchased through public acquisition.

Property developers can receive incentive density, up to 70 points, if a site or floor area of a facility is conveyed or built for a public agency, community association, or nonprofit organization. Additionally, a developer can make a payment for a major public facility that is accepted for use and/or operation by an appropriate public agency, community association or nonprofit organization.

The 2018 White Flint 2 Sector Plan recommends that public benefits in the Commercial Residential (CR), Employment Office (EOF) and Commercial Residential Town (CRT) zones should be granted for land for school athletic fields and new neighborhood parks and open spaces. Dedication of land for school sites is the highest public benefit in the 2018 White Flint 2 Sector Plan.

Developers are encouraged to use the CR Zone's public benefit incentives to provide either land area or floor area in a mixed-use building for a major public facility. Further, the White Flint Implementation Advisory Committee, during its review and comment on new development, should advocate for new facilities via the public benefit incentives in the zone.

3.3 Capital Improvements Program (CIP)

Under Section 302 of the County's Charter, the County Executive must submit a CIP to the Council every other year. Section 302 states that:

The capital improvements program shall include a statement of the objectives of capital programs and the relationship of capital programs to the County's long-range development plans; shall recommend capital projects and a construction schedule; and shall provide an estimate of costs, a statement of anticipated revenue sources, and an estimate of the impact of the program on County revenues and the operating budget. The capital improvements program shall, to the extent authorized by law, include all capital projects and programs of all agencies for which the county sets tax rates or approves budgets or programs.

Public facilities that are funded by the public sector are programmed in the CIP and are reflected in a Project Description Form (PDF). The County may create a capital project for public facilities in White Flint. This would allow property owners to provide suitable contributions towards a public facility through a public-private partnership.

A property owner may provide for a small facility, such as the satellite regional services center, on the ground floor or second floor of a mixed-use building. For this to qualify for the incentive density, the County must agree to operate the facility.

3.4 Public Facilities and Amenities Assessment

The Planning Department prepares biennial monitoring reports that document the status of the facilities indicated on the Existing and Proposed Community Facilities Map (Map 1) in the 2010 White Flint Sector Plan. The report should state when, where, and who is expected to deliver the public facility. The Implementation Advisory Committee should monitor how many amenities are implemented, programmed or planned.

For any public facility that is not in the County's CIP, incorporated in new development, or provided for

via payment by spring 2020 (10 years after the 2010 White Flint Sector Plan adoption), the Implementation Advisory Committee should alert the Planning Board and County Council that the facility has not been included in the CIP or as part of a private development. The 2010 Sector Plan recommends that "proposed civic uses, intended to create vitality within the urban core, are built and constructed early in the life of the Plan" (page 67).

Opportunities may arise to reduce costs for public facilities by entering into a public-private partnership on a site not recommended by the 2010 White Flint Sector Plan. In that case, the Implementation Advisory Committee should advise the staff and the Board whether such a site meets the Plan's goals and objectives. If it does, the Board may accept the revised location as consistent with the Sector Plan. The Planning Board must find that the location furthers the Plan's recommendations and objectives, as required in the CR Zone.

A new Fire-Rescue Station is included in the County's FY 19-24 CIP and it is anticipated to be constructed by FY 21. The County has entered into a partnership with Gables Residential to construct a parking garage on its property to support a future urban park at the Kennedy Shriver Aquatic Center-Wall Local Park property. A recreation center is also anticipated at Wall Park in the future.



The 2010 White Flint Sector Plan and the 2018 White Flint 2 Sector Plan identify prerequisites for moving from Phase 1 to Phase 2 and from Phase 2 to Phase 3. To move from one phase to another, the Planning Board will consider a staff recommendation to that effect and will hold a public hearing to open the next phase. The staff recommendation will address each of the individual requirements in the staging plan. The staff recommendation will document coordination with the White Flint Implementation Advisory Committee. The Planning Board should not move from Phase 1 to Phase 2 without considering the written comments of the White Flint Implementation Advisory Committee.

Planning staff may not prepare a recommendation to move from Phase 1 to Phase 2 without a written statement from the County Executive that the Executive branch agencies find that all prerequisites for moving from Phase 1 to Phase 2 have been met.

4.1 Transportation Facilities

During Phase 1, the Planning Board may issue Staging Allocation Approvals until the limits of 4,800 dwelling units or 2.75 million square feet of non-residential development are reached. "Work-around" roads planned for west of Rockville Pike, including the streets for the civic core, should be contracted for construction during Phase 1 of the staging allocation. Other projects that must be underway prior to moving to Phase 2 are described below. In each case, the Planning Board's determination that the prerequisite has been met will be based on staff recommendation in conjunction with the White Flint Implementation Advisory Committee review and other public testimony. The first two mobility improvements are incorporated in the White Flint District West Workaround in the Approved FY 19-24 CIP:

- Contract for the construction of the realignment of Executive Boulevard and Old Georgetown Road.
- Contract for construction of Market Street (B-10) in the Conference Center Block (Metro West).

These mobility improvements are partially implemented with the construction of realigned Executive Boulevard

(future Grand Park Avenue) and Main-Market Street on the Conference Center property. Currently, realigned Executive Boulevard does not extend to Old Georgetown Road since the right-of-way has not been acquired or dedicated by the property owner. Similarly, the right-of-way for Main-Market Street does not extend to Rockville Pike (MD 355) because no properties east of the Conference Center have submitted redevelopment plans.

The one exception is that the portion of Market Street between Woodglen Drive and Rockville Pike may be subject to a breakout contract that allows deferral of the construction beyond 24 months if the most recent Comprehensive Local Area Transportation Review (CLATR) demonstrates that this segment is not needed for roadway capacity.

The next improvement addresses Quality of Service for pedestrians and bicyclists:

- Fund streetscape improvements, sidewalk improvements, and bikeways for substantially all of the street frontage within one quarter-mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.

The Planning Board should consider these prerequisites to be met when all referenced improvements within a one-quarter mile radius of the existing Metrorail station portal (as defined for the purposes of sketch plan review) are fully funded for construction within the first six years of a CIP or CTP. The exceptions to this rule (as indicated by the word "substantially" in the Plan text) are that the following improvements are not necessarily expected to be implemented during Phase 1:

- the reconstruction of Rockville Pike
- the segment of Market Street between Woodglen Drive and Rockville Pike.

The next prerequisite involves planning for Rockville Pike implementation.

- Fund and complete the design study for Rockville Pike, to be coordinated with SHA, MCDOT, and M-NCPPC.

The Planning Board should consider this prerequisite to be met after the Planning Board has recommended, and the Maryland State Highway Administration or Montgomery County Department of Transportation has concurred with, a preferred alternative that has been the subject of a Categorical Exclusion, a Finding of No Significant Impact, a Draft Environmental Impact Statement, or a Mandatory Referral review.

The next prerequisite, regarding mode share goals, is discussed in a subsequent section.

- Achieve 34 percent non-auto driver mode share for the 2010 White Flint Sector Plan area and the Willco, Guardian and a portion of the Wilgus properties within the 2018 White Flint 2 Sector Plan area.

The final prerequisite addresses housing needs:

- The Planning Board should assess whether the buildout of the Sector Plan is achieving the Plan's housing goals.

Planning Department staff in collaboration with and the White Flint Implementation Advisory Committee will review the jobs-to-housing balance and the proportion of affordable housing units for current and pipeline development as part of the biennial monitoring report. The Planning Board should consider this prerequisite to be met if recent biennial reports demonstrate roughly proportional progress between the conditions at time of the 2010 White Flint Sector Plan adoption and the conditions anticipated at the end of Phase 3. A jobs-to-housing balance that is housing-heavy is also acceptable.

4.2 2010 White Flint Sector Plan and 2018 White Flint 2 Sector Plan Mode Share Goals

Mode share goals are to be determined based on annual employee surveys conducted by the North Bethesda Transportation Management District (TMD) and annual surveys of selected residential properties. Relevant survey information includes journey-to-work mode share for employees (NADMS-E) arriving to their workplace in the White Flint Sector Plan Area during the AM peak period (6:30 a.m. to 9:30 a.m.), and journey-to-work (or school) mode share for employees leaving their residence (NADMS-R) in the White Flint Sector Plan area during the same AM peak period. The overall White Flint Sector Plan area mode share (NADMS) is the weighted average of NADMS-E and

NADMS-E. For instance, if at the time of an annual survey, there are:

- 34,000 employees working in the White Flint Sector Plan Area with an NADMS-E of 30 percent
- 4,000 employed residents of the White Flint Sector Plan Area with an NADMS-R of 45 percent
- then the NADMS is $(34,000 \times 30\% + 4,000 \times 45\%) / (34,000 + 4,000) = 31.58$ percent.

Non-Auto Drivers include transit users, carpool/vanpool passengers, walkers, and bikers. Non-Auto Drivers do not include employees on scheduled leave or sick leave, or out of the office (they are neither in the numerator of non-auto-drivers nor the denominator of all employees working in White Flint). Non-Auto Drivers also include teleworkers and compressed-schedule employees.

The NADMS-E will be the weighted average of responses for the full 5-day work week of the survey.

The Phase 1 requirement is a 34.00 percent NADMS. A calculated combination of NADMS-E and NADMS-R of 33.99 percent would not meet the NADMS requirement; a result of 34.01 percent would meet the NADMS requirement. The 2017 Biennial Master Plan Monitoring Report indicated that the 2015 annual commuter survey of employees working in White Flint exhibited a 40.4 percent NADMS for the 3-hour peak period with a weighted average of 34.6 percent over a three-year period.

Planning Department staff must consider the variability inherent in survey results in developing the recommendation to move to another phase (i.e., if four consecutive annual surveys during Phase 1 showed NADMS results of 27 percent, 26 percent, 28 percent, and 35 percent, any consideration to move to Phase 2 in the fifth year should be accompanied by analyses of independent indicators of changes in mode share behavior).

The 2018 White Flint 2 Sector Plan recommended that the Guardian, Willco and a portion of the Wilgus properties (Parcels N208, N279, N174 and N231) will be subject to the NADMS goals in the 2010 staging provisions, depending upon the staging phase. A blended average NADMS goal of 40 percent at buildout for all other properties in the White Flint 2 Plan area. The area east of the CSX tracks is likely to have a lower NADMS at buildout as the areas north and west of the CSX tracks.



The Biennial Monitoring Report will be developed during the spring of each odd-numbered year, to be incorporated with biennial status reports that help inform development of the Executive's biennial CIP during the following autumn. Three biennial monitoring reports have been released since the adoption of the 2010 Sector Plan.

5.1 Development Approval

The Planning Board has approved the following sketch plans since 2010: North Bethesda Market II, Gables White Flint, Mid-Pike Plaza (now Pike & Rose), White Flint Mall, Saul Centers and North Bethesda Gateway. These plans total approximately 8.8 million square feet of non-residential development and 13,419 residential dwelling units. This amount of development is more than the total permitted in the first phase of development established in both White Flint Sector Plans. Accordingly, Staging Allocation Approvals will not be granted for this full amount in Stage 1.

Since the adoption of the 2010 White Flint Sector Plan, the Planning Board has approved preliminary and site plans for Pike & Rose, North Bethesda Market II, Gables White Flint, East Village at North Bethesda Gateway, Saul Centers West (Building A), and North Bethesda Center-Block G. North Bethesda Center-Block G is not included in the staging limits since the original approval predated the 2010 Sector Plan.

Most new development will be approved via a sketch plan, which is required in the Commercial Residential (CR) Zone. A sketch plan is a conceptual plan that illustrates the general development pattern of a project, including streets, building heights, pedestrian network, parks and open space, public facilities or amenities, and sustainable features. It is required for optional method development. After sketch plan approval by the Planning Board, the next review will be either preliminary plan or site plan review.

The Planning Department has created an interactive website that monitors all Sketch, Preliminary, and Site plans submitted and approved by the Planning Board. It also shows the locations and amount of development associated with each Staging Allocation Requests

(SARs). Figure 1 shows an overview of the White Flint monitoring webpage.

5.2 Status of New Facilities

Public facilities will be provided either through the County's Capital Improvements Program (CIP), an Amenity Fund, or a development dedication of land or building square footage for a facility via the public benefits in the CR zone. A new five bay Fire and Rescue Station is included in the approved FY19-24 CIP. Construction is anticipated by 2021. Wall Park Garage and Park Improvements will fund up to 250 parking spaces on the Gables Residential property and the creation of an interim park at Wall Park.

5.3 CIP and Subdivision Staging Policy

The biennial monitoring report (produced during the summer of odd-numbered years) will include a section describing any recommended amendments to existing Project Description Forms (PDF) or new PDFs to be added to the subsequent biennial CIP (developed for public hearing in the spring of even-numbered years). This section will also describe whether any changes to the Subdivision Staging Policy (SSP) are needed, a particularly important element considering that the development of the Subdivision Staging Policy and these guidelines in 2011 cannot anticipate the full range of circumstances that will arise. The Planning Board may consider changes to the Subdivision Staging Policy at any time (they need not wait for a biennial review), but must consider the performance of the Subdivision Staging Policy at the time of the biennial review. The 2016-2020 SSP was amended to permit three properties, Guardian, Willco and a portion of the Wilgus property, to have the same SSP White Flint Metro Station Policy Area signaled intersection congestion adequacy standard as in the 2010 White Flint Sector Plan area.

5.4 Comprehensive Local Area Transportation Review

The Comprehensive Local Area Transportation Review (CLATR) will include all signalized intersections in the Sector Plan area plus all signalized intersections on

major highways and arterials elsewhere in the North Bethesda/Garrett Park Master Plan area, with the exception of Rock Spring Park (i.e., southwest of the I-270 Spur) and in the Twinbrook Metro Station Policy Area (i.e., both northeast of the CSX tracks and north of Montrose Parkway).

The CLATR will incorporate the most recent Non-Auto-Driver Mode Share (NADMS) survey results and traffic counts developed by the North Bethesda Transportation Management District by December of even numbered years, per Section 42-27(a) of the County Code.

The CLATR will consider the following scenarios:

- existing conditions
- a ten-year to fifteen-year development horizon (rounded to the nearest five years, consistent with the philosophy in the Executive's TPAR report) considering:
 - approved development within the 2010 White Flint Sector Plan area and the Guardian, Willco and a portion of the Wilgus properties with the 2018 White Flint 2 Sector Plan area, consisting of pipeline development not subject to staging plus approved sketch plans (as adjusted by sketch plan property owner representations of the amount of sketch plan development expected to be built by the horizon year)
 - the latest round of cooperative forecasts submitted by the Planning Department to Metropolitan Washington Council of Government (MWCOG) for the rest of Montgomery County, including the municipalities
 - the latest round of cooperative forecasts approved by MWCOG for the rest of the region
 - the latest Constrained Long-Range Transportation Plan (CLRP) transportation network approved by MWCOG for the rest of the region
 - additional projects in Montgomery County if approved by the County Council as part of the Subdivision Staging Policy/CIP process
 - local infrastructure programmed by the State, County, or special taxing district for the specified horizon year.

The CLATR will identify intersections which are not forecasted to meet the congestion standards for either existing conditions or the CLATR development horizon condition. The CLATR will identify alternative transportation improvements that could be implemented to meet the congestion standards and a recommended course of action. The CLATR recommendations will be reviewed by the White Flint Implementation Advisory Committee and the Planning Board prior to transmittal of Planning Board comments to the Executive and County Council for consideration in the CIP development process.

5.5 Changes to Staging Plan

The Sector Plans recognize that over time, Plan implementation of the Plan will need to accommodate new technologies, policies, and regulations. Some changes may warrant reconsideration of the Plan's staging elements and such reconsideration should be made through a regular deliberative process. The biennial monitoring report will therefore contain a section describing whether any amendments should be considered to these White Flint Implementation Guidelines or to the Sector Plan's staging plans.

The 2018 White Flint 2 Sector Plan increased the residential development and non-residential development to the staging limits of phase one and phase two in the 2010 White Flint Sector Plan. The revised phase one limit is 4,800 residential dwelling units and 2.75 million square feet of non-residential development and the phase two limits are 3,700 residential units and 2.18 million square feet of non-residential development.



6.1 Implementing Legislation

- 6.1.1 White Flint Staging Allocation
- 6.1.2 White Flint Sectional Map Amendment (White Flint Sector Plan SMA Approval)
- 6.1.3 White Flint Special Taxing District (White Flint Taxing District Creation)
- 6.1.4 White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List

6.2 Staging Allocation Request Form

6.3 White Flint 2 Sector Plan Approval

(County Council approval of the White Flint 2 Sector Plan)

6.4 White Flint 2 Sector Plan Sectional Map Amendment

6.5 Amendment to the 2016-2020 Subdivision Staging Policy in association with the White Flint 2 Sector Plan

6.1 Implementing Legislation

6.1.1 White Flint Staging Allocation

Resolution No.:	<u>17-213</u>
Introduced:	<u>July 19, 2011</u>
Adopted:	<u>July 19, 2011</u>

COUNTY COUNCIL FOR MONTGOMERY COUNTY MARYLAND

By: Council President at the Request of the Planning Board

SUBJECT: Approval of Planning Board Regulation 11-01, White Flint Staging Allocation

Background

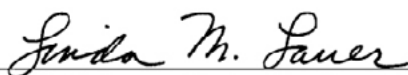
1. This regulation was submitted by the Planning Board on July 5 to implement the Subdivision Staging Policy amendment approved on June 28 in Resolution 17-185.
2. The Council reviewed the regulation as if it were submitted under method (2) of County Code §2A-15.
3. Under method (2), if the Council does not approve or disapprove a regulation within 60 days after the Council receives the regulation, the regulation automatically takes effect.
4. On July 18, 2011, the Planning, Housing, and Economic Development Committee reviewed Planning Board Regulation 11-01, and recommended approval.

Action

The County Council for Montgomery County Maryland approves the following resolution:

The Council approves Planning Board Regulation 11-01, White Flint Staging Allocation.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY PLANNING BOARD REGULATION

M-NCPPC • 8787 Georgia Avenue • Silver Spring, Maryland 20910

Subject White Flint Staging Allocation	Number 11-01
Originating Department Office of the Planning Director	Effective Date July 13, 2011

Montgomery County Planning Board Regulation on Implementing the Subdivision Staging Policy's White Flint Alternative Review Procedure

Issued by: Montgomery County Planning Board
Regulation No. 11-01

Authority: Sec. 50-35(k) of the County Code and Resolution 17-185

Supersedes: NA

Council Review: As if under Method 2

Register Vol. No. NA

Comment Deadline: NA

Effective Date: Later of July 13, 2011 or date of Council approval

Sunset Date: None

SUMMARY: On June 16, 2011, following numerous work sessions, the Planning Board approved transmittal to the County Council of regulations implementing the Subdivision Staging Policy's White Flint Alternative Review Procedure (referred to in the White Flint Sector Plan as the "Transportation Approval Mechanism"). The regulations:

- i. Establish standards and procedures for submission and review of staging allocation requests;
- ii. Establish standards and procedures for preventing applicants from hoarding capacity;
- iii. Establish the Planning Board's procedure for managing a staging queue; and
- iv. Provide general guidance to applicants and the public about the relationships between this Transportation Approval Mechanism and other transportation related processes and requirements.

ADDRESS: Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

STAFF CONTACT: Rollin Stanley, Planning Director

BACKGROUND INFORMATION: The Regulations are intended to implement the Subdivision Staging Policy's White Flint Alternative Review Procedure, and are designed, *inter alia*, to fulfill the intent of the White Flint Sector Plan, which directed the Planning Board to develop a transportation approval mechanism as an alternative to traditional Policy Area Mobility Review.

COMCOR 50.35.02 Implementing the Subdivision Staging Policy's White Flint Alternative Review Procedure

* * *

50.35.02.01 Transportation Approval Mechanism

A. Staging Allocation Request Process

1. General

Within the White Flint Sector Plan boundary, the Planning Board must allocate staging capacity based on the order in which requests for capacity are received and in a manner that is consistent with these regulations.

2. Staging Allocation Request

A Staging Allocation Request is a request for staging capacity under the Approved and Adopted 2010 White Flint Sector Plan. The contents of a Staging Allocation Request and the effect of submitting a completed Staging Allocation Request will be governed by these regulations.

3. Contents of Staging Allocation Request

A Staging Allocation Request must include a statement by the applicant that the applicant has received any necessary sketch plan approvals, preliminary plan approvals, or site plan approvals. The request must indicate the number of buildings proposed as well as the amount of residential and non-residential staging capacity requested, the gross amount of new development, and the net amount of new development if there will be demolition of existing structures. An applicant that demolished space after the adoption of the White Flint Sector Plan must provide, as part of any Staging Allocation Request, evidence of the date of demolition and the number of square feet or residential units demolished. Each Staging Allocation Request must include any Staging Allocation Request Form required by the Planning Board.

4. Planning Board Review of Staging Allocation Request

The Planning Board must approve the Staging Allocation Request if sufficient staging capacity remains available, under the White Flint Sector Plan, to accommodate the applicant's entire request. If sufficient capacity is not available to accommodate the applicant's entire request, the Planning Department staff must place the Staging Allocation Request in a queue, and the Planning Board must schedule the Request on the Planning Board's agenda when capacity becomes available.

5. Effect of Staging Allocation Request

In order to be deemed complete by Planning Department staff, a Staging Allocation Request must contain any information required under the Subdivision Staging Policy (Section TA6, Alternative Review Procedure for the White Flint Policy Area), and must comply with these regulations. Once a Staging Allocation Request has been deemed complete by Planning

Department staff, the staff must place the capacity requested in reserve. The Planning Board must not allocate the reserved capacity to any other applicant unless the Staging Allocation Request is rejected due to insufficient capacity or withdrawn by the applicant or the Staging Allocation Approval becomes void or expires under these regulations.

6. Joint Staging Allocation Requests

Multiple property owners may submit a Joint Staging Allocation Request if those property owners also submitted a joint sketch plan application, which was approved by the Planning Board, and which included conditions establishing a phasing schedule for demolition and construction on all subject properties.

B. Staging Allocation Approval Process

1. Contents of Staging Allocation Approval

In a Staging Allocation Approval, the Planning Board must incorporate all information included in the Staging Allocation Request. The Staging Allocation Approval must also specify, as established in these regulations, the deadline for completion and acceptance of a building permit application under B.2, and the Staging Allocation Approval expiration date under B.5.

2. Requirement to obtain timely acceptance of building permit applications

a. Applicants with a Staging Allocation Approval for a single building

An applicant who has received a Staging Allocation Approval for a single building must have building permit applications accepted by the Department of Permitting Services for at least core and shell by close of business on the 90th day after the date of the Planning Board's resolution granting the Staging Allocation Approval.

b. Applicants with a Staging Allocation Approval for multiple buildings

An applicant who has received a Staging Allocation Approval for multiple buildings must have all building permit applications accepted by the Department of Permitting Services for at least core and shell by close of business on the 180th day after the date of the Planning Board's resolution granting the Staging Allocation Approval.

3. Reporting Requirement

The applicant must present evidence of acceptance to the Planning Board within 15 business days after the Department of Permitting Services accepts a building permit application.

4. Effect of failure to obtain timely acceptance

An applicant who fails to obtain timely acceptance of a building permit application loses any staging capacity allocated for which no building permit application has been accepted. The portion of the Staging Allocation Approval that is not perfected by obtaining timely acceptance by the Department of Permitting Services is thereafter void.

5. Validity

a. Applicants with a Staging Allocation Approval for a single building

Any Staging Allocation Approval for a single building that has not become void due to failure to obtain timely acceptance of a building permit application remains valid for 2 years from the date of the Planning Board's Resolution granting the Staging Allocation Approval. All core and shell building permits necessary to construct the capacity allocated by the Planning Board must be issued within that 2-year validity period. Any applicant whose building permits are not issued within the 2-year validity period loses any allocated but unused capacity.

b. Applicants with a Staging Allocation Approval for multiple buildings

A Staging Allocation Approval for multiple buildings that has not become void due to failure to obtain timely acceptance of a building permit application remains valid for 3 years from the date of the Planning Board's Resolution granting the Staging Allocation Approval. All core and shell building permits necessary to construct the capacity allocated by the Planning Board must be issued within that 3-year validity period. Any applicant whose building permits are not issued within the 3-year validity period loses any allocated but unused capacity.

6. Staff approval of Staging Allocation Requests for zero net staging capacity

a. No net draw on capacity

A Staging Allocation Request must always be approved, regardless of available staging capacity, if the Request is for an amount equal to or less than any development being removed. In that case, Planning Department staff may grant the Staging Allocation Approval.

b. Development approvals that pre-date the approval of the Sector Plan

A Staging Allocation Request must always be approved, regardless of available staging capacity, for any project that has a valid Adequate Public Facilities approval or development plan approval that predates the approval of the White Flint Sector Plan. In that case, Planning Department staff may grant the Staging Allocation Approval.

c. Procedures for staff approval of Staging Allocation Requests

Any Staging Allocation Request that can be approved by Planning Department staff under subsection (a) or subsection (b) must be approved by the Planning Director or designee. Each staff approval must be included in the Biennial Monitoring Report.

d. Projects approved by staff under this section not subject to certain provisions of these regulations

A Staging Allocation Approval that can be issued by staff under section 6 is not subject to the requirements of the following sections: B.1 (Contents of Staging Allocation Approval); B.2 (Requirement to obtain timely acceptance of building permit applications); B.3 (Reporting requirement); B.4 (Effect of failure to obtain timely acceptance); and B.5 (Validity).

C. Staging queue management

The Planning Department must maintain a White Flint Sector Plan staging queue.

- Any Staging Allocation Request for which there is not sufficient capacity must be placed in the queue.
- For each Staging Allocation Request placed in the queue, the Planning Department must track the submission date and the date on which the Staging Allocation Request is deemed complete by Planning Department staff.
- Queue position is based on the order in which projects are placed in the queue. The Planning Department must place the oldest eligible application(s) in the queue on the Planning Board's consent agenda calendar when staging capacity exists for the full development proposed in the application, both residential and commercial.
- Adjustments to queue position may be granted by the Planning Board upon receipt of a proposal jointly submitted by all applicants whose positions in the queue would be affected. The Planning Board is not a party to any negotiations between applicants who agree to change queue positions.

D. Exemptions from Staging Allocation Request Process

1. Development approvals predating approval of the Sector Plan

The White Flint Sector Plan states:

"Any development approvals that predate the approval of this Sector Plan are considered to be in conformance with this Plan. For such approvals, only the difference between the amount of the prior approval and any requested increase would be subject to the phasing caps."

Projects with development approvals that predate the approval of this Sector Plan are not subject to either the phasing caps specifically or to the staging capacity allocation process generally. Staff approval of a Staging Allocation Request remains an option for such property owners, however, such approvals are not subject to the other requirements or limitations set forth in these Regulations.

On December 9, 2010 the Planning Board confirmed its intent that four specific projects should not be subject to the phasing caps up to the amount of development approval that predated the adoption of the Sector Plan.

- 1) North Bethesda Center (LCOR)
 - 1,350 dwelling units
 - 1.14 million square feet of office
 - 202,037 square feet of commercial
 - Zone: TSM
- 2) North Bethesda Market (JBG)
 - 440 dwelling units
 - 223,000 square feet of non-residential
 - Zone: TSM
- 3) White Flint View (Quantum/Noland Plumbing)
 - 183 dwelling units
 - 29,500 square feet of non-residential

Zone: C-2

- 4) Metro Pike (BF Saul)
 - 247 dwelling units
 - 201,822 square feet of non-residential
- Zone: TSM

2. Affordable housing units

Affordable housing units that are in addition to those required by Chapter 25A, and which are provided under the CR Zone incentives, must not be counted against the total available capacity as established under the White Flint Sector Plan.

3. Public facilities and staging

A public facility is one that is owned or operated by a governmental body or an instrumentality of a governmental body and which serves a public purpose.

a. Public facilities subject to mandatory referral are exempt from staging

A public facility that is subject to the mandatory referral provisions of Article 28, section 7-112 is not subject to these regulations.

b. Public facilities provided as a proffer are exempt from staging

A public facility that is to be owned or operated by a public entity and that is provided in a private project as a proffer (e.g. in exchange for a density award) is not subject to these regulations, if the public facility will be conveyed to the public entity in fee simple, by perpetual exclusive easement, or by a long-term lease in excess of fifty years. The terms and method of any conveyance must be accepted by the public entity that will own or lease the facility before the Planning Board approves the Staging Allocation Request for the private elements of the project. The private elements of a project that includes a public facility are subject to the staging allocation requirements.

* * *

50.35.02.02 Relationship of Transportation Approval Mechanism to other transportation related processes and requirements

A. General

The Subdivision Staging Policy exempts properties in the White Flint Special Taxing District from the requirements of Local Area Transportation Review and Policy Area Mobility Review. Consequently, individual applicants need not prepare transportation studies to satisfy the requirements of the LATR and PAMR Guidelines.

B. Comprehensive Local Area Transportation Review

1. General

The Planning Department must perform a biennial Comprehensive Local Area Transportation Review (CLATR) to review and assess transportation capacity in White Flint. CLATR must analyze traffic conditions throughout the policy area and at individual intersections. The Planning Board must use CLATR to identify specific capital projects and services necessary to promote adequate transportation service.

2. Effect of CLATR

The Planning Board must provide guidance on trip generation and distribution assumptions as part of the CLATR. Applicants outside the White Flint Special Taxing District who must submit transportation studies in order to satisfy the requirements of the LATR and PAMR Guidelines must use the trip generation and distribution assumptions established as part of CLATR when accounting for trips generated within the White Flint Special Taxing District.

C. Transportation information required from applicants inside the Special Taxing District

Individual applicants exempted from LATR and PAMR under the Subdivision Staging Policy need not submit transportation studies to satisfy requirements of the LATR and PAMR Guidelines.

Applicants must still provide information to State or County agencies as needed to fulfill other legal requirements. This information may include, but is not limited to:

- Parking space requirements; and
- Sight distance evaluations.

D. Development outside the special taxing district

1. Generally

Applicants whose property is located inside and outside of the White Flint Special Taxing District are responsible only for improvements on their side of the Special Taxing District boundary. Applicants whose property is located outside of the White Flint Special Taxing District must be tested for APF compliance, if applicable, and required to provide intersection improvements as appropriate outside of the Special Taxing District boundary.

2. Trips generated in the White Flint Special Taxing District

Applicants whose property is located outside the Special Taxing District who must submit transportation studies to satisfy the requirements of the LATR and PAMR Guidelines must include traffic attributable to development in the White Flint Special Taxing District as part of their background traffic, but only if the approved development in the White Flint Special Taxing District has a valid Staging Allocation Approval.

3. Trips generated by public facilities in the White Flint Special Taxing District

Applicants whose property is located outside the White Flint Special Taxing District who must submit transportation studies to satisfy requirements of the LATR and PAMR Guidelines must

include as background traffic any traffic attributable to public facilities in the White Flint Special Taxing District.

4. Traffic assignment consistent with CLATR

Applicants whose property is located outside the White Flint Special Taxing District who must submit transportation studies to satisfy the requirements of the LATR and PAMR Guidelines must conduct traffic assignment consistent with the CLATR.

5. Improvements and mitigation

Applicants whose property is located outside the White Flint Special Taxing District must be responsible only for transportation improvements outside the White Flint Special Taxing District.

E. Conditions attached to development inside the Special Taxing District

1. General

Individual applicants in the White Flint Special Taxing District must be responsible only for improvements required by County Code Section 50-24, such as streets interior or adjacent to the site, making any additional improvements necessary for safe access and circulation, and providing the funds for shared projects identified through the White Flint Special Taxing District and any District implementing resolution.

2. Privatization of traffic-carrying streets

The White Flint Sector Plan (page 51) identifies four specific business street segments that are required to be open to general vehicular use as part of the robust street grid needed to disperse traffic. Each of these four specific streets may be implemented as private streets only if eight conditions have been satisfied. Those eight conditions are listed in the White Flint Sector Plan (page 52). All eight conditions must be incorporated within the Planning Board's subdivision approval opinion for any project that proposes such a private street.

6.1 Implementing Legislation

6.1.2 White Flint Sectional Map Amendment

Resolution No.:	<u>16-1427</u>
Introduced:	<u>July 13, 2010</u>
Adopted:	<u>July 13, 2010</u>

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: White Flint Sectional Map Amendment (G-889)

OPINION

Sectional Map Amendment G-889 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application for the purpose of implementing the zoning recommendations contained in the Approved and Adopted White Flint Sector Plan. The SMA application covers approximately 430 acres. The area proposed for reclassification consists of approximately 265 acres proposed for new zoning classifications. The remaining acreage is to be reconfirmed as currently zoned.

The District Council approved the White Flint Sector Plan on March 23, 2010. The Sector Plan sets forth the specific land use and zoning objectives for the development of the White Flint area and was subject to extensive and detailed review by the District Council. Following the transmittal of the fiscal impact analysis of the White Flint Sector Plan by the County Executive, the District Council held public hearings on October 20 and 22, 2009 wherein testimony was received from interested parties.

Sectional Map Amendment (SMA) G-889 was filed on May 14, 2010 by the Montgomery County Planning Board to implement the specific zoning recommendations of the White Flint Sector Plan. The Council held a public hearing on the SMA for the White Flint Sector Plan on May 18, 2010. The Planning, Housing, and Economic Development (PHED) Committee held a worksession on the SMA on June 28, 2010 and presented its recommendations to the County Council on July 13, 2010.

The Council considered the comments of one property owner in support of the SMA, two requests for changes from property owners, and one recommended change from the Planning Board. Federal Realty Investment Trust (FRIT) expressed concern that the acreage for their property in the SMA (all of SMA Index Area 3 and the portion of SMA Index Area 2 not owned by the State Highway Administration) is less than the size of their property as calculated by surveys prepared by FRIT engineers. Planning Department staff have indicated that their

estimate of acreage is only an estimate and that they would defer to detailed engineering surveys for a more precise calculation of acreage, provided that the boundaries of the area are the same as shown in the SMA. In approving the Zoning Maps, the District Council is approving the boundary lines, not an acreage amount.

The Council considered the request of Leonard Greenberg and the Rockville Pike Partnership to change their zoning from the Sector Plan recommended Commercial-Residential-4, **C-3.5**, R-3.5, H-300, to CR-4, **C-4**, R-3.5, H-300, which would enable them to build the entire property as a commercial development, instead of requiring mixed-use development to achieve the total density. The Council saw no reason to deviate from the Sector Plan recommended zoning for this property and the Sector Plan policy of requiring each CR property to have a mix of uses to obtain the full density.

Finally, the Council considered the request of the Mr. Morrison to rezone his property to the Residential Townhouse (RT) zone. The RT zone may be applied by Local Map Amendment or by Sectional Map Amendment only if the property owner requests the change in zoning as part of the SMA process. The Planning Board received a letter from Mr. Morrison, owner of Outlot A, Parcel N388 in the Hillery Way Block, requesting the change to the RT zone **after** they submitted the SMA to the Council. Planning Department staff indicated that had the letter been received earlier, they would have had no substantive reason to deny the request. **Since the rezoning was recommended in the Sector Plan, the Committee believes the SMA should be revised to allow this rezoning.**

The Council considered the Sectional Map Amendment at a worksession held on July 13, 2010. The Council supported the Sectional Map Amendment with the amendment set forth in this opinion. The Council finds that Sectional Map Amendment Application G-889 is necessary to implement the land use and development policies expressed in the Approved and Adopted White Flint Sector Plan.

The evidence of record for Sectional Map Amendment G-889 consists of all record materials compiled in connection with the County Council public hearings on the Planning Board Draft of the White Flint Sector Plan, dated October 20 and 22, 2009, and all record materials compiled in connection with the public hearing held by the Council on May 18, 2010 on Sectional Map Amendment G-889.

For these reasons, and because to grant this application will aid in the accomplishment of a coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District, this application will be GRANTED.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

1. Application No. G-889, Maryland-National Capital Park and Planning Commission, Applicants for the Sectional Map Amendment covering the area of the White Flint Sector Plan consisting of approximately 430 acres, more or less, is GRANTED. Approximately 265 acres are rezoned as a result of this action. The remaining acreage is to be reconfirmed as currently zoned.
2. The following areas are reclassified as part of this action, consistent with the recommendations in the White Flint Sector Plan.

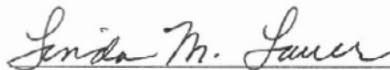
Table 1: Parcels to be Rezoned

Area #	Existing Zoning	Proposed Zoning	Acres
1	C-2	CR-2 C-1.5 R-0.75 H-100'	1.8
2	C-2	CR-3 C-1.5 R-2.5 H-200'	22.5
3	C-2	CR-4 C-3.5 R-3.5 H-300'	5.5
4	C-2,R-90,O-M	CR-3 C-1.5 R-2.5 H-70'	3.6
5	TS-R,C-2	CR-4 C-2.0 R-3.5 H-250'	11.3
6	C-2,TS-R	CR-4 C-3.5 R-3.5 H-300'	12.5
7	R-90,C-2	CR-3 C-2.5 R-1.5 H-200'	5.6
8	R-H,C-2,I-4	CR-3 C-1.5 R-2.5 H-200'	19.7
9	I-4	CR-3 C-1.5 R-2.5 H-200'	9.3
10	TS-M	CR-4 C-3.5 R-3.5 H-300'	12.1
11	TS-M,R-90	CR-4 C-2.0 R-3.5 H-250'	15.6
12	TS-M,I-1	CR-3 C-1.5 R-2.5 H-250'	4.4
13	I-1	CR-3 C-1.5 R-2.5 H-200'	2.1
14	TS-M,C-2	CR-4 C-3.5 R-3.5 H-300'	5.4
15	TS-M,C-2	CR-4 C-3.5 R-3.5 H-300'	8.7
16	TS-M,C-2	CR-4 C-2.0 R-3.5 H-250'	3.6
17	C-2,I-1	CR-3 C-1.5 R-2.5 H-200'	18.9
18	C-2	CR-3 C-1.5 R-2.5 H-100'	3.8
19	R-90	CR-3 C-1.5 R-2.5 H-200'	4.6
20	R-90	CR-3 C-1.5 R-2.5 H-100'	1.7
21	C-2	CR-3 C-1.5 R-2.5 H-150'	0.6
22	C-2	CR-4 C-3.5 R-3.5 H-300'	3.7
23	C-2	CR-4 C-3.5 R-2.0 H-250'	10.8
24	C-2	CR-3 C-1.5 R-2.5 H-200'	44.2
25	C-2,R-90	CR-2.5 C-1.25 R-2.0 H-70'	4.8
26	R-90	CR-1.5 C-0.25 R-1.5 H-50'	2.6
27	TS-M	CR-3 C-1.5 R-2.5 H-100'	1.4
28	TS-M	CR-4 C-3.5 R-3.5 H-300'	3.0
29	C-O	CR-4 C-3.5 R-3.5 H-150'	1.1
30	C-O	CR-4 C-3.5 R-3.5 H-250'	1.4
31	C-O	CR-3 C-2.5 R-1.5 H-150'	2.8
32	O-M	CR-2.5 C-2.0 R-1.25 H-150'	2.6
33	O-M	CR-1.25 C-1.0 R-0.75 H-100'	1.1
34	C-2,R-90	CR-1.0 C-0.75 R-0.5 H-50'	1.4
35	R-90	RT-12.5	2.0
36	C-2	CR-0.5 C-0.25 R-0.25 H-50'	0.7
37	C-T	CR-1.5 C-0.25 R-1.5 H-50'	7.8
Total Change Acres:			264.7

Table 2: Locations for Zoning Line Adjustments

Corrective SMA Designation	Parcel I.D.	Notes
Item A	Parcel 614	Existing zoning map shows this property as a right-of-way and with no zoning classification. Research in the land records indicated that the property is privately owned, is not a public right-of-way and zoning classification should be indicated.
Item B	Parcel 736	The outline of the Local Map Amendment granted for PD-9 zoning obscured the property lines.
Item C	Parcel N269	Existing zoning map shows this project as right-of-way with no zoning classification. Research in the land records indicates that the property is owned by SHA, but it is not a public right-of-way and, therefore, the zoning classification should be shown.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

6.1 Implementing Legislation

6.1.3 White Flint Special Taxing District

Bill No. 50-10
Concerning: Special Taxing District -
White Flint - Creation
Revised: 11-30-10 Draft No. 5
Introduced: October 5, 2010
Enacted: November 30, 2010
Executive: December 9, 2010
Effective: March 10, 2011
Sunset Date: None
Ch. 52, Laws of Mont. Co. 2010

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) establish a White Flint Special Taxing District;
- (2) authorize the levy of an *ad valorem* property tax to fund certain transportation infrastructure improvements;
- (3) authorize the issuance of a certain type of bond to finance certain transportation infrastructure improvements;
- (4) generally authorize a White Flint Special Taxing District; and
- (5) generally amend or supplement the laws governing the use of infrastructure financing districts and similar funding mechanisms.

By adding

Montgomery County Code
Chapter 68C, White Flint Special Taxing District

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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

Sec 1. Chapter 68C is added as follows:

Chapter 68C. White Flint Special Taxing District.

68C-1. Definitions.

For purposes of this Chapter, the following terms have the meanings indicated:

Bond means a special obligation or revenue bond, note, or other similar instrument issued by the County that will be repaid from revenue generated by ad valorem taxes levied under this Chapter.

Cost means the cost of:

- (1) the construction, reconstruction, and renovation of any transportation infrastructure improvement, including the acquisition of any land, structure, real or personal property, right, right-of-way, franchise, or easement, to provide a transportation infrastructure improvement for the District;
- (2) all machinery and equipment needed to expand or enhance a transportation infrastructure improvement for the District;
- (3) financing charges and debt service related to a transportation infrastructure improvement for the District, whether the charge or debt service is incurred before, during, or after construction of the transportation infrastructure improvement, including the cost of issuance, redemption premium (if any), and replenishment of debt service reserve funds for any bond that finances a transportation infrastructure improvement for the District;
- (4) reserves for principal and interest, the cost of bond insurance, and any other type of financial guarantee, including any credit or liquidity enhancement, related to a transportation infrastructure improvement for the District;

- 27 (5) architectural, engineering, financial, and legal services related to
 28 providing a transportation infrastructure improvement for the
 29 District;
- 30 (6) any plan, specification, study, survey, or estimate of costs and
 31 revenues related to providing a transportation infrastructure
 32 improvement for the District;
- 33 (7) any administrative expense incurred by the County necessary or
 34 incident to determining whether to finance or implement a
 35 transportation infrastructure improvement for the District; and
- 36 (8) any other expense incurred by the County necessary or incident
 37 to building, acquiring, or financing a transportation infrastructure
 38 improvement for the District.

39 District means the White Flint Special Taxing District created under
 40 Section 68C-2.

41 Transportation infrastructure improvement means:

- 42 (1) the construction, rehabilitation, or reconstruction of a road, street,
 43 or highway that serves the District, including any:
 - 44 (A) right-of-way;
 - 45 (B) roadway surface;
 - 46 (C) roadway subgrade or shoulder;
 - 47 (D) median divider;
 - 48 (E) drainage facility or structure, including any related
 49 stormwater management facility or structure;
 - 50 (F) roadway cut or fill;
 - 51 (G) guardrail;
 - 52 (H) bridge;
 - 53 (I) highway grade separation structure;

- 54 (J) tunnel;
- 55 (K) overpass, underpass, or interchange;
- 56 (L) entrance plaza, approach, or other structure that is an
- 57 integral part of a street, road, or highway;
- 58 (M) bicycle or walking path;
- 59 (N) designated bus lane;
- 60 (O) sidewalk or pedestrian plaza;
- 61 (P) streetscaping and related infrastructure; including placing
- 62 utilities underground; and
- 63 (Q) other property acquired to construct, operate, or use a road,
- 64 street, or highway; and
- 65 (2) a transit facility that serves the needs of the District, including
- 66 any:
- 67 (A) track;
- 68 (B) right-of-way;
- 69 (C) bridge;
- 70 (D) tunnel;
- 71 (E) subway;
- 72 (F) rolling stock;
- 73 (G) station or terminal;
- 74 (H) parking area;
- 75 (I) related equipment, fixture, building, structure, or other real
- 76 or personal property; and
- 77 (J) service intended for use in connection with the operation
- 78 of a transit facility, including rail, bus, motor vehicle, or
- 79 other mode of transportation.

80 **68C-2. Creation; Boundaries.**

81 (a) The White Flint Special Taxing District is coterminous with the
 82 approved and adopted White Flint Sector Plan area.

83 (b) The following properties, identified by street address, are not included
 84 in the District: 5411 McGrath Boulevard, 5440 Marinelli Road, 5801
 85 Nicholson Lane, 11700 Old Georgetown Road, 11701 Old Georgetown
 86 Road, 11750 Old Georgetown Road, 11800 Old Georgetown Road,
 87 11801 Rockville Pike, 5800 Nicholson Lane, 5802 Nicholson Lane,
 88 5809 Nicholson Lane, 5440 Marinelli Road, 5503 Edson Lane, 5505
 89 Edson Lane, 5507 Edson Lane, 5509 Edson Lane, 11201 Woodglen
 90 Drive, 11203 Woodglen Drive, 11205 Woodglen Drive, 11207
 91 Woodglen Drive, 11209 Woodglen Drive, 11351 Woodglen Drive,
 92 11418 Rockville Pike, 11200-11219 Edson Park Place, 11222 Edson
 93 Park Place, 11224 Edson Park Place, 11226 Edson Park Place, 11228
 94 Edson Park Place, 11230 Edson Park Place, 11232 Edson Park Place,
 95 11234 Edson Park Place, 11236 Edson Park Place, 11238 Edson Park
 96 Place, and 11240 Edson Park Place.

97 **68C-3. Levy of Tax; Limits.**

98 (a) Each tax year the County Council may levy against all the assessable
 99 real and personal property in the District a sum on each \$100 of
 100 assessable property that does not exceed an amount sufficient to cover
 101 the costs of transportation infrastructure improvements that have been
 102 identified in a Council resolution approved under Section 68C-4.

103 (b) Under Section 9-1302 of Article 24, Maryland Code, the limit in
 104 Charter Section 305 on levies of ad valorem taxes on real property to
 105 finance County budgets does not apply to revenue from any tax imposed
 106 under this Chapter.

107 (c) The tax imposed under this Chapter must be levied and collected as
 108 other County property taxes are levied and collected.

109 (d) The tax imposed under this Chapter has the same priority, bears the
 110 same interest and penalties, and in every respect must be treated the
 111 same as other County property taxes.

112 (e) Paying the tax imposed under the Chapter does not entitle any person to
 113 claim a credit against any other tax that the County imposes, including
 114 the development impact tax for transportation improvements imposed
 115 under Section 52-49 or the development impact tax for public school
 116 improvements imposed under Section 52-89.

117 **68C-4. Transportation Infrastructure Improvement Resolution.**

118 (a) After holding a public hearing, the Council may approve a resolution
 119 that lists each transportation infrastructure improvement that would be
 120 entirely or partly paid for by a tax imposed under Section 68C-3.

121 (b) The resolution must indicate the estimated cost, including a contingency
 122 amount, for each listed improvement.

123 (c) The Council may amend the resolution after holding a public hearing.

124 (d) The Council must present the resolution and each amended resolution to
 125 the Executive for approval or disapproval. If the Executive disapproves
 126 a resolution within 10 days after it is transmitted to the Executive and
 127 the Council readopts the resolution by a vote of 6 Councilmembers, or if
 128 the Executive does not act within 10 days after the resolution is
 129 transmitted, the resolution takes effect.

130 (e) Before the Council holds a public hearing under subsection (a) or (c),
 131 the Executive should transmit to the Council:

- 132 (1) a list of recommended transportation infrastructure improvements
 133 to be entirely or partly paid for by a tax imposed under Section
 134 68C-3;
- 135 (2) the estimated cost, including a contingency amount, for each
 136 listed improvement; and
- 137 (3) an estimated tax rate for each tax to be imposed under Section
 138 68C-3.
- 139 (f) Before the County loans or advances any funds to the District that the
 140 District is required to repay to the County, the Council must adopt a
 141 [[financing]] repayment plan in a resolution under this Section, or as
 142 part of an approved Capital Improvements Program resolution, that
 143 specifies:
- 144 (1) each transportation infrastructure improvement for which funds
 145 would be advanced;
- 146 (2) the amount of funds advanced which the District must repay;
- 147 (3) the [[amount]] expected rate of interest, if any, the District must
 148 repay;
- 149 (4) the time period during which the District [[must]] is expected to
 150 repay the amount due; and
- 151 (5) [[the number and timing of installment payments, if any; and]]
 152 [[((6))] any other principal term of repayment.
- 153 Any [[financing]] repayment plan adopted under this subsection is
 154 binding on the District and the County, except as later modified in a
 155 Council resolution.
- 156 **68C-5. District Fund.**
- 157 (a) The Director of Finance must establish a separate fund for the proceeds
 158 collected from any tax imposed under this Chapter. The proceeds of

159 any tax imposed under this Chapter must be pledged to and paid into
 160 this fund.

161 (b) The Director of Finance must use this fund only to pay the cost of any
 162 transportation infrastructure improvement related to the District.

163 (c) If in any fiscal year a balance remains in the fund, the Director of
 164 Finance may use the balance to:

165 (1) pay the cost of any transportation infrastructure improvement for
 166 the District;

167 (2) create a reserve to pay the future costs of any transportation
 168 infrastructure improvement for the District;

169 (3) pay bond-related obligations or retire bonds then outstanding; or

170 (4) pay into a sinking fund required by the terms of bonds which
 171 finance the cost of any transportation infrastructure improvement
 172 for the District that may be incurred or accrue in later years.

173 **68C-6. Issuing Bonds.**

174 (a) Before the County issues any bond payable from ad valorem taxes
 175 levied under Section 68C-3, the Council must adopt a resolution
 176 authorizing the issuance of bonds that meets the requirements of this
 177 Section.

178 (b) Each resolution under this Section must:

179 (1) describe the types of transportation infrastructure improvements
 180 and related costs to be financed; and

181 (2) specify the maximum principal amount of bonds to be issued.

182 (c) Each resolution may specify, or authorize the Executive by executive
 183 order to specify:

184 (1) the actual principal amount of bonds to be issued;

185 (2) the actual rate or rates of interest for the bonds;

- 186 (3) how and on what terms the bonds must be sold;
- 187 (4) how, when, and where principal of, and interest on, the bonds
- 188 must be paid;
- 189 (5) when the bonds may be executed, issued, and delivered;
- 190 (6) the form and tenor of the bonds, and the denominations in which
- 191 the bonds may be issued;
- 192 (7) how any or all of the bonds may be called for redemption before
- 193 their stated maturity dates;
- 194 (8) the nature and size of any debt service reserve fund;
- 195 (9) the pledge of other assets in and revenues from the District to pay
- 196 the principal of and interest on the bonds;
- 197 (10) any bond insurance or any other financial guaranty or credit or
- 198 liquidity enhancement of the bonds; and
- 199 (11) any other provision consistent with law that is necessary or
- 200 desirable to finance any transportation infrastructure
- 201 improvement that has been identified in a Council resolution
- 202 approved under Section 68C-4.
- 203 (d) (1) The County [[covenants]] must covenant to levy ad valorem
- 204 taxes against all assessable real and personal property in the
- 205 District at a rate and amount sufficient in each year when any
- 206 bonds are outstanding to:
- 207 (A) provide for the payment of the principal of, interest on, and
- 208 redemption premium if any, on the bonds;
- 209 (B) replenish any debt service reserve fund established with
- 210 respect to the bonds; and
- 211 (C) provide for any other purpose related to the ongoing
- 212 expenses of and security for the bonds.

- 213 (2) The County further [[covenants]] must covenant, when any bond
 214 is outstanding, to enforce the collection of all ad valorem taxes
 215 under this Chapter as provided by applicable law.
- 216 (e) All proceeds received from any issuance of bonds must be applied
 217 solely towards costs of the transportation infrastructure improvements
 218 listed in the resolution adopted under Section 68C-4, including the cost
 219 of issuing bonds and payment of the principal of, interest on, and
 220 redemption premium if any, on the bonds.
- 221 (f) The bonds issued under this Chapter:
- 222 (1) are special obligations of the County and do not constitute a
 223 general obligation debt of the County or a pledge of the County's
 224 full faith and credit or the County's general taxing power;
- 225 (2) may be sold in any manner, either at public or private sale, and on
 226 terms as the Executive approves;
- 227 (3) are not subject to Sections 10 and 11 of Article 31, Maryland
 228 Code; and
- 229 (4) must be treated as securities to the same extent as bonds issued
 230 under Section 9-1301 of Article 24, Maryland Code.
- 231 (g) To the extent provided by law, the bonds, their transfer, the interest
 232 payable on them, and any income derived from them, including any
 233 profit realized on their sale or exchange, must be exempt at all times
 234 from every kind and nature of taxation by the State of Maryland and any
 235 county or municipality in Maryland.
- 236 (h) The bonds must be payable from the fund required under Section 68C-5
 237 and any other asset or revenue of the District pledged toward their
 238 payment. When any bond is outstanding, the monies in the fund are
 239 pledged to pay the costs of any transportation infrastructure

240 improvement funded entirely or partly by the proceeds of the bonds,
 241 including the costs of issuing the bonds and payment of the principal of,
 242 interest on, and redemption premium if any, on the bonds. In addition
 243 to ad valorem taxes, the bonds may be secured by any other asset in or
 244 revenue generated in the District.

245 (i) Any ad valorem tax imposed under this Chapter must not be accelerated
 246 because of any bond default.

247 **68C-7. Expiration of district.**

248 Any special taxing district created under this Chapter expires by operation of
 249 law 30 days after the cost of all transportation infrastructure improvements identified
 250 in a Council resolution approved under Section 68C-4, including all outstanding
 251 bonds and cash advances made by the County, have been paid.

252 *Approved:*

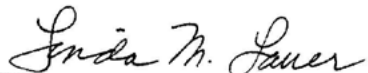
253  12/1/10
 Nancy Floreen, President, County Council Date

254 *Approved:*

255  12/5/10
 Isiah Leggett, County Executive Date

256

257 *This is a correct copy of Council action.*

258  12/10/10
 Linda M. Lauer, Clerk of the Council Date

6.1 Implementing Legislation

6.1.4 White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List

Resolution No.:	<u>16-1570</u>
Introduced:	<u>October 5, 2010</u>
Adopted:	<u>November 30, 2010</u>

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: White Flint Sector Plan Implementation Strategy and Infrastructure Improvement List

Background

1. On March 23, 2010, the County Council, sitting as the District Council, adopted the White Flint Sector Plan, which approved a long range vision of transforming the Sector Plan area into a pedestrian-friendly transit-oriented urban setting.
2. The White Flint Sector Plan envisions conversion of Rockville Pike (MD Route 355) into a walkable boulevard with bus rapid transit along with road networks to the west and east of Rockville Pike that will provide effective alternatives to the highly congested Rockville Pike and connected blocks for development and connectivity.
3. The Plan's focus on access to Metro transit and redevelopment of the extensively built environment make White Flint a priority smart growth area.
4. The White Flint Sector Plan Area is expected to be a leading economic engine for the County.
5. To provide greater assurance of achieving this vision, the Plan identified a need for a public financing mechanism to fund a portion of the transportation infrastructure. This public financing mechanism anticipates assessments against property or other means of revenue generation and is intended to replace payments that projects redeveloping in the plan area would have to pay under current adequate public facilities requirements for local area transportation and policy area mobility reviews (LATR and PAMR).
6. The Council enacted Bill 50-10, creating the White Flint Special Taxing District to raise revenues to fund certain transportation improvements. The White Flint Special Taxing District will provide greater assurances of reliable and consistent revenue generation and materially greater funds for transportation improvements than would be anticipated from combined payments under otherwise applicable transportation development impositions, including LATR, PAMR, and transportation impact taxes.

7. The Council pursued certain goals in enacting Bill 50-10, including (a) creating a mechanism that will produce a reliable and consistent source of funds to secure debt service and pay for specific transportation infrastructure items; (b) imposing a manageable and sustainable payment for transportation infrastructure associated with new development in the White Flint Sector Plan area without unduly burdening property owners; and (c) setting and maintaining a tax rate that will allow development and businesses in White Flint to be competitive in attracting businesses to the area.
8. County Code Chapter 68C, enacted in Bill 50-10, establishes the White Flint Special Taxing District, authorizes the levy of an ad valorem tax to fund transportation infrastructure improvements in the District, and authorizes the issuance of bonds to finance the transportation infrastructure improvements.
9. Chapter 68C-4 requires a resolution that lists each transportation infrastructure improvement that is to be paid for by the District special tax, and the estimated costs of each improvement, which must include a contingency amount.

Action

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

To comply with the requirements of Chapter 68C and to successfully implement the White Flint Sector Plan, the Council takes the following steps and adopts the following implementation strategy to maximize acceptable growth in the Plan area and to move from Stage 1 to Stages 2 and 3 of development envisioned in the Plan.

1. The County's goal is that the White Flint Special Taxing District special tax rate must not exceed 10% of the total tax rate for the District, except that the rate must be sufficient to pay debt service on any bonds that are already outstanding.
2. If the revenues from the special tax at the level in the preceding paragraph are not sufficient to afford additional infrastructure improvements as are necessary and ready for implementation to execute the White Flint Sector Plan, the County Executive, before recommending any increase to the tax rate above the level in the preceding paragraph, must consider alternative approaches, including the timing and scope of each infrastructure item and the structure of the financing plan to pay for it, and alternative revenue sources.
3. Without limiting the specificity of the preceding paragraph, before issuing debt secured by or intended to be paid by the White Flint Special Taxing District, the County Executive must carry out a feasibility or other study to assess whether repaying the debt will require a district tax rate that will exceed the 10% policy goal. If this analysis concludes that a rate higher than the 10% policy goal would be

required, the Council intends that either (a) the debt will not be issued at that time; or (b) the County will manage the debt issuance or repayment in a manner that will have the White Flint Special Taxing District rate stay within the 10% policy goal.

4. For the tax year that began on July 1, 2010, the total base real property tax rate in the White Flint Special Taxing District is \$1.027 per \$100 of assessed value.
5. For the tax year that begins on July 1, 2011, the rate of the White Flint Special Taxing District special tax is estimated to be \$0.103 per \$100 of assessed value. The Council will set the actual Special Taxing District tax rate when it sets other property tax rates in May 2011.
6. The specific transportation infrastructure improvements that will be financed by the White Flint Special Taxing District are listed in Exhibit A, along with an estimated cost for each improvement, including a contingency amount. The District will remain responsible for the actual cost of each designated infrastructure improvement, including any future cost increase.
7. If a gap results between the White Flint Special Taxing District revenue generation and the aggregate cost of those transportation projects to be funded by District revenues, and to assure adherence to the 10% policy rate goal and the prompt building of necessary infrastructure in the Sector Plan area, the Council policy is that, to promptly implement the Sector Plan, the Capital Improvements Program for this area will include forward funding or advance funds to design and build the following:
 - (a) that portion of Market Street from Old Georgetown Road to Woodglenn Road, including a bike lane;
 - (b) realignment of Executive Boulevard from Marinelli Road to MD Route 187;
 - (c) the redesign of Rockville Pike (these 3 items collectively may be referred to as “forward-funded items”); and
 - (d) up to \$15 million for other items assigned to the District in Plan stages 1 and 2.

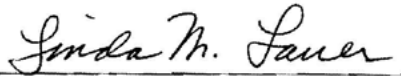
Any forward funding or advance payment must be structured so that it does not count under applicable spending affordability guidelines.
8. As used in the preceding paragraph, forward fund or advance funds means
 - (a) For items 7(a), (b), and (c), the County would include these items in the County Capital Improvements Program and fund them accordingly, and the District, subject to applicable provisions of Chapter 68C, would, on a dollar for dollar basis, without any interest accruing during the first 10 years after that Capital Improvements Program is approved, repay the County when every District improvement listed in Exhibit A has been

funded either directly or through debt secured by the District. However, the District may repay the County earlier for any item to the extent that revenue generation exceeds the funds needed to pay for other improvements assigned to the District and no stage of development under the Sector Plan would be delayed; and

- (b) For item 7(d), the County would coordinate with planned private development and include infrastructure items necessary for that development to proceed in a timely fashion in the County Capital Improvements Program, and the District would reimburse the County for all costs incurred in connection with any advance, including interest costs.
9. The specified items subject to forward or advance funding have estimated costs shown in Exhibit A as follows:
 - (a) The realignment of Executive Boulevard and Market Street from Old Georgetown Road to Woodglan Road is estimated to cost \$24.8 million, not including right-of-way which is assumed to be dedicated by affected property owners.
 - (b) The redesign of Rockville Pike is estimated to cost \$7.7 million.
 10. The County Executive will include the projects comprising the forward funding in his January 2011 Capital Improvements Program Amendments, with initial expenditures in fiscal years 2015, 2016, and beyond until completed.
 11. Two items have been removed from District funding and must instead be paid for by County or other sources of public funds. These items are:
 - (a) the second entrance to the White Flint Metro Station, which is estimated to cost \$35 million; and
 - (b) the Nebel Street bike lane, which is estimated to cost \$9.2 million.
 12. One item has been modified for District funding: Market Street between MD Route 355 and Station Street (bridge across White Flint Metro station), at an estimated added cost of \$5.2 million and a total cost of \$7.2 million.
 13. The County Council intends that the annual joint State-County transportation priority letter would include a request to the Maryland Department of Transportation that the White Flint Sector Plan Area should receive a Transit Oriented Development designation, but also note that granting this status to the White Flint area does not mean that transportation infrastructure items in that area would supersede any other items in the priority letter.

14. The Council intends to amend the law authorizing the County transportation impact tax to create a White Flint impact tax district and to set the tax rate in that district at \$0. The Executive intends to submit a Bill to the Council to do this. The Council also intends that the transportation impact tax rate for the remaining buildings in LCOR Inc.'s North Bethesda Center development be set at \$0. This development had been approved under the former County Growth Policy's Alternative Review Procedure for Metro Station Policy Areas, under which its transportation impact tax rate is 75% of the applicable County-wide rate. This action would also be included in the transportation impact tax amendments bill.
15. The Council intends to fund, in the White Flint Special Taxing District Capital Improvements Program referred to in paragraph 10, to the extent legally allowable, personnel costs and other expenses of the development coordinator for the White Flint planning area that the Executive is required to designate under County Code §2-25(c), enacted in Council Bill 1-10. State law (including Maryland Code Article 24, §9-1302(a)(2), incorporating §9-1301(a)(3)(viii), and §9-1303(a)(2) and §9-1303(e)) authorizes funding of these costs by the District.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

Approved:

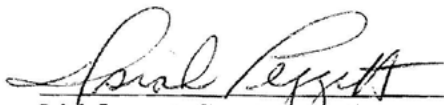

Isiah Leggett, County Executive

EXHIBIT A

WHITE FLINT SPECIAL TAXING DISTRICT
DISTRICT-FUNDED IMPROVEMENTS

Improvement Description	Estimated Cost
Old Georgetown Road (MD 187): Nicholson La./Tilden La. to Executive Blvd.	\$17,774,000
Old Georgetown Road (MD 187): Hoya St. to Rockville Pike (MD 355)	1,789,000
Hoya Street (formerly Old Old Georgetown Rd.): Executive Blvd. to Montrose Pkwy.	15,344,000
Rockville Pike (MD 355): Flanders Ave. to Hubbard Drive	66,961,000
Nicholson Lane: Old Georgetown Rd. (MD 187) to CSX tracks	12,942,000
Executive Blvd. Ext.: Marinelli Rd. to Old Georgetown Rd (MD 187)	23,500,000
Main St./Market St.: Old Georgetown Rd. (MD 187) to Executive Blvd. Extended (Bikeway)	1,713,000
Main St./Market St.: Old Georgetown Rd. (MD 187) to Executive Blvd. Ext.	4,933,000
Main St./Market St.: Executive Blvd. to Rockville Pike (MD 355)	4,661,000
Market Street from Maryland Route 355 to Station Street	7,200,000
Executive Blvd. Ext. (East): Rockville Pike (MD 355) to Nebel St. Ext. (South)	16,700,000
Nebel St. Ext. (South): Nicholson La. to Executive Blvd. Ext. (East)	8,200,000
TOTAL	181,717,000

6.2 Staging Allocation Request Form



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

1 of 6

Effective: July 13, 2011

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550

Fax 301.495.1306

STAGING ALLOCATION REQUEST FORM

M-NCPPC Staff Use Only

SAR Number	SAR _____	Lead Reviewer	_____
Date Final Application Received	_____	Planning Board Date	_____

An application will not be accepted for review unless all required information is provided. If an item requires more space, attach a separate sheet.

Plan Name (most recently approved): _____

Approval Requested:

Planning Board Level

Staff Level

☐ Associated with M-NCPPC Approved Plan

☐ SAR Exemption

☐ Building Permit Only*

☐ No-Net Draw on Capacity

*Provide Property Tax ID _____

☐ Development Plan Approvals Pre-Date Sector Plan Approval

Previous Plan Approvals: (enter information, if applicable)

Sketch Plan:

Number	Name

Preliminary Plan:

Number	Name

Site Plan Name:

Number	Name

Does Site Plan cover the entire Preliminary Plan property boundary? ☐ Yes ☐ No

Other Plans:

Applicant: (☐ Owner or ☐ Owner's Designee - check applicable; written verification required if not the owner.)

Contact Person	Company Name
----------------	--------------

Street Address

City	State	Zip Code
------	-------	----------

Telephone Number	Fax Number	E-mail
------------------	------------	--------

Use page 5 to provide additional contacts' information, if desired.

Demolition Credit Plan* _____
Number

Demolition Credit Accounting Worksheet – Dwelling Units

Existing DU Approved for Demolition

--

Buildings Actually Demolished**

1.									DU
2.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
3.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
4.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
5.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
6.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
7.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Residential Sq.Ft.	DU	
								Total Res Sq.Ft.	Total DU

Previously Taken Demolition Credits

1.		
2.	SAR Number	DU
3.	SAR Number	DU
4.	SAR Number	DU
5.	SAR Number	DU
6.	SAR Number	DU
7.	SAR Number	DU
	SAR Number	DU
		Total DU

Remaining Balance

Proposed Demo Credits to be taken with this SAR

Remaining Balance should this SAR be Allocated

DU
DU
DU

*If the Site Plan covers less than the Preliminary Plan boundary, use the Preliminary Plan.

**Attach proof of demolition if credit taken.

Demolition Credit Accounting Worksheet – Non-Residential Square Feet

Existing Non-Residential Sq.Ft. Approved for Demolition

Buildings Actually Demolished**

1.							Sq.Ft.
2.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
3.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
4.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
5.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
6.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
7.	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.
	Demo Permit #	Street #	Prefix	Street Name	Street Type	Suffix	Sq.Ft.

Total Sq.Ft.

Previously Taken Demolition Credits

1.		
2.	SAR Number	Sq.Ft.
3.	SAR Number	Sq.Ft.
4.	SAR Number	Sq.Ft.
5.	SAR Number	Sq.Ft.
6.	SAR Number	Sq.Ft.
7.	SAR Number	Sq.Ft.
	SAR Number	Sq.Ft.

Total Sq.Ft.

Remaining Balance

Proposed Demo Credits to be taken with this SAR

Remaining Balance should this SAR be Allocated

Sq.Ft.
Sq.Ft.
Sq.Ft.

** Attach proof of demolition if credit taken.

Addresses for buildings(s) associated with the SAR

A.	Street Number	Prefix	Street Name	Street Type	Suffix
B.	Street Number	Prefix	Street Name	Street Type	Suffix
C.	Street Number	Prefix	Street Name	Street Type	Suffix
D.	Street Number	Prefix	Street Name	Street Type	Suffix
E.	Street Number	Prefix	Street Name	Street Type	Suffix

Allocation Worksheet

I. Dwelling Units

	Building A.	Building B.	Building C.	Building D.	Building E.	SAR Total
a. Requested Residential Sq.Ft.						
b. Requested DU						
c. MPDU Approved						
d. MPDU Credit						
e. Demolition Credit Applied						
f. Net Allocation						

II. Non-Residential Square Feet

	A.	B.	C.	D.	E.	SAR Total
a. Requested						
b. Demolition Credit Applied						
c. Net Allocation						

Applicant hereby acknowledges that he/she ☐ is the sole owner of the subject property, or ☐ is otherwise legally authorized to represent the owner(s) (written verification provided), that all required information for the submission of a Staging Allocation Request has been included in this application, and that to the best of his/her knowledge, information, and reasonable belief, the information and data are accurate.

Signature of Applicant(s) (Owner or Owner's Representative)

Signature

Date

Name (Type or Print)

Owner (If Applicant is a representative or contract purchaser, list owner here)

Name		Contact Person
Street Address		
City	State	Zip Code
Telephone Number	Fax Number	E-mail

Architect

Name		Contact Person
Street Address		
City	State	Zip Code
Telephone Number	Fax Number	E-mail

Engineer

Name		Contact Person
Street Address		
City	State	Zip Code
Telephone Number	Fax Number	E-mail

Attorney

Name		Contact Person
Street Address		
City	State	Zip Code
Telephone Number	Fax Number	E-mail

Other: _____

Name		Contact Person
Street Address		
City	State	Zip Code
Telephone Number	Fax Number	E-mail

Checklist

This application may be submitted by appointment only. Please contact the DARC Intake Section at 301-495-4611 to schedule an appointment. The following items are required to be included in the application. See Submission Requirements for more details about the items below.

1. General Information
 - 1.1 Completed application form and checklist.
 - 1.2 Fee schedule and application fee.
2. Supporting Drawings and Documents
 - 2.1 Building Location Plan Drawing
 - a. Plan base is the most recently approved development plan
 - b. Buildings included in the SAR are highlighted
 - c. Address of each building included in the SAR is noted on the plan drawing
 - 2.2 All Demolition Permits for Demolition Credit taken
 - 2.3 Photos or other evidence to verify that all buildings for which Demolition Credit Taken have been demolished
 - 2.4 Copy of the Planning Board resolution approving any plans associated with the SAR (preliminary, site, etc.)
 - 2.5 Written verification that applicant (if not the property owner) is legally authorized to submit this application on behalf of a property owner, if applicable.

No. Copies	Applicant	M-NCPPC Staff
1		
1		
1		
1ea		
1ea		
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6.3 White Flint 2 Sector Plan Approval

(County Council approval of the White Flint 2 Sector Plan)

Resolution No.:	<u>18-979</u>
Introduced:	<u>December 5, 2017</u>
Adopted:	<u>December 5, 2017</u>

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of July 2017 White Flint 2 Sector Plan

1. On August 8, 2017, the Montgomery County Planning Board transmitted to the County Executive and the County Council the July 2017 Planning Board Draft White Flint 2 Sector Plan.
2. The July 2017 Planning Board Draft White Flint 2 Sector Plan contains the text and supporting maps for an amendment to portions of the approved and adopted 1992 North Bethesda/Garrett Park Master Plan and portions of the 2010 White Flint Sector Plan, as amended. It also amends The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; the Master Plan of Highways and Transitways, as amended; and the Countywide Bikeways Functional Master Plan, as amended.
3. On September 19, 2017, the County Council held a public hearing on the July 2017 Planning Board Draft White Flint 2 Sector Plan. The Sector Plan was referred to the Council's Planning, Housing, and Economic Development Committee for review and recommendations.
4. On September 20, 2017, the Office of Management and Budget transmitted to the County Council the Executive's Fiscal Impact Statement for the July 2017 Planning Board Draft White Flint 2 Sector Plan.
5. On October 9, October 23, October 30, and November 6, 2017, the Planning, Housing, and Economic Development Committee held worksessions to review the issues raised in connection with the Planning Board Draft White Flint 2 Sector Plan.
6. On November 14, 2017, the County Council reviewed the Planning Board Draft White Flint 2 Sector Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft White Flint 2 Sector Plan, dated July 2017, is approved with revisions. County Council revisions to the Planning Board Draft White Flint 2 Sector Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring. All page references are to the July 2017 Planning Board Draft White Flint 2 Sector Plan.

Page 2: Add a new sentence at the end of the fourth paragraph as follows:

The Plan recommends up to 6,000 new residential dwelling units, primarily focused along Rockville Pike, the Executive Boulevard office park and some areas east of the CSX rail tracks. Development potential from the Guardian and Willco properties of approximately 1,800 dwelling units and 750,000 square feet of non-residential development is added to the phase one staging limits in the 2010 White Flint Sector Plan. Development potential from a portion of the Wilgus property (Parcels N208, N279, N174, and N231) of up to 700 residential dwelling units and 180,000 square feet of non-residential development is added to the phase two staging limits of the 2010 White Flint Sector Plan.

Page 2: Revise Table 1 per the Council decision.

Page 3: Revise Map 1: “White Flint 2 Concept Plan” per the Council decision.

Pages 20-21: Modify the last bullet on page 20 as follows:

- Encourage 15 percent Moderately Priced Dwelling Units (MPDUs) as the highest priority public [amenity] benefit for new residential development under the optional method of development, subject to section 11.1.4.

Page 26: Modify the first paragraph under “5.1.4 Open Spaces” as follows:

Most of the open spaces discussed in this Plan will be provided during the regulatory process as part of the public open space requirement. Because of their location or development potential, key properties that can make significant contributions to this network are identified on Map 11. Expanding the interconnected network of open spaces envisioned by prior planning efforts is an important priority of this Plan. The Plan also seeks to preserve existing natural areas and make them accessible as open space for existing and emerging communities. New open spaces should:

Page 29: Update Map 10: “White Flint 2 Proposed Overall Zoning” to reflect the Council-recommended zoning changes.

Page 30: Update Map 11: “Overall Height and Density Recommendations” to reflect the Council decisions.

Page 34: Amend the last sentence of the second paragraph as follows:

This Plan recommends the retention of the southern and western forested areas to contribute to the Plan’s environmental and tree canopy goals, and to [maintain a transitional area to] establish a wooded buffer and facilitate a compatible relationship with the existing Luxmanor residential community.

Page 34: Amend the first bullet under “A. Land Use and Zoning Recommendations” as follows:

Rezone 6000 Executive Boulevard from the EOF 0.75 H100T to the CR [2.0] 2.5, [C1.0 R1.5] C 1.5, R 2.0, H200 Zone to promote redevelopment opportunities, including new public benefits that [support] further the Sector Plan recommendations. Development on this property must transition from a maximum of 200 [foot building heights] feet high at the northeastern corner of the property to 70 feet at the southern portion of the property. A minimum 50-foot wide landscape area must be retained on the southern portion of the property[. This landscape] that will include preserved and new trees, the pedestrian-bike path called for in this Plan, and required utility easements. Public open space on this property should consist of a combination of an urban greenway, plazas or pocket greens.

Page 34: Modify the second bullet under “A. Land Use and Zoning Recommendations” as follows:

Rezone the 6006 Executive Boulevard and 6010 Executive Boulevard properties from the EOF 0.75 H100T Zone to the CR 2.0 C1.0 R1.5 H150 Zone to promote infill development and support the Sector Plan’s recommended public benefits, including housing options and amenities. [The existing water and sewer easement must be retained and the recommended path must be located outside of this easement.]

Pages 34-35: Modify the third bullet under “A. Land Use and Zoning Recommendations” as follows:

Rezone the properties at 6100 Executive Boulevard, 6110 Executive Boulevard, 6116 Executive Boulevard, and 6120 and 6130 Executive Boulevard from the EOF 0.75 H100T Zone to the CR 1.5 C1.5 R1.0 H100 Zone to promote infill development, including new public benefits that advance the Sector Plan recommendations. [The existing water and sewer easement must be retained and the recommended path must be located outside of this easement.]

Page 35: Revise Maps 18 and 19 to reflect the Council decisions.

Page 35: Amend the fourth bullet under “B. Design and Connectivity Recommendations” as follows:

Create a pedestrian-bike path along the northern edge of the Old Farm-Neilwood Creek area with potential mid-block connections to Luxmanor Local Park to the south and Executive Boulevard to the north. Extend the path along the western edge of the wooded area to Montrose Parkway (Map 19). This path should utilize ecologically sensitive materials for pedestrians and bicyclists. The exact alignment of the path will be determined during the development review process in accordance with the Planning Board’s *Environmental Guidelines*.

Page 37: Revise the last sentence of the first full paragraph as follows:

[A] At least 1.25[-acre] acres of open space should be provided on the Wilgus property when it is developed, either on the area south of the existing townhomes and/or as a neighborhood green [must be provided] on the central or eastern portion of the Wilgus property[, while a landscaped area must be provided adjacent to]. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping.

Page 37: Amend the last sentence of the second bullet as follows:

Density from this property could be transferred to the two vacant properties to the east and commercial uses should be concentrated to the east.

Page 37: Modify the third and fourth bullets under “A. Land Use and Zoning Recommendations” as follows:

- Rezone the vacant property (Parcel N279) from the R-200 Zone to the CR 2.0 C0.25 R1.75 H-75 Zone to permit new mixed-use development that is predominantly residential, contributes to the Plan’s public benefits, and maintains compatibility with the existing residential townhouses to the west. No commercial development is permitted directly south of the Cherington residential community. Density from this property could be transferred to the two vacant properties to the east.
- Rezone the vacant property (Parcel N273) from the R-200 zone to the CRN 0.75 C0.0 R0.75 H50 Zone [to promote]. During the development review process, pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use. Ensure that new residential development [that] is compatible with the adjacent townhouse community.

Page 37: Modify the sixth bullet under B. Design and Connectivity Recommendations as follows:

- Create open spaces, including an area with a minimum 1.25[-acre neighborhood green] acres, for public use that are connected to the overall open space network. The location of open space should be defined during the development review process and may include wooded areas and/or a neighborhood green.

Page 42: Insert a new paragraph after the second paragraph under “5.4.5 Sub-area: Jewish Community Center” as follows:

The Morgan Apartments is a multi-family residential development where all residential units are two-bedroom units. There are 20 MPDUs for which the original control period has expired, but they are continuing as income-restricted units through an agreement with the Department of Housing and Community Affairs (DHCA) that will expire in 2022. The rents in all other units are affordable to households earning about 110% of the area median income (AMI). If the property is redeveloped, the developer must provide 17.5% MPDUs and 2.5% Workforce Housing, capped at 100% of AMI, or 20% MPDUs. DHCA may agree to allow the developer to meet some or all of their MPDU or Workforce Housing requirements by designating existing two-bedroom units as MPDUs or Workforce Housing, if DHCA determines it benefits the County’s affordable housing stock.

Page 42: Modify the third paragraph under “5.4.5 Sub-area: Jewish Community Center” as follows:

This Plan supports the floating Commercial Residential Town (CRT) Zone, via a Local Map Amendment, for potential redevelopment of the Hebrew Home property. The extension of Hubbard Drive onto the Hebrew Home property, along with another new north-south road from Montrose Road, will provide greater connectivity to surrounding streets. These roads are not required unless and until the existing uses for the entire campus are relocated off-site and the site thereafter is either completely redeveloped or the buildings are repurposed for other uses under the existing R-200 or the CRT floating zones. New development should be primarily residential rather than non-residential.

Page 42: Modify the second, third, and fourth bullets and add a new bullet under “A. Land Use and Zoning Recommendations” as follows:

- Support a floating CRT 1.0 C0.25 R1.0 H-100 Zone for the JCC property. Redevelopment of the campus in its entirety must provide for new public roadway connections to Rockville Pike and Montrose Road.
- Rezone the Verizon office building from the R-200 Zone to the [EOF 1.0 H75] CRT-3.0, C-3.0, R-2.5, H-120 Zone [to align the existing use with an office zone and other office zones in the area] to provide flexibility for redevelopment and to support the Sector Plan’s recommended public benefits.
- [Confirm the EOF 3.0 H-100 Zone for the offices] Rezone the office buildings at 6001 Montrose Road and 6101 Montrose Road (Map 33) from the EOF-3.0, H-100 Zone to the CRT-3.0, C-3.0, R-2.5, H-120 Zone to provide flexibility for redevelopment and to support the Sector Plan’s recommended public benefits.
- Rezone the Morgan Apartments from the R-20 Zone to the CRT-1.5, C-0.25, R-1.5, H-120 Zone to promote the Sector Plan’s public benefits, including a greater percentage of MPDUs and dwelling unit mix.

Page 42: Modify the third sub-bullet under “B. Design and Connectivity Recommendations” as follows:

- Provide additional internal streets to improve connectivity throughout and to provide better access for all modes of transit between East Jefferson Street, Rockville Pike, and Montrose Road. These internal streets are not required unless and until the existing uses for the entire campus are relocated off-site and the site thereafter is either completely redeveloped or the buildings are repurposed for other uses under the existing R-200 or the CRT floating zones.

Page 43: Revise Maps 33 and 34 to reflect the Council decisions.

Pages 46-47: Modify the fifth paragraph starting on page 46 as follows:

This Plan recommends an overlay zone to retain the light industrial uses while recognizing the need for [limited] some residential uses [in the district] at the Randolph Hills Shopping Center area. The proposed overlay zone will be similar in concept to the existing Twinbrook Overlay Zone, but it will be more expansive in its residential potential since, unlike the Twinbrook Overlay Zone, the residential development in this overlay zone will be not be limited to a certain percentage of the existing non-residential floor area on a property] (Map 42). Major elements of the proposed White Flint 2 Overlay Zone [are] should be the following:

- Maximum FAR of 1.5;
- [Maximum Residential FAR of 1.0;]
- Maximum Building Height of 75 feet;
- Non-residential uses limited to those allowed in the Light Industrial I-L Zone;
- Residential uses to be allowed with the balance between light industrial and residential to be determined when the Overlay zone is developed[: Multi-unit];
- [Ground floor to be used only for non-residential uses allowed in the base I-L Zone;]
- Minimum Public Use Space of 10 percent required for mixed-use developments;
- Design guidance in the Plan and separate Urban Design Guidelines; and
- Site Plan for developments that include residential uses [per the overlay zone].

Page 47: Delete the second paragraph as follows:

[This Plan also recommends that a future zoning text amendment should be introduced that will comprehensively examine both the Twinbrook and White Flint 2 industrial areas to determine how to balance the retention of light industrial zones with residential development.]

Page 47: Delete the third bullet under “A. Land Use and Zoning Recommendations” as follows:

- [Create an overlay zone for this area that would permit residential uses, while retaining industrial uses.]

Page 48: Delete the third bullet under “A. Land Use and Zoning Recommendations” as follows:

- [Create an overlay zone for this area that would permit residential uses, while retaining industrial uses.]

Page 48: Modify the third paragraph under “5.5.3 Area 3: Randolph Hills Shopping Center” as follows:

Both the Randolph Hills Shopping Center and the Pickford property offer the opportunity to create a mixed-use, neighborhood-serving center that complements the industrial character of the area. Both properties could [redeveloped, either] redevelop through the recommended overlay industrial zone [or a floating CRT Zone]. [A pedestrian-bike bridge across the CSX tracks should be funded either through the county's capital improvements program, or a public-private partnership, or the public benefits of the CRT Zone. Both properties are suitable for a floating CRT 1.5 H-75 Zone. A Floating CRT with 2.0 FAR and a maximum height of 75 feet should be supported only if the redevelopment contributes towards funding of a MARC station at this location, if MDOT determines that a MARC station will be located here.]

Page 48: Amend “A. Design and Connectivity Recommendations” as follows:

If the recommended [floating CRT zones or] industrial overlay zone is implemented, redevelopment on this location should create a unique center for the Randolph Hills community that would:

- Provide work spaces and complementary amenities that are aligned with the unique needs of creative and new economy businesses.
- [Create high-density housing that] Consider housing types that serve families with young children and other households.
- Mix uses to promote collaboration and communication among businesses, residents, and the community.
- Incorporate innovative adaptive reuse techniques and sustainable practices to build new structures, retrofit existing structures, and reduce impervious surfaces.
- Locate a minimum $\frac{3}{4}$ acre neighborhood green on the Randolph Hills Shopping Center property.
- Locate new residential development to support the neighborhood center envisioned by the Randolph Hills community, and to transition adequately to the abutting single-family neighborhood. Mixed-use development in this area should:
 - Concentrate light industrial and new mixed-use development that includes multi-family residential development on areas furthest from existing single-family detached residential use (including the existing shopping center/surface parking lot area, or the adjacent Pickford property). The recommended neighborhood green should be located within the Randolph Hills Shopping Center surface parking area.
 - Consider residential uses along the Wyaconda Road frontage and adjacent to the existing single-family residential development, to establish a compatible relationship with the single-family dwellings to the south and east.
 - Reserve areas along the CSX tracks for industrial space and any required access to it.

Pages 48-49: Delete the second paragraph under “5.5.4 Area 4: Nicholson Court” as follows:

[The 2010 *White Flint Sector Plan* confirmed the light industrial zone for this area until the *White Flint 2 Sector Plan* can evaluate both sides of the CSX rail tracks. The 2010 Sector Plan also recommended a MARC station at Nicholson Court. Maryland Transit Administration (MTA) is in the process of creating standards for new infill MARC stations, along the Brunswick Line in Montgomery County. This Plan’s recommended staging plan requires that MTA conduct a feasibility study in Phase 1 to determine if and where an infill station would be located in the Plan area.]

Page 49: Modify the second and third bullets under “A. Land Use and Zoning Recommendations” as follows:

- [Create an overlay zone for this area that would permit residential uses while retaining industrial uses.]
- Support [a floating Commercial Residential Town (CRT) Zone with up to 1.5 FAR with the provision of] a pedestrian-bike crossing of the rail tracks. [The maximum FAR can be up to 2.0 if a MARC station is funded by the development.]

Page 49: Update Map 42 to reflect the Council decision to limit the area covered by the Overlay zone to the Randolph Hills Shopping Center area.

Page 51: Amend the fifth bullet under “A. Land Use and Zoning Recommendations” as follows:

- [Confirm the R-60 zone for] Rezone the Montgomery County owned property (Parcel No. P268) from the R-60 zone to the CRT-1.0, C-0.25, R-1.0, H-65 Zone.

Page 58: Modify the last sentence on the page as follows:

To increase the supply of affordable housing in the Plan area, this Plan recommends that each optional method development in the CR and CRT zones should provide 15 percent MPDUs as the highest priority to earn their public [amenity] benefit points, subject to section 11.1.4.

Page 59: Amend the first bullet as follows:

- Require 15 percent MDPUs as the highest priority public [amenity] benefit for all [optional method projects] new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.

Page 70: Amend the first bullet under “8.1.1 Street Network” as follows:

- Extend Hubbard Drive as a business street (B-1) westward from Rockville Pike (MD 355) from its current terminus onto the Hebrew Home property, when the property completely redevelops or the buildings are repurposed for other uses, as noted in Section 5.4.5, to

provide greater vehicular and pedestrian connectivity through this large property (Map 57 and Table 2).

Page 71: Add a new bullet at the end of the “8.1.1 Street Network” recommendations as follows:

- Extend Hubbard Drive as a public business street from Rockville Pike (MD 355) eastward to Chapman Avenue on the Montrose Crossing property.

Page 71: Amend the first, second and third paragraphs under “8.1.2 Transportation Standards” as follows:

This Plan recommends modifying the Local Area Transportation Review (LATR) congestion standard [for the Plan area] by raising the Highway Capacity Manual (HCM) standard [in the western and northern segments of the Plan area-the Executive Boulevard District and Montrose North-Rockville Pike Districts-] for three properties—Guardian, Willco and a portion of the Wilgus property (Parcels N208, N279, N174, and N231)—from its current average intersection delay threshold of 71 seconds/vehicle to 120 seconds/vehicle. This recommendation recognizes that the existing and planned mixed-use development for [the Executive Boulevard and Rockville Pike-Montrose North Districts] these three properties are in character with the 2010 *White Flint Sector Plan*, and that new infrastructure from the 2010 *White Flint Sector Plan* area will benefit these [districts] properties since [both] all are near the White Flint [and Twinbrook] Metro [Stations] Station. Adjusting the HCM standard for these [two districts] three properties will be consistent with the County’s transportation policy of accepting higher levels of traffic congestion in urban areas, which are areas near existing and future transit.

The [area east of the CSX] congestion standard for the remaining segments of the Plan area should remain at 71 seconds/vehicle (the broader North Bethesda policy area congestion standard) because [the Plan area east of the CSX tracks will have less new development than the area west of the tracks, and it is] these areas are relatively less accessible [by] to Metro [compared to the northern and western segments of the Plan area].

Unique to the 2010 *White Flint Sector Plan* area, Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) requirements are eliminated and replaced with the White Flint Special Taxing District, which funds transportation infrastructure required for the staging recommendations in the Plan. This Plan recommends expanding the existing White Flint Special Taxing District to include [the Executive Boulevard and Rockville Pike-Montrose North Districts] the Guardian and Willco properties and a portion of the Wilgus property (Parcels N208, N279, N174, and N231).

Page 72: Revise Map 57: “Existing and Proposed Street Network” to reflect the Council revisions.

Pages 73-74: Update Table 2: “Roadway Classifications” to reflect the Council revisions.

Page 75: Revise the last bullet under “8.1.3 Bicycle and Pedestrian Network” and add a new bullet as follows:

- All intersections should be [designed] considered as protected intersections to provide the safest crossings for bicyclists and pedestrians.
- Consider building a pedestrian-bike trail over the CSX tracks to connect the Randolph Hills Neighborhood with White Flint.

Pages 75 and 79: Amend the third and fourth paragraphs under “8.1.4 Transit Network” as follows:

[The 2010 *White Flint Sector Plan* recommended a MARC Station at Nicholson Court and this Plan supports this recommendation. It also recommends that the Maryland Transit Administration (MTA) conduct a feasibility study to establish new standards for an infill MARC station along the Brunswick Line]. In the long-term, a new MARC station is desired for the Plan area. This future station must not derogate service then current at the Garrett Park MARC station.

The County’s BRT network recommended in the 2013 *Countywide Transit Corridors Functional Master Plan* includes three corridors that are within the Plan area: North Bethesda Transitway, Rockville Pike, and Randolph Road. The Rockville Pike BRT route in the Plan area will be within the dedicated lanes of Rockville Pike, and it will link to the multiway boulevard in the City of Rockville. The Maryland Department of Transportation and the Montgomery County Department of Transportation are conducting a BRT corridor planning study that will more specifically define BRT on Rockville Pike. The North Bethesda Transitway and Randolph Road BRT routes are anticipated to run in mixed traffic within the rights-of-way of Old Georgetown Road (MD 187) and Randolph Road, respectively (Map 60). The Old Georgetown Road route is one of two possible routes for the North Bethesda Transitway, the other being via Tuckerman Lane to the Grosvenor-Strathmore Metro Station.

Page 76: Update Map 59: “Existing and Proposed Bikeway Network” to reflect the Council revisions.

Page 77: Update Table 3: “Bikeway Facilities” to reflect the Council revisions.

Page 79: Modify the first full paragraph and second paragraph as follows:

The 2013 *Countywide Transit Corridors Functional Master Plan* and the preliminary Rockville BRT study recommend BRT stations in the Plan area at Hubbard Drive and Rockville Pike in the Montrose North-Rockville Pike district; at the intersection of Old Georgetown Road and Executive Boulevard to serve the Executive Boulevard district; and another station near Loehmann’s Plaza. The transit recommendations are the following:

- Support the 2010 *White Flint Sector Plan* recommendation to construct a second White Flint Metro Station entrance on the southeast corner of the intersection of Rockville Pike and Old Georgetown Road.

- Support the alignments and character of both the MD 355 South (Corridor 4) and Randolph Road (Corridor 7) BRT corridors through the Plan area, as recommended in the 2013 *Countywide Transit Corridors Functional Master Plan*.
- Support the recommendation that Maryland Department of Transportation [Administration] conduct a feasibility study for an infill MARC station in the Plan area.
- Implement a circulator or shuttle that provides local service for residents and businesses in the Plan area and adjacent Planning areas, including the White Flint Metro Station.

A shuttle or circulator is recommended [in the staging plan as an infrastructure project that will] to increase [contribute towards increasing] the mobility options in the Plan area, and to contribute towards achieving the recommended NADMS goal. The shuttle service [can] could begin as a developer initiative [limited to a few properties] and expand to be a public/private service for the larger plan area, or it [can] could be funded entirely as a public shuttle/circulator for the area.

Page 80: Update the second and third paragraphs under “8.1.6 Transportation Demand Management” as follows:

This Plan recommends [a higher NADMS goal for properties in the Executive Boulevard and Rockville Pike-Montrose North districts, while areas east of the CSX tracks will have lower NADMS goal] that the Guardian, Willco and a portion of the Wilgus properties (Parcels N208, N279, N174, and N231) will be subject to the NADMS goals in the White Flint Sector Plan’s (April 2010) staging, depending upon the staging phase.

[The higher NADMS goal for the Executive Boulevard and Rockville Pike-Montrose North districts mirrors the 2010 White Flint Sector Plan area NADMS recommendations since these districts are between two Metro Station areas, adjacent to recommended and new transportation infrastructure of the 2010 *White Flint Sector Plan*, and will be served by future BRT routes. Unlike the 2010 Sector Plan, each phase of the staging plan requires NADMS goals for both residents and employees.] This Plan recommends a blended average NADMS goal of 40 percent at buildout for all other properties in this Plan. The area east of the CSX tracks has relatively less accessibility to Metrorail due to the limited areas for crossing the CSX tracks. As a result, the area east of the CSX tracks will likely have an NADMS at buildout lower than 40 percent, and the area north and west of the CSX tracks will likely have an NADMS at buildout higher than 40 percent.

[In addition, these NADMS goals are consistent with the urbanizing character of this portion of North Bethesda. They] NADMS goals will be [achievable] achieved through a combination of land use (density, diversity and design) and zoning requirements, transit improvements, and supportive TDM programs[, such as shuttles and bike-sharing,] managed by the North Bethesda Transportation Management District.

Page 80: Modify the two paragraphs under “8.1.8 East Jefferson Street” as follows:

East Jefferson Street provides western access to the City of Rockville. It is classified as an arterial with five travel lanes, including a turn lane for a segment of the roadway. This Plan

recommends the reclassification of East Jefferson Street to a business street with [a protected bikeway] either a separated bikeway or standard bike lanes to link the proposed bikeway network between Executive Boulevard and the City of Rockville]. To implement the bikeway recommendation, the Plan recommends modifying the existing number of travel lanes to two travel lanes in each direction with a center turning lane] (Figure 4).

Page 81: Update Figure 4: “East Jefferson Street with Protected Bikeway” to reflect the Council decision.

Page 88: Modify the fourth bullet under “C. Create green parks when development occurs within the Plan area” as follows:

Create a minimum 1¼-acre [Neighborhood Green Urban Park] open space area for public use at the Wilgus Property when it redevelops. This [park should] area could include neighborhood amenities, including a flexible green gathering place, picnic areas, and play features or maybe a wooded area with passive recreation. It should be linked to the Montrose Parkway bikeway by a trail connection.

Page 92: Modify the paragraph under “10.1.3 Libraries” as follows:

A public library is recommended in the 2010 *White Flint Sector Plan*. The Montgomery County Department of Public Libraries [endorses] notes the recommendation for a public library in the Metro East or Metro West Districts in the 2010 *White Flint Sector Plan* area, but acknowledges that delivery of library services is an evolving practice. [This] Any future library [, along with] or delivery of library services should be considered in the context of other libraries in the greater North Bethesda vicinity[, including Twinbrook and Rockville, will provide sufficient library services for the White Flint 2 Plan area]. Evaluating the delivery of services in the future should include consideration of non-traditional methods such as self-service options, MCPL outreach programs at non-library facilities and internet-based programming.

Page 93: Remove the symbol for the single site identified as a Proposed White Flint 2 Sector Plan school, since the Sector Plan includes a process for evaluating numerous potential sites for schools.

Page 94: Update Table 4 to include enrollment forecasts for 2046 in the Superintendent’s Recommended FY 2019 Capital Budget, and enrollment generated by the residential development in the Council-approved White Flint 2 Sector Plan.

Page 95: Delete the last sentence of the first full paragraph as follows:

[This Plan’s recommended staging indicates that a new elementary school be built by the third stage of the phasing plan.]

Page 96: Add a new paragraph directly under “10.1.8 Walter Johnson Cluster” as follows:

Residential development in the Rock Spring, White Flint, White Flint 2, and Grosvenor-Strathmore master and sector plans have the potential to impact school enrollment. Several potential means of adding school capacity are noted in the sections below. In addition, if there is a major development or redevelopment within these planning areas, several sites or a combination of sites may be appropriate for consideration of a public school. Each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan’s direction that the Planning Department will negotiate for maximum dedication of land for a school and that this be the top priority benefit under the review process of projects proceeding under these plans.

Page 96: Revise the second sentence in the paragraph entitled “Facility Planning at the Walter Johnson Cluster” as follows:

The Board of Education is addressing enrollment capacity issues in the Cluster through several actions, including [utilizing] future utilization of an annex facility at Garrett Park Elementary and [convening a roundtable discussion to include] the completion of a study group that included representatives from the Downcounty Consortium high schools and the Walter Johnson, Whitman, and Bethesda-Chevy Chase high school [cluster] clusters.

Page 96: Revise the last sentence in the first bullet under “A. Elementary Schools” as follows:

Therefore, all Cluster schools will be at the high end of the range of student enrollment with capacities ranging from [729] 714 to [881] 777; no further expansions will be considered.

Page 97: Revise the first full bullet as follows:

- Construct a new middle school. There [are two] is one future middle school [sites] site in the vicinity of the Walter Johnson Cluster[.]; [The] the Brickyard Middle School site [is] in the Winston Churchill Cluster [and the King Farm Middle School site is in in the Richard Montgomery Cluster]. If building a new school at [these locations] this location is considered infeasible, then the purchase of a middle school site or co-location with a park[,] could be considered.

Page 97: Revise the first bullet under “C. High Schools” as follows:

- Build an addition at Walter Johnson High School. The high school [currently has an enrollment] had a capacity in the fall of 2017 of [2,335] 2,330 students. [Long range enrollment projections indicate 3,500 students by 2045 not counting any students generated by this Plan and other North Bethesda plans currently underway.] However, long-term enrollment projections for the school developed in the fall of 2017 anticipate enrollment reaching 4,010 students by 2032, including some, but not all, of the students that would be generated by the North Bethesda plans. [If the high school capacity was increased to 3,500 students or more, it may be possible to accommodate the build-out of this Plan.]

Page 97: Revise the second bullet under “C. High Schools” as follows:

- [Reopen] The Board of Education has requested funds to reopen the former Woodward High School. Reopening this facility and expanding it over time will accommodate projected enrollment increases from this Plan, the 2010 *White Flint Sector Plan*, and the *Rock Spring Master Plan* currently underway. An addition at Woodward could take the school up to 2,400 students, which, when combined with Walter Johnson capacity, could total up to 4,400 students. An expanded Woodward may also contribute to [alleviate] alleviating overcrowding at [Bethesda-Chevy Chase or Whitman] adjacent high schools.

Page 97: Delete the last bullet under “C. High Schools” as follows:

- [Beyond the approaches noted above, reassign students from the Walter Johnson Cluster to high schools with available enrollment capacity, or expand their capacities. Currently, most high schools adjacent to the Walter Johnson Cluster are projected to have enrollments greater than their capacities, and will already be built out to the high end of the desired enrollment size of 2,400 students each. The exception is Rockville High School. Although this school is projected to be fully enrolled in the next six years, with a capacity of 1,570, it is relatively small for a high school by current standards. An addition at this high school, with reassignment of students from this Plan area, could be considered in the future.]

Page 98: Add a bullet under “B. Middle Schools” as follows:

- Consider locating a middle or high school site on the Rocking Horse Road Center facility in the Randolph Hills neighborhood.

Page 98: Amend the second sub-bullet under the last bullet under “C. Middle Schools” as follows:

- Construct a new middle school by either purchasing a new site or collocating with a park [since there are no recommended middle school sites in the Downcounty Consortium].

Page 99: Revise the first sub-bullet as follows:

[Reopen the former Woodward High School in the Walter Johnson Cluster, currently under consideration as a part of the community roundtable discussion process (described under “Walter John Cluster School Facilities” in this Plan). The Board of Education has requested funds to reopen the former Woodward High School in the Walter Johnson Cluster. This [option would] may require reassignment of students from the Downcounty Consortium portion of the White Flint 2 Sector Plan area [from Walter Johnson cluster] to this high school.

Page 99: Amend the second sub-bullet under the first bullet as follows:

- Construct a new high school by either purchasing a new site or co-locating with a park [as there are no recommended future high school sites in the Downcounty].

Page 102: Amend the third and fourth paragraphs under “11.1.2 Financing” as follows:

Due to the proximity of the northern and western portions of the White Flint 2 Plan area to the 2010 *White Flint Sector Plan* area, the Willco, Guardian, and a portion of the Wilgus (Parcels N174, N231, N208, and N279) properties in the Executive Boulevard and the Rockville Pike-Montrose North Districts would benefit substantially from the new transportation infrastructure improvements in the 2010 *White Flint Sector Plan*[, including the Western Workaround and the second Metro station entrance]. Balancing the considerations of equity and infrastructure benefits between these [areas] properties, this Plan recommends that these three properties in the [northwestern] western portion of the Plan area contribute towards the implementation and funding of these infrastructure improvements. [Therefore, the northwestern area of this Plan should have the same financing mechanism as the 2010 *White Flint Sector Plan* area]. [Subsequently] Consequently, the Willco and Guardian properties and a portion of the Wilgus property (Parcels N208, N279, N174, and N231) [properties in the Executive Boulevard and Rockville Pike-Montrose North districts] will have the same benefit of no LATR review for new developments.

[New infrastructure that is associated with properties east of the CSX tracks and are further away from new infrastructure in the 2010 *White Flint Sector Plan* could be financed via a Local Transportation Improvement Program or a Unified Mobility Program.]

Page 103: Update Map 64 to reflect the Council decisions.

Page 104: Modify the fourth full paragraph as follows:

An industrial mixed-use overlay zone is recommended for Light Industrial (IL) zoned properties [primarily east of the CSX tracks and at Nicholson Court] in the Randolph Hills Shopping Center area. The Plan’s objective of preserving the existing light industrial uses in the area east of the tracks while providing flexibility to create some residential use [on upper floors] will be implemented through the new overlay zone. This overlay zone [will be similar in concept to the existing Twinbrook Overlay Zone, but it will be more expansive in its residential potential, and] will be implemented through a zoning text amendment to the Zoning Ordinance.

Page 104: Add a bullet and amend the first two bullets under “11.1.4 Public Benefits in the EOF, CRT and CR Zones” as follows:

- Dedication of land for needed school sites as the highest priority public benefit.
- Fifteen (15) percent MPDUs as the highest priority public [amenity] benefit for new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.
- The provision of major public facilities other than school sites, including but not limited to:[, a dedicated elementary or middle school site;] land for school athletic fields; new neighborhood parks and open spaces; [bike share stations;] public transportation (new Metro Station entrance); and undergrounding of utilities.

Pages 104-106: Amend the “11.1.5 Staging of Development” section as follows:

Staging of development links new development with the provision of public infrastructure required to support the Plan recommendations. [Prior North Bethesda master plans, including the 1992 *North Bethesda-Garrett Park Master Plan* and 2010 *White Flint Sector Plan* required staging of new residential and non-residential development with required public infrastructure, especially transportation.] The 2010 *White Flint Sector Plan* established a three-phased staging plan that links new development with required mobility and transportation infrastructure to support new development and contribute to creating a new urban area.

This Plan’s [proposed] staging recommendation is influenced [by various factors, but] primarily by the adjacency of [the area] three properties to the 2010 *White Flint Sector Plan* area and its staging plan, and the common infrastructure improvements, such as [Rockville Pike BRT,] Executive Boulevard/Western [workaround] Workaround improvements, and the White Flint Metro Station], that would be needed to support new development in both plan areas]. This Plan includes the Guardian and Willco properties and a portion of the Wilgus property (Parcels N208, N279, N174, and N231) within the staging limits in the 2010 *White Flint Sector Plan* by:

- increasing the Phase 1 cap from 3,000 dwelling units and 2 million square feet of non-residential development to 4,800 dwelling units and 2.75 million square feet of non-residential development; and
- increasing the Phase 2 cap from 3,000 dwelling units and 2 million square feet of non-residential development to 3,700 dwelling units and 2.18 million square feet of non-residential development.

[The proposed staging framework is guided by the following principles:

- Ensure an adequate level of development or tax contributions to help fund new infrastructure.
- Address the infrastructure needs for White Flint 2 while balancing the infrastructure needs of both White Flint plan areas.
- Limit the free-rider effect where properties in White Flint 2 could benefit disproportionately from new infrastructure in the 2010 *White Flint Sector Plan* area.
- Development in the core of the 2010 *White Flint Sector Plan*, which is near to the Metro Station and along Rockville Pike, should be prioritized before White Flint 2 properties are developed.]

[The Planning Board should take the following actions before the proposed staging plan takes effect.

- Expand the existing White Flint Sector Plan Implementation Advisory Committee to include the stakeholders from the *White Flint 2 Sector Plan* area.
- Expand the White Flint Sector Plan biennial monitoring report to include staging recommendations in this Plan.]

[Prior to approval of any new development in the Plan area, the] The following implementation actions must be taken:

- Within [six] three months of adopting the [Sectional Map Amendment] SMA, the County Council should amend the North Bethesda Policy Area to [create a new Local Area Transportation Review (LATR) Policy Area for the White Flint 2 area] reflect the expansion of the White Flint Metro Station Policy Area to include the Guardian, Willco, and a portion of the Wilgus (Parcels N208, N279, N174, and N231) properties.
- Within [12] six months of adopting the SMA, [determine if a public financing mechanism will be established to fund public infrastructure recommended by the Plan] extend the existing White Flint Special Taxing District to include the Willco, Guardian and a portion of the Wilgus (Parcels N208, N279, N174, and N231) properties.
- The Planning Board must [create a staging allocation procedure for new development in the Plan area or] modify the existing *White Flint Sector Plan Implementation Guidelines* to account for the Willco, Guardian, and a portion of the Wilgus (Parcels N208, N279, N174, and N231) properties.

[The recommended staging plan combines key staging transportation infrastructure requirements from the 2010 *White Flint Sector Plan* with new transportation and public facilities from this Plan. This combination approach acknowledges the relationship and infrastructure linkages between the two plan areas (Table 5).]

[The recommended zoning envelope has more potential density than what is permitted in the staging plan. The amount of development represents the desired mix of new development in White Flint 2 that will be predominately residential, approximately more than 60 percent, with the remaining development as non-residential. The recommended development is divided into three phases with the largest amount in the third phase. The NADMS goals further the County's investment in promoting transit and other non-automotive modes.]

[New development can occur anywhere in the Plan area. Infrastructure listed for each phase could be funded either through the Capital Improvements Program (CIP), Consolidated Transportation Program (CTP) for State projects, White Flint Special Taxing District, public-private partnership, or developer initiative or contribution. During each phase, the Planning Board may approve both residential and non-residential development until it reaches its maximum allowed limit, at which time any further development in that category (residential or non-residential, whichever has reached the allowed limit) will need to demonstrate that the staging requirements to proceed to the next phase have been met.]

Page 105: Delete Table 5 to reflect the Council decision.

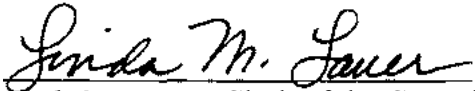
Page 107: Modify Table 6 per the Council decisions.

General

All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft White Flint 2 Sector Plan (July 2017). The text and graphics will be revised as necessary to achieve and improve clarity and consistency, to update factual

information, and to convey the actions of the District Council. Graphics and tables will be revised and re-numbered, where necessary, to be consistent with the text and titles.

This is a correct copy of Council action.

A handwritten signature in black ink that reads "Linda M. Lauer". The signature is written in a cursive style with a horizontal line underneath the name.

Linda M. Lauer, Clerk of the Council

6.4 White Flint 2 Sector Plan Sectional Map Amendment

Resolution No.:	<u>18-1084</u>
Introduced:	<u>April 10, 2018</u>
Adopted:	<u>April 10, 2018</u>

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: White Flint 2 Sector Plan Sectional Map Amendment (H-128)

OPINION

Sectional Map Amendment (SMA) H-128 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application to implement the zoning recommendations contained in the Approved and Adopted White Flint 2 Sector Plan. The SMA application covers approximately 460 acres. Approximately 253 acres of underlying zoning are proposed for change in zoning classification. The remaining 207 acres are to be reconfirmed in the existing zoning classifications.

The District Council approved the White Flint 2 Sector Plan on December 5, 2017. The Sector Plan sets forth the specific land use and zoning objectives for the development of the White Flint 2 Sector Plan area and was subject to extensive and detailed review by the District Council. The District Council held a public hearing on the Draft Plan on September 19, 2017, wherein testimony was received from interested parties, and the Director of the Montgomery County Office of Management and Budget transmitted to the County Council the fiscal impact analysis for the White Flint 2 Sector Plan on September 20, 2017.

Sectional Map Amendment (SMA) H-128 was filed on January 29, 2018 by the Montgomery County Planning Board to implement the specific zoning recommendations of the White Flint 2 Sector Plan.

The Council held a public hearing on the SMA for the White Flint 2 Sector Plan on March 20, 2018. The Council received testimony on behalf of a property owner in support of the SMA recommendations.

The Council considered the Sectional Map Amendment at a worksession held on April 10, 2018. The Council finds Sectional Map Amendment Application H-128 to be consistent with the Approved and Adopted White Flint 2 Sector Plan and necessary to implement the land use and development policies expressed in the Approved and Adopted White Flint 2 Sector Plan.

The evidence of record for Sectional Map Amendment H-128 consists of all record materials compiled in connection with the County Council public hearing on the Planning Board Draft of the White Flint 2 Sector Plan, dated September 19, 2017, and all record materials compiled in connection with the public hearing held by the Council on March 20, 2018 on Sectional Map Amendment H-128.

For these reasons, and because to grant this application will aid in the accomplishment of a coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District, this application will be GRANTED.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

1. Application No. H-128, Maryland-National Capital Park and Planning Commission, Applicants for the Sectional Map Amendment covering the area of the White Flint 2 Sector Plan consisting of approximately 460 acres, more or less, is GRANTED. Approximately 253 acres of underlying zoning are proposed for change in zoning classification. The remaining acreage is to be reconfirmed in the existing underlying zoning classifications.

2. The following areas are reclassified as part of this action, consistent with the recommendations in the White Flint 2 Sector Plan.

Table 1: Parcels to be Rezoned¹

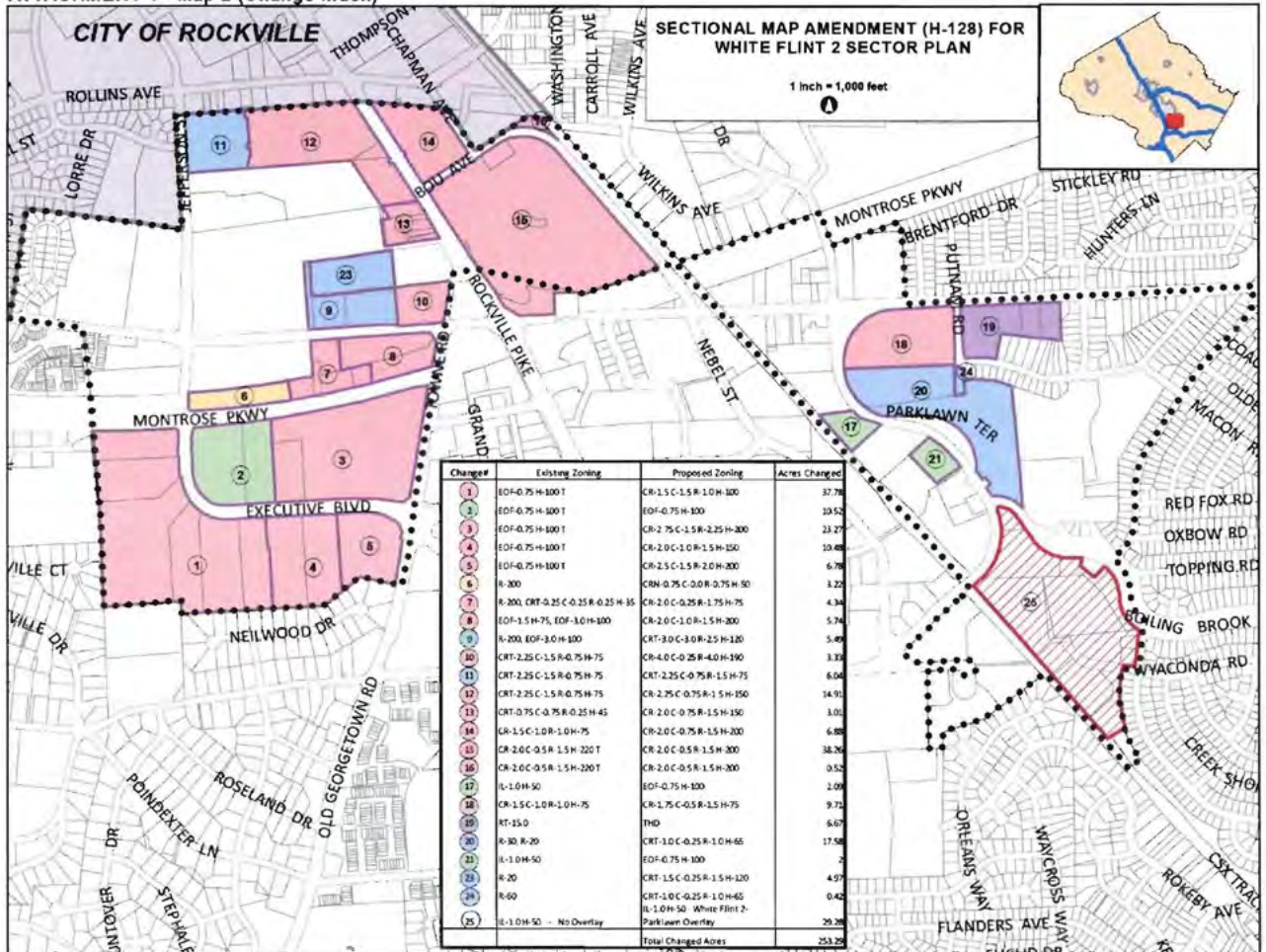
Change #	Existing Zoning	Proposed Zoning	Acres Changed
1	EOF-0.75 H-100T	CR-1.5 C-1.5 R-1.0 H-100	37.78
2	EOF-0.75 H-100T	EOF-0.75 H100	10.52
3	EOF-0.75 H-100 T	CR-2.75 C-1.5 R-2.25 H-200	23.27
4	EOF-0.75 H-100T	CR-2.0 C-1.0 R-1.5 H-150	10.48
5	EOF-0.75 H-100T	CR-2.5 C-1.5 R-2.0 H-200	6.78
6	R-200	CRN-0.75 C-0.0 R-0.75 H-50	3.22
7	R-200, CRT-0.25 C-0.25 R-0.25 H-35	CR-2.0 C-0.25 R-1.75 H-75	4.34
8	EOF-1.5 H-75, EOF-3.0	CR-2.0 C-1.0 R-1.5 H-200	5.74
9	R-200, EOF-3.0 H-100	CRT-3.0 C-3.0 R-2.5 H-120	5.49
10	CRT-2.25 C-1.5 R-0.75 H-75	CR-4.0 C-0.25 R-4.0 H-190	3.33
11	CRT-2.25 C-1.5 R-0.75 H-75	CRT-2.25 C-0.75 R-1.5 H-75	6.04
12	CRT-2.25 C-1.5 R-0.75 H-75	CR-2.25 C-0.75 R-1.5 H-150	14.91
13	CRT-0.75 C-0.75 R-0.25 H-45	CR-2.0 C-0.75 R-1.5 H-150	3.01
14	CR-1.5 C-1.0 R-1.0 H-75	CR-2.0 C-0.75 R-1.5 H-200	6.88
15	CR-2.0 C-0.5 R-1.5 H-220T	CR-2.0 C-0.5 R-1.5 H-200	38.26
16	CR-2.0 C-0.5 R-1.5 H-220T	CR-2.0 C-0.5 R-1.5 H-200	0.52
17	IL-1.0 H-50	EOF-0.75 H-100	2.09
18	CR-1.5 C1.0 R1.0 H-75	CR-1.75 C-0.5 R-1.5 H-75	9.71
19	RT-15.0	THD	6.67
20	R-30, R-20	CRT-1.0 C-0.25 R-1.0 H-65	17.58
21	IL-1.0 H-50	EOF-0.75 H-100	2
23	R-20	CRT-1.5 C-0.25 R-1.5 H-120	4.97
24	R-60	CRT-1.0 C-0.25 R-1.0 H-65	0.42
25	IL-1.0 H-50	White Flint 2-Parklawn Overlay	29.28
		Total Changes	253.29

This is a correct copy of Council action.

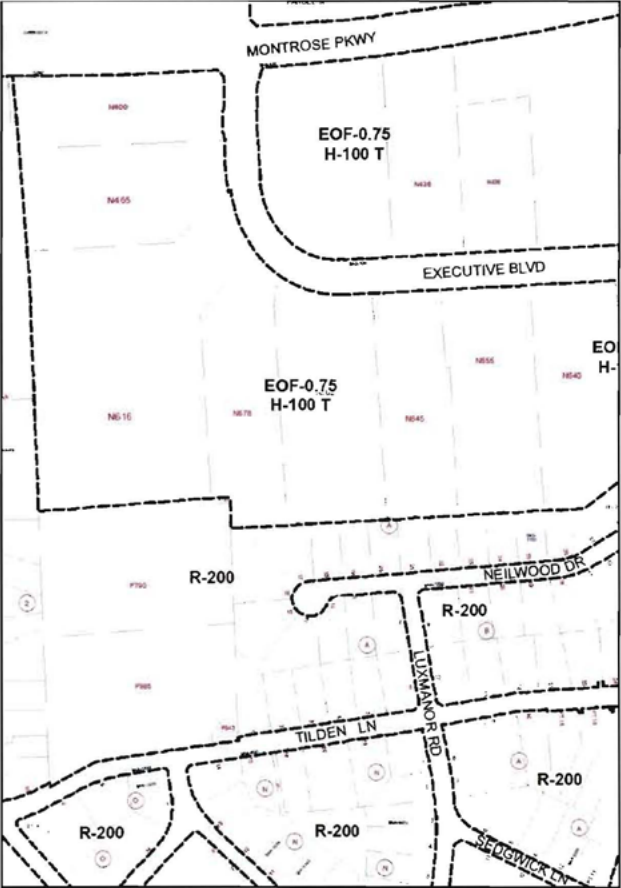

Megan Davey Limarzi, Esq.
Clerk of the Council

¹ The acreages shown in this table are estimates of acreage to be rezoned; actual acreage will depend on future engineering surveys. In approving the Zoning Maps, the District Council is approving the boundary lines, not a precise acreage amount.

ATTACHMENT 1 - Map 2 (Change Index)



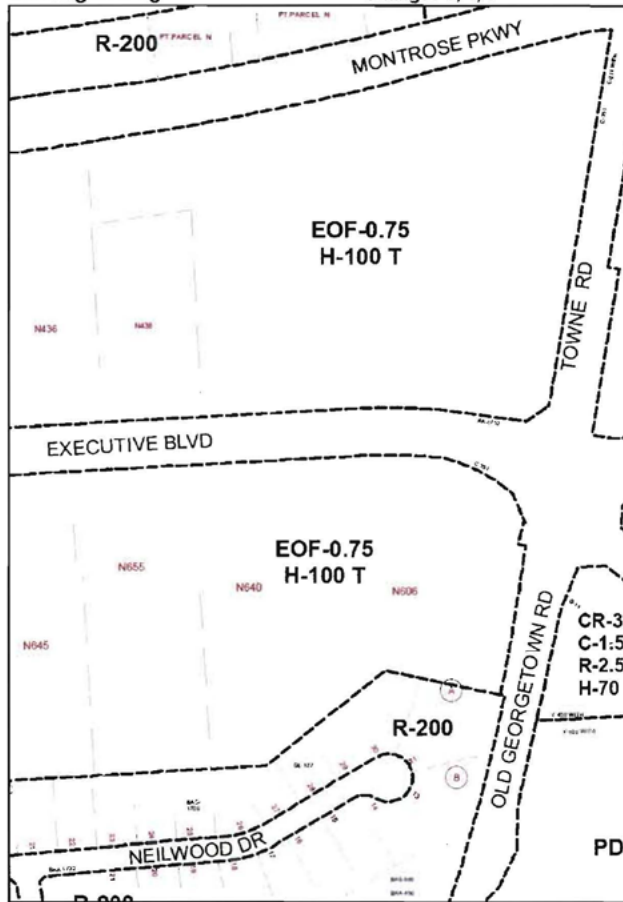
Attachment 1 - Map 3
Existing Zoning



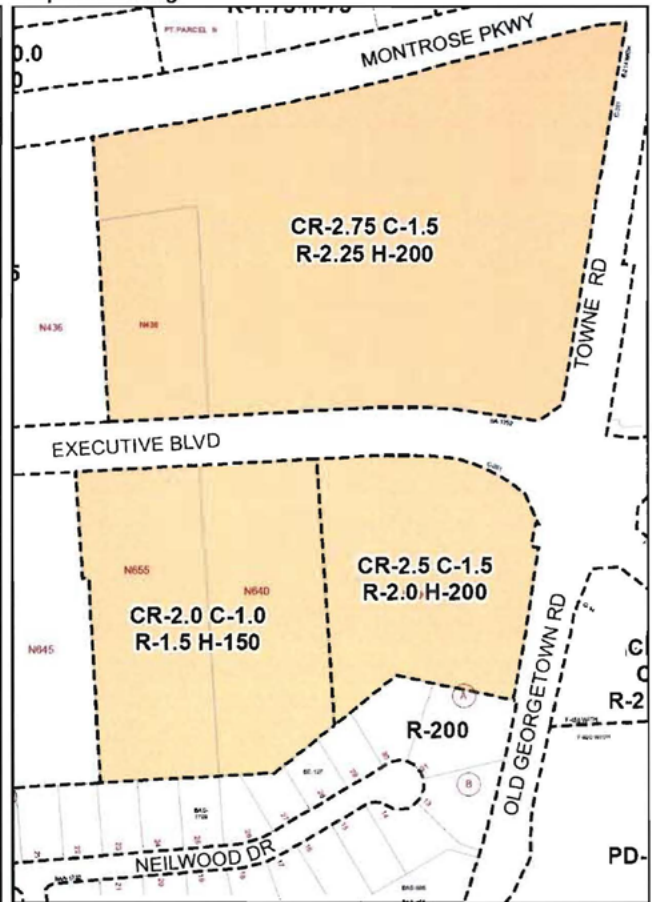
Proposed Zoning



Attachment 1 - Map 4
Existing Zoning

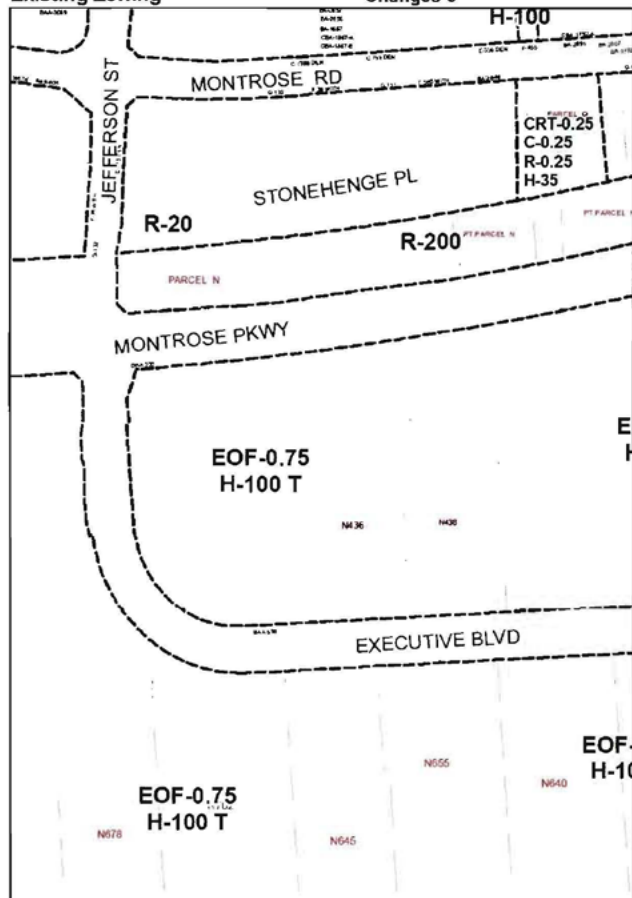


Proposed Zoning

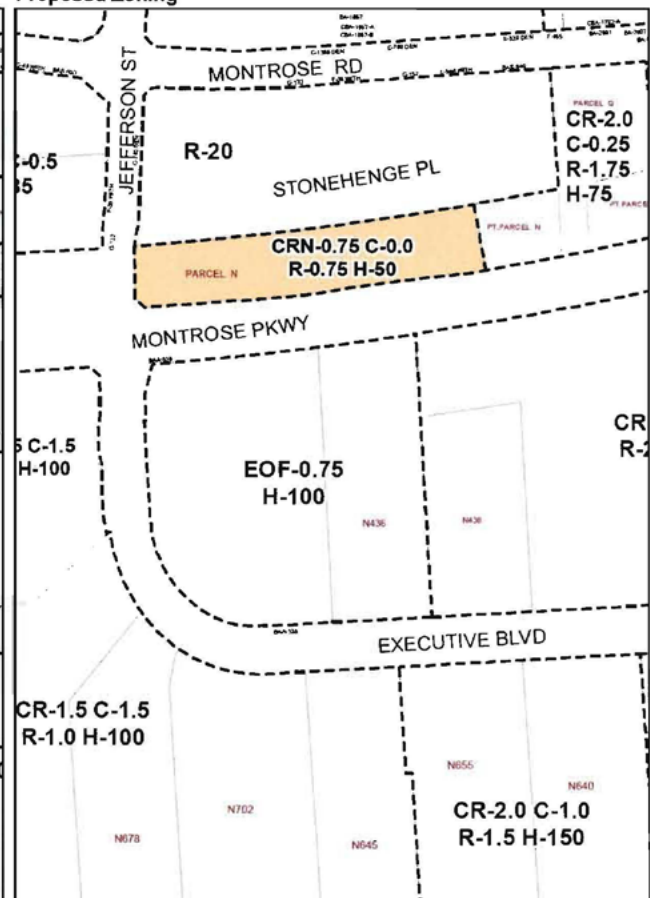


1 in = 300 ft

Attachment 1 - Map 5
Existing Zoning

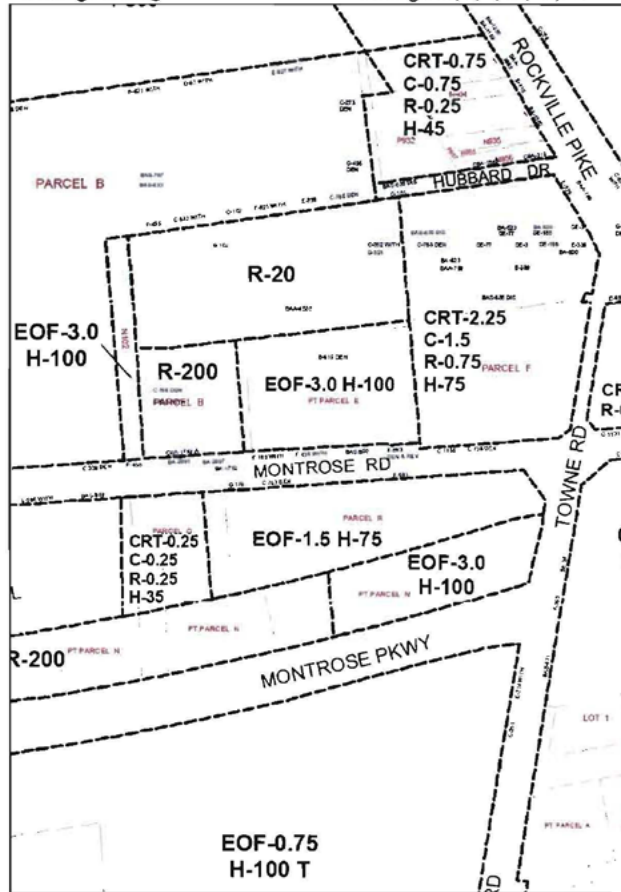


Proposed Zoning



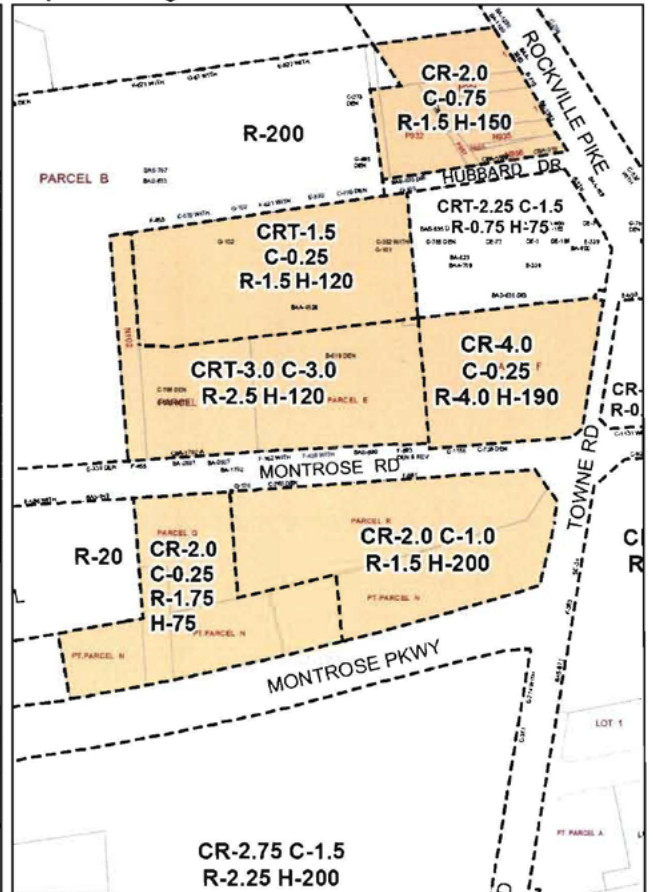
Attachment 1 - Map 6
Existing Zoning

Changes 7, 8, 9, 10, 13, 23



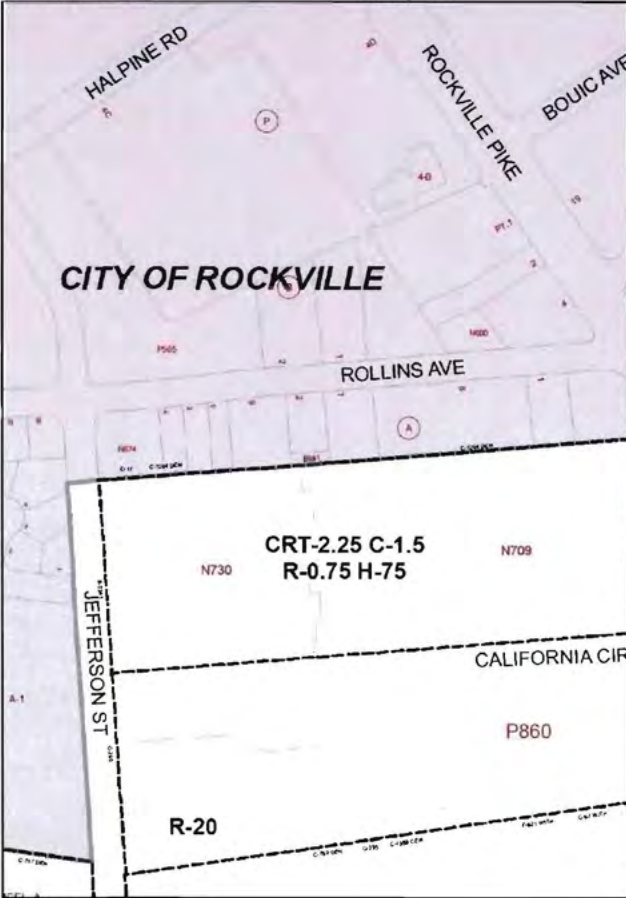
Map Grid: 215NW06

Proposed Zoning



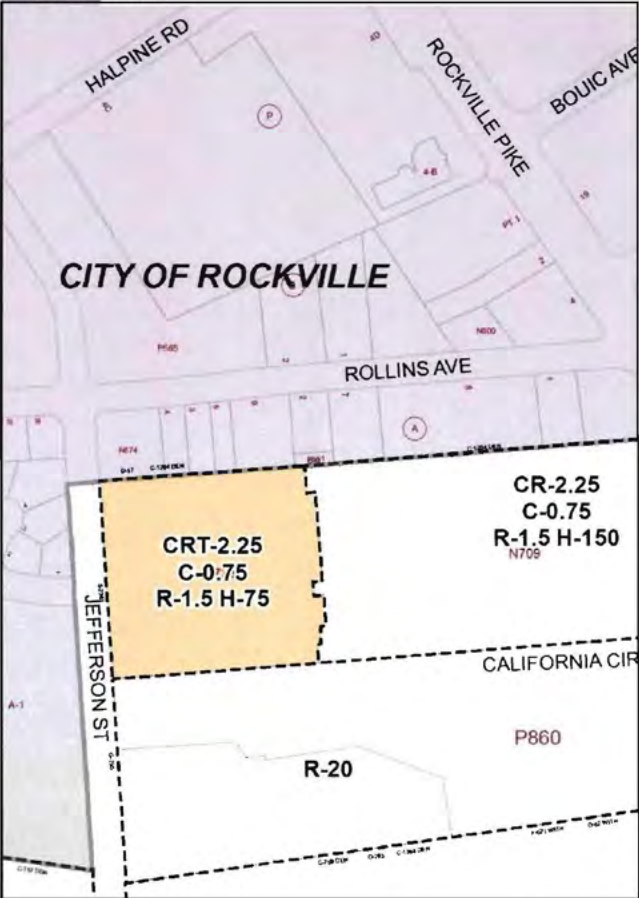
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Attachment 1 - Map 7
Existing Zoning



Map Grid: 216NW06

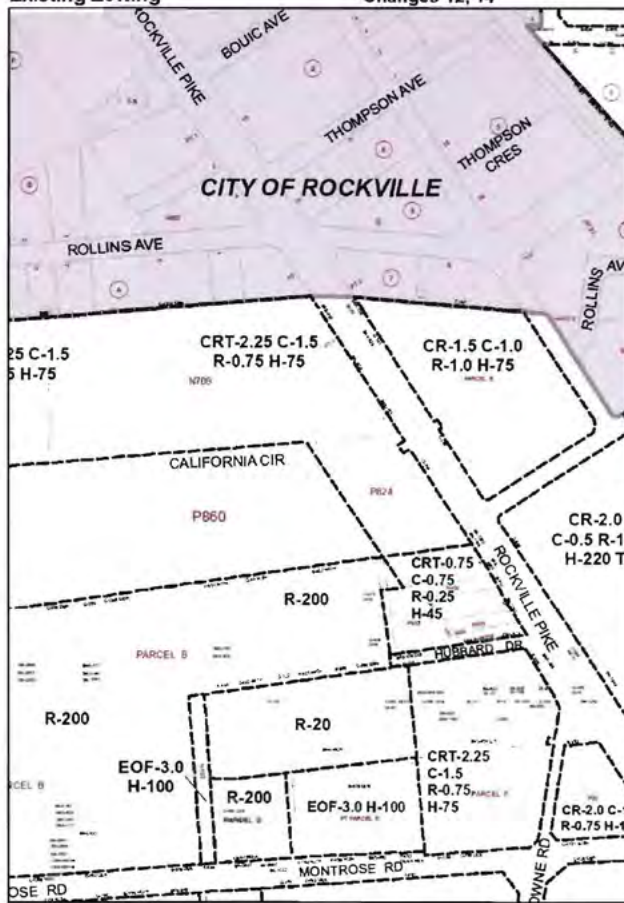
Proposed Zoning



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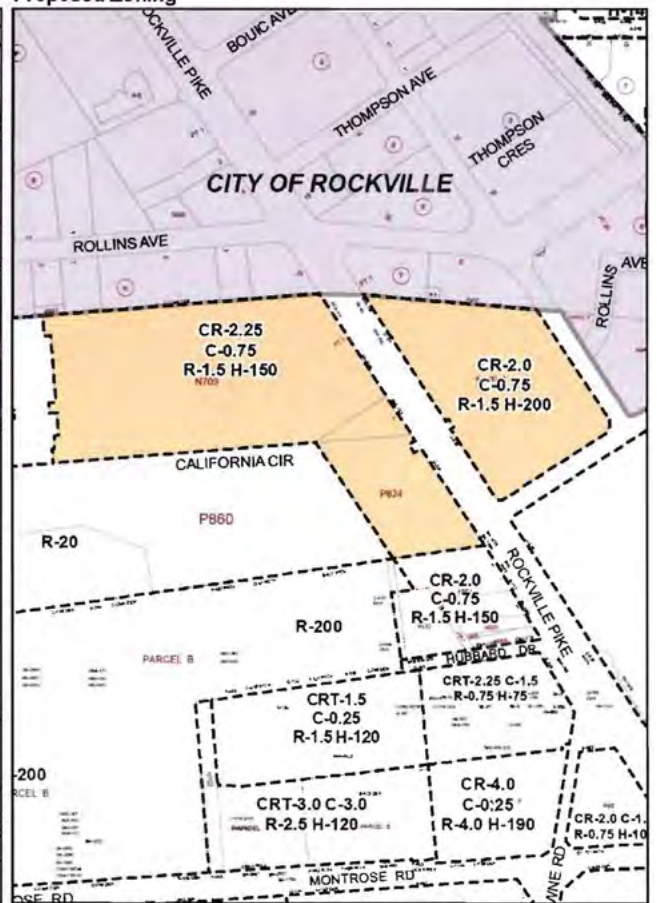
Attachment 1 - Map 8
Existing Zoning

Changes 12, 14



Map Grid: 216NW06

Proposed Zoning



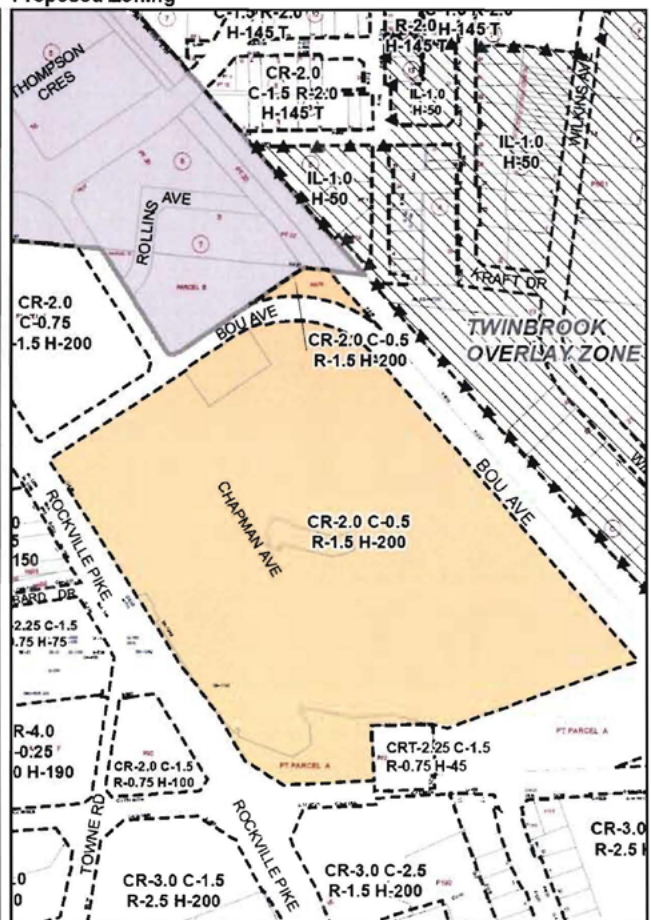
1 in = 400 ft

Attachment 1 - Map 9
Existing Zoning

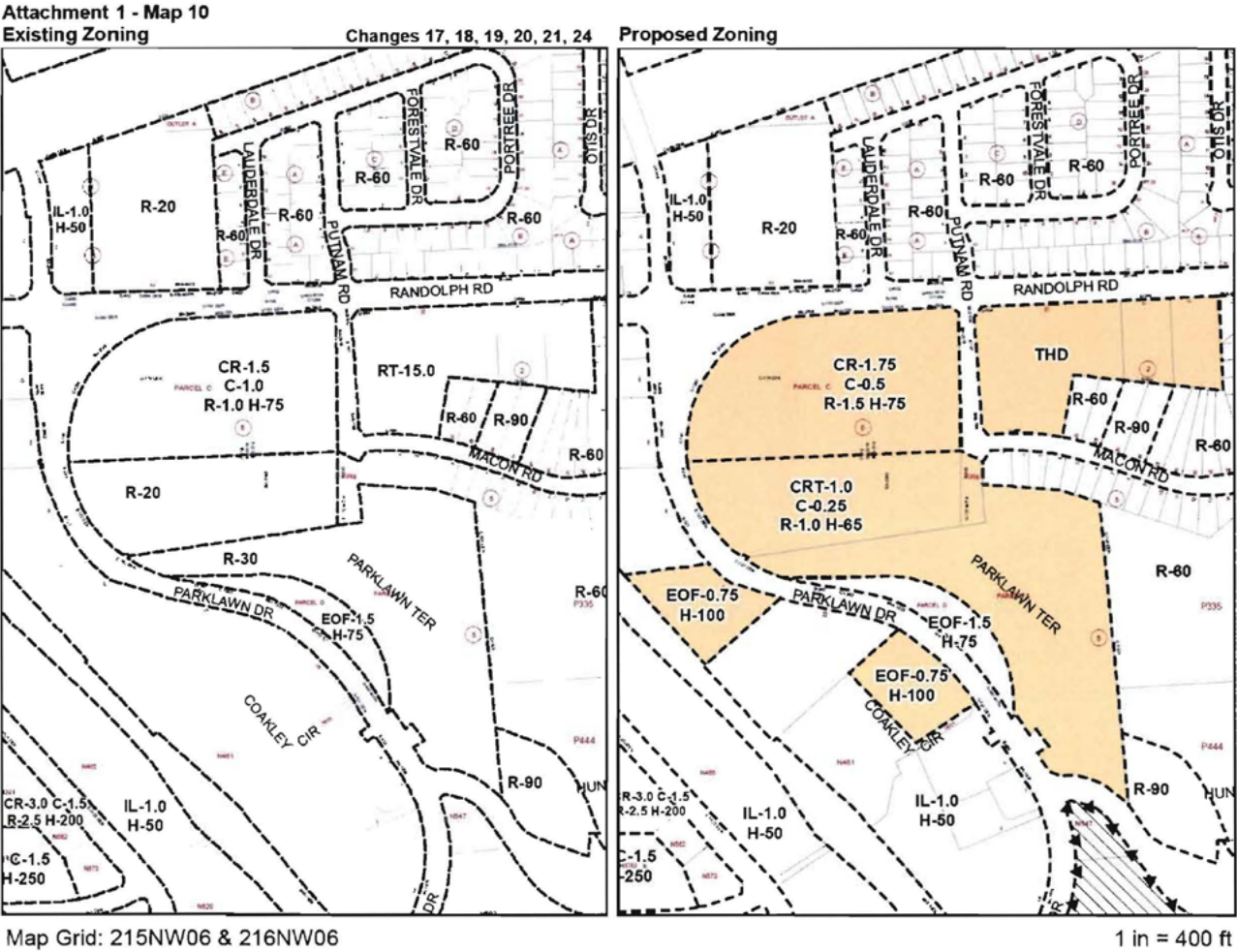


Map Grid: 215NW06 & 216NW06

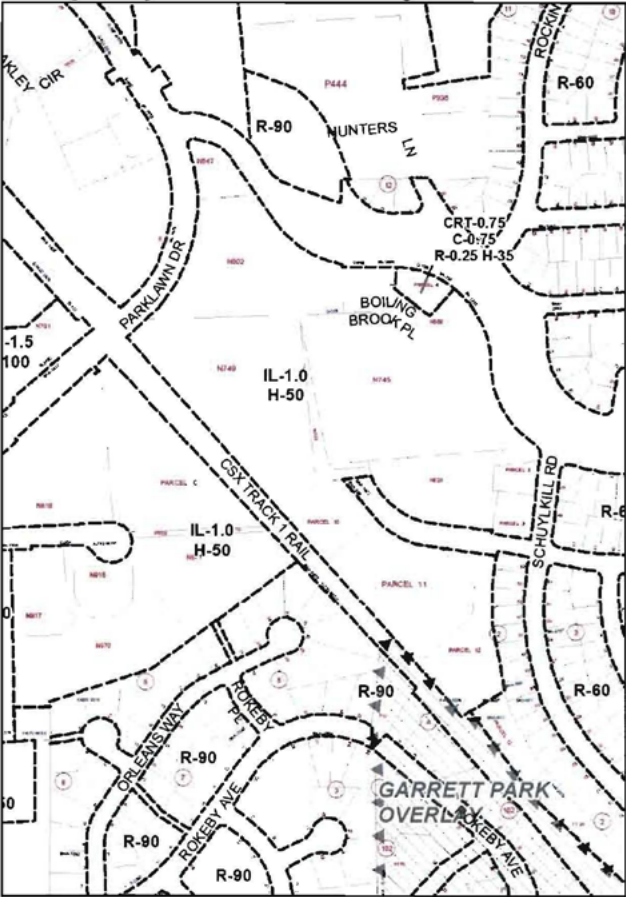
Proposed Zoning



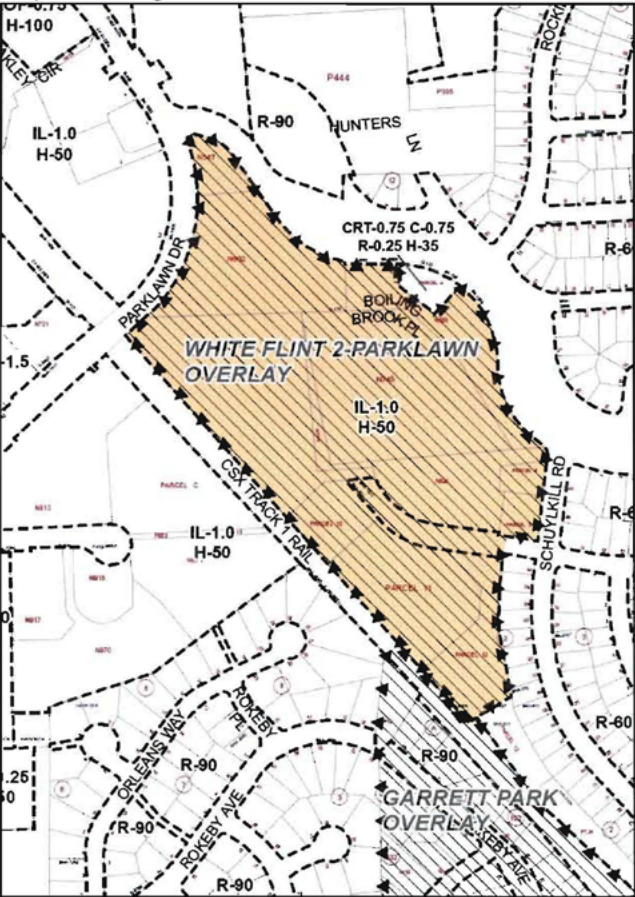
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Attachment 1 - Map 11
Existing Zoning



Proposed Zoning



Map Grid: 214NW06 & 215NW06

1 in = 400 ft

6.5 Amendment to the 2016-2020 Subdivision Staging Policy in association with the White Flint 2 Sector Plan

Resolution No: 18-1087
Introduced: February 27, 2018
Adopted: April 17, 2018

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President

SUBJECT: Amendment to the 2016-2020 Subdivision Staging Policy in association with the White Flint 2 Sector Plan and other technical corrections and revisions

Background

1. On November 15, 2016 the County Council approved Resolution 18-671, the 2016-2020 Subdivision Staging Policy.
2. County Code §33A-15(f) allows either the County Council, County Executive, or the Planning Board to initiate an amendment to the Subdivision Staging Policy.
3. On February 27, 2018, in accordance with §33A-15, the Council introduced proposed technical amendments to amend Resolution 18-671 in association with the White Flint 2 Sector Plan and other technical corrections and revisions.
4. On April 3, 2018, the County Council held a public hearing on the Draft Amendment to the Subdivision Staging Policy.
5. The Council's Planning, Housing, and Economic Development Committee conducted a worksession on the Draft Amendment to the Subdivision Staging Policy.
6. The Council conducted a worksession on the Draft Amendment to 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.

Action

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

The 2016-2020 Subdivision Staging Policy is amended as follows, including replacing Maps 22 and 37, attached:

* * *

Guidelines for Transportation Facilities

* * *

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. For motor vehicle adequacy, Table [2] 1 shows the intersection [level of service] congestion standards by policy area. For intersections located within Red or Orange policy areas, the Highway Capacity Manual delay-based level of service standard applies to all study intersections. For intersections located within Yellow or Green policy areas, the Critical Lane Volume (CLV) level of service standard applies to study intersections with a CLV of 1,350 or less and the Highway Capacity Manual delay-based level of service standard applies to study intersections with a CLV of more than 1,350.

* * *

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 vehicle trips rather than the total number of peak hour vehicle trips. In these cases, LATR is not required for any expansion that generates 5 or fewer additional peak hour vehicle trips.

* * *

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

The Local Area Transportation Review for the Silver Spring CBD policy area must [reflect] 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] HCM volume/capacity ratios 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] 1 unless the Planning Board finds that the impact of improving the intersection is more burdensome than the increased congestion.
- The Planning Board and the Department of Transportation must implement Transportation Systems Management for the Silver Spring CBD. The goal of this program must be to achieve the commuting goals for transit use and auto occupancy rates set out below.

- The County Government, through the Silver Spring Parking Lot District, must constrain the amount of public and private long-term parking spaces.

* * *

TL4.3 Bethesda TMD

In the Bethesda Transportation Management District, the blended goal for residents and workers is {37%} 55% non-auto-driver mode share [for workers].

* * *

TL4.8 Chevy Chase Lake Sector Plan

In the Chevy Chase Lake Sector Plan Area, the non-auto-driver mode share goals are 49% for residents and 36% for workers.

TL4.9 Long Branch Sector Plan

In the Long Branch Sector Plan Area, the non-auto-driver mode share goals are 49% for residents and 36% for workers.

TL4.10 Rock Spring Master Plan

In the Rock Spring Master Plan Area, the non-auto-driver mode share goals are 41% for residents and 23% for workers.

TL4.11 Lyttonsville Sector Plan

In the Lyttonsville Sector Plan Area, the goal for residents is 50% non-auto-driver mode share.

TL4.12 White Flint Sector Plan

In the White Flint Sector Plan Area, a blended goal for residents and workers of 34% non-auto-driver mode share must be met before proceeding to Phase 2 of development, a blended goal for residents and workers of 42% non-auto-driver mode share must be met before proceeding to Phase 3 of development, and, by buildout, the non-auto-driver mode share goals are 51% for residents and 50% for workers.

TL4.13 White Flint 2 Sector Plan

In the White Flint 2 Sector Plan Area, the blended goal for residents and workers is 42% non-auto-driver mode share.

TL4.14 Grosvenor-Strathmore Metro Area Master Plan

In the Grosvenor-Strathmore Metro Area Master Plan Area, the blended goal for residents and workers is 50% non-auto-driver mode share.

* * *

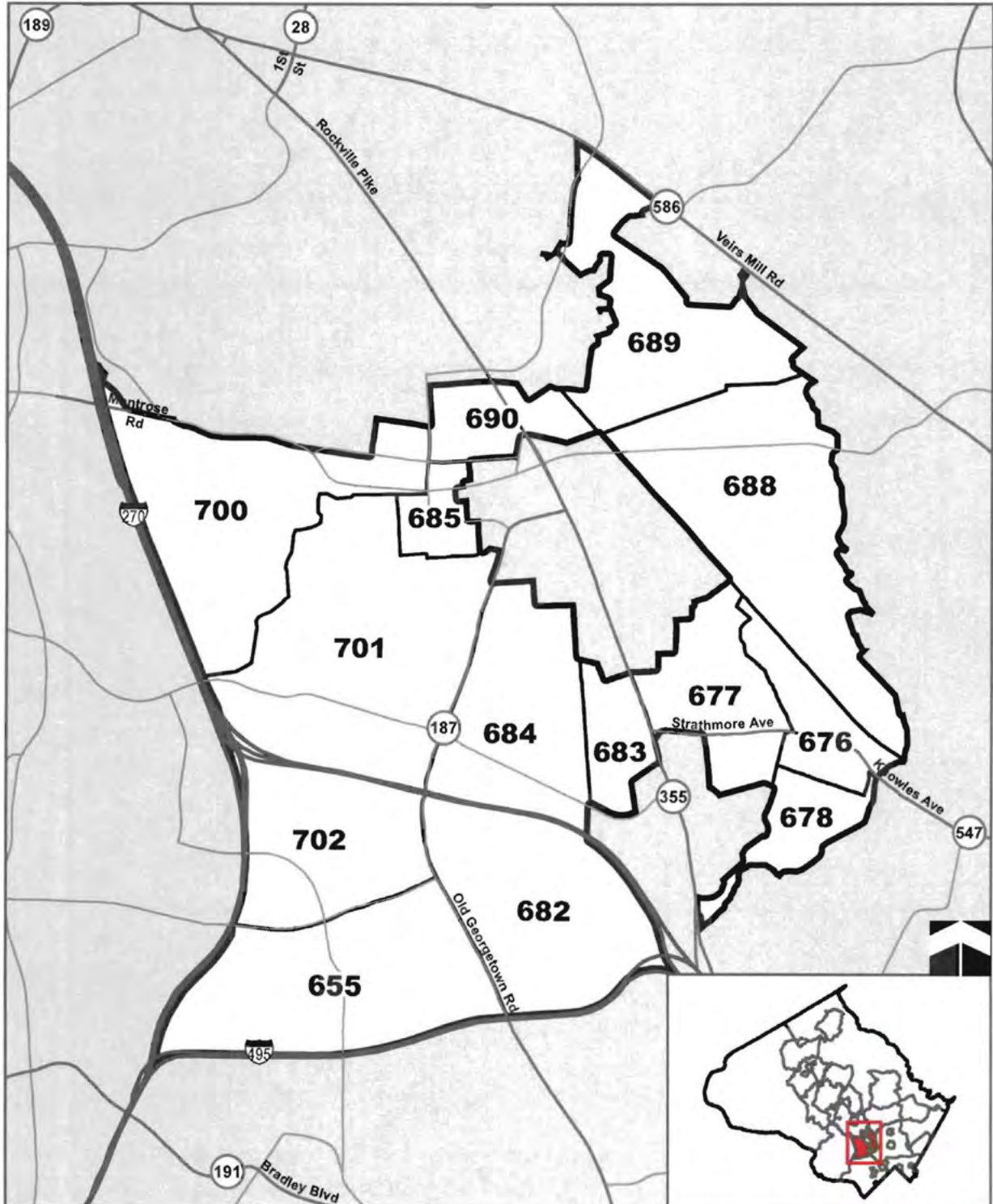
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Megan Davey Limarzi, Esq.
Clerk of the Council

North Bethesda Policy Area

MAP 22

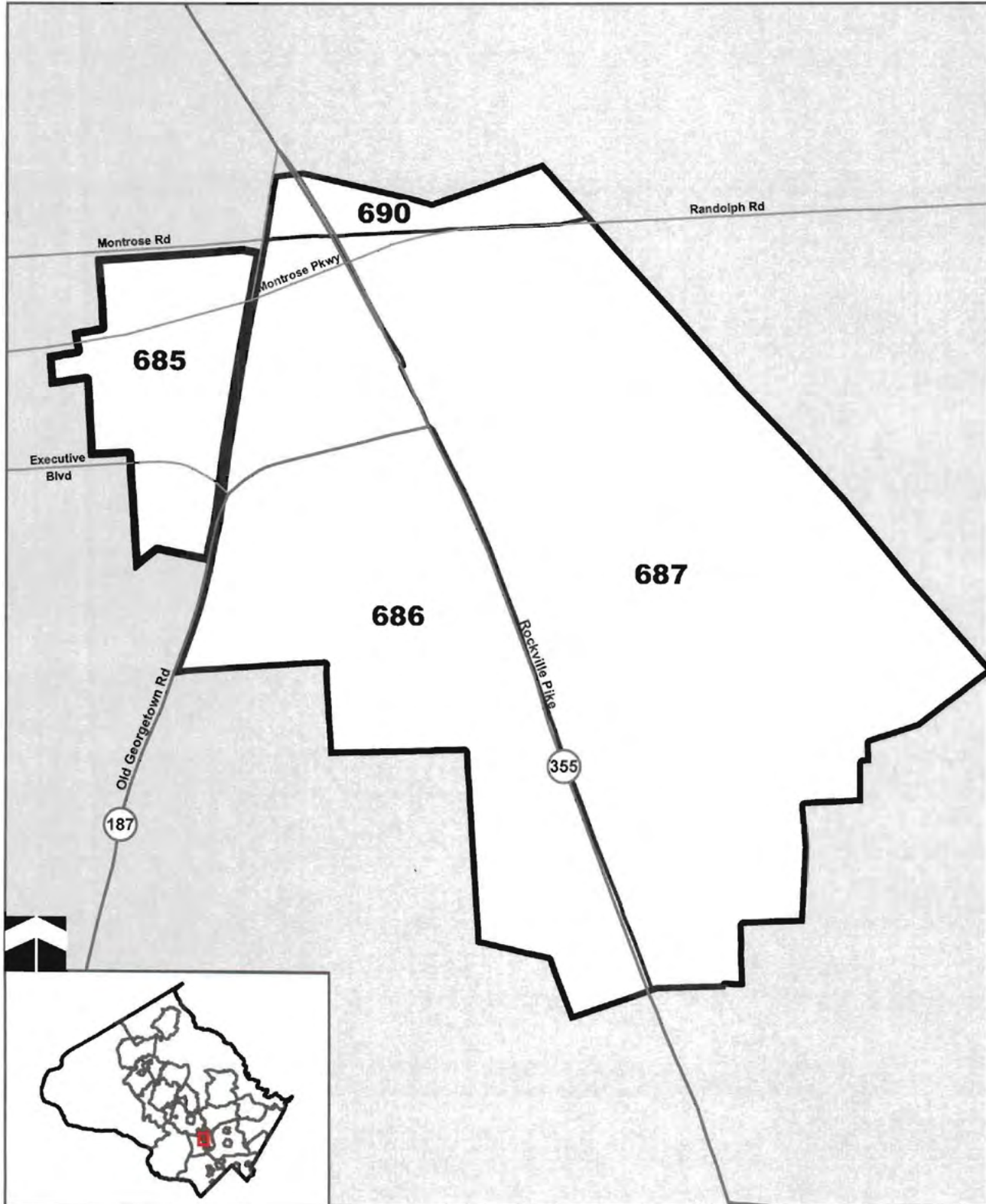
with Traffic Analysis Zones



White Flint Policy Area

MAP 37

with Traffic Analysis Zones



WHITE FLINT SECTOR PLANS

Planning Board Approved
Implementation Guidelines

September 2018

Montgomery County Planning Department

M-NCPPC

www.MontgomeryPlanning.org