

MCP-Chair

From: David Murray <davemur@mac.com>
Sent: Tuesday, July 14, 2020 8:16 PM
To: MCP-Chair
Subject: Comments for the Record
Attachments: 2020.07.14 - PlanningBoardSupplementalComments2.pdf

Categories: Tracked To Dynamics 365

Dear Chairman Anderson,

I have attached written comments on the proposed County Growth Policy and request that the attachment be included in the record and provided to Board Members.

If you have any questions or need additional information, please feel free to contact me.

Regards,
David Murray

To: Montgomery County Planning Board Chair Casey Anderson
From: David Murray, Montgomery County resident
Subject: 2020-2024 Subdivision Staging Policy (SSP)

Thank you for the opportunity to comment again on the proposed County Growth Policy (the “Proposal”). Ahead of the final work session on the Proposal, I write to address three topics:

1. The Chair’s proposal to impose thousands of dollars in new impact fees on affordable housing units in some neighborhoods;
2. Drivers of the housing shortage; and
3. The staff compilation of comments.

1. Chair’s Proposal to Impose New Impact Fees on Affordable Housing

On 9 July, the Chair proposed imposing thousands of dollars worth of new school impact fees on affordable housing in some neighborhoods. The Chair’s proposal seems incongruous with the stated goals of the Proposal, particularly in light of the Chair’s staunch defense of impact fee reductions – or subsidies for developers, as the Chair called them during the 9 July meeting – for market rate housing in Bethesda. The Planning Board should reject the Chair’s proposal to create new impact fees for affordable housing because Montgomery County should continue to subsidize affordable housing by covering the full costs of affordable housing’s school impact from the general fund, regardless of neighborhood, so that all neighborhoods are accessible to people from all socioeconomic backgrounds.

Furthermore, on 9 July, the Chair stated that he believes higher impact fees reduce development, and that lower impact fees result in more development. If, for the sake of discussion, the Board were to accept the Chair’s proposal and the Chair’s economic theory, then the only reasonable outcome is that the Chair’s recommendation would have the effect of concentrating affordable housing units in some neighborhoods, while other neighborhoods would be made up more of market rate housing. This outcome could perpetuate the harmful effects of Montgomery County’s ugly history of abusing land use laws to reinforce and maintain segregation. The Planning Board should be unequivocal in conveying that *all* of Montgomery County’s neighborhoods *must* accommodate people from *all* socioeconomic backgrounds instead of choosing to impose impact fees in some neighborhoods but not in others.

2. Drivers of the Housing Shortage

In listening to the discussion of the Proposal during the past few weeks and in tracking development proposals that have come before the Board, I have been struck by how much discussion has fixated on impact fees as the primary – if not the only – barrier to housing development and a leading cause of high housing costs. The empirical basis for this conclusion is thin, and in Montgomery County, development continues to lag in

areas that are exempt from impact fees, while areas where impact fees are imposed have experienced much welcome growth. Historically, tax cuts and subsidies of the nature that the Proposal recommends have exacerbated income gaps and inequity rather than ameliorating them. Moreover, county officials found no persistent relationship between residential deliveries and Montgomery County's impact fee schedule. The county officials noted that development surged shortly before the last large impact fee increase, but developers had nearly a year of warning — more if the months that the proposal was under consideration are included — so the surge was most likely nothing more than a handful of projects being accelerated to beat the higher fee schedule. The surge probably is not reproducible unless Montgomery County raises fees again and provides a long lead time for developers to take advantage of lower fees.

The consequences of being wrong about what is driving the housing shortage are severe, both for the Montgomery County's housing goals and for its budget. First, if the policy intervention that the Council ultimately selects is the wrong one, Montgomery County will fail to meet its housing and growth goals. Second, the Proposal's impact fee recommendations could weaken the County's fiscal position by reducing overall revenue if the impact fee and recordation tax changes affect the housing market in ways that the Proposal does not anticipate. If the Proposal's projections are incorrect — because of shifts in prevailing economic conditions, because impact fee decreases spur new development while recordation tax increases slow residential real estate sales, or because of other reasons — then Montgomery County would have hundreds of new students with no dedicated funding to build more schools. In sum, the Proposal introduces fiscal risk that Montgomery County does not currently face because it divorces specific impacts from the specific fees that the Montgomery County has created to address those specific impacts.

As Planning Staff and the Planning Board conclude work on the Proposal, it is vital that they closely examine the extent to which impact fees are inhibiting development or driving up housing prices for consumers, or whether other factors — such as increasingly sophisticated pipeline staging, unduly restrictive zoning, labor constraints, or broader market conditions — are leading to the housing shortage and higher prices. Last month, the Planning Board approved an application to convert part of a residential project atop the intersection of two rail lines into a hotel temporarily because the developer was concerned that it lacked a market for all of the units as regular rentals. In the coming weeks, the Planning Board will consider an application that will allow a developer to deliver rental units over a longer timeframe (Application 82009003A) than originally proposed. That developer said in its Statement of Justification that it is concerned about whether the market can absorb all of the already approved units. Developers, alluding to concerns about demand, also have sought to downsize other projects or to convert projects from all-age housing to age-restricted housing.

Why are developers so concerned about absorption of residential units when there is a housing shortage? This is a central question that the Proposal must address. The most plausible explanation is that developers are not concerned at all about absorption as an absolute matter but are instead concerned only about absorption of units that lease or sell for very high prices per square foot. Developers and investors have clearly become

accustomed to charging very high prices in Montgomery County and are understandably working hard to protect their revenue and returns. By taking this approach, not only are they able to promise investors high returns at new properties but they are also able to protect high returns across their portfolios, especially at existing rental properties. This is good for developers and investors, but for everyone else, housing remains scarce and housing costs stay high.

Addressing the housing shortage will require Montgomery County to change developers' behavior. Accordingly, the Planning Board should generate ideas that deter land underutilization and excessively long delivery timelines – especially in Activity Centers – because both underutilization and long delivery timelines have a direct and substantial impact on housing supply and costs. Proposals designed to deter underutilization and excessive staging would better position Montgomery County to grow, so that it can meet housing needs with diverse neighborhoods accessible to people from all socioeconomic backgrounds. Modifying the approach to impact fees may be part of a package to promote more near-term housing development, but in light of the disappointing pace of development in Wheaton and Silver Spring, it is clear that even full exceptions from impact fees are not sufficient to spur development and put Montgomery County on track to meet its housing goals.

3. Staff Compilation of Comments

I would like to thank Mr. Sartori for highlighting during the 9 July meeting that lowering school impact taxes could make the production of affordable housing less likely by reducing the value of the tax exemption. This topic deserves more attention than the Planning Board gave it during that meeting. However, I believe that the staff compilation of comments misrepresents my view on the impact tax exemptions for affordable housing (Page 15) by labeling my comments on the new affordable housing program as a “con.” I request that you amend the staff compilation of comments to reflect my views accurately. I unequivocally stated support for these impact fee exceptions in my comment letter dated 9 June: “The Proposal includes maintaining existing impact fee exceptions for projects that are focused on delivering affordable housing. *We should continue to support these exceptions – and seek ways to generate even more affordable housing – so that the County can better support diverse neighborhoods.*” (Page 5, emphasis added)

MCP-Chair

From: Denisse Guitarra <denisse.guitarra@anshome.org>
Sent: Wednesday, July 15, 2020 11:53 AM
To: MCP-Chair
Cc: Eliza Cava; jbraha@rockcreekconservancy.org; Taddei, Kristin
Subject: STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY letter on Item 10 - Forest Conservation Regulation Amendments
Attachments: 2020-07- SWPN Letter - Forest Conservation Regulations and Ephemeral Streams_Final.pdf
Categories: Tracked To Dynamics 365

Dear Montgomery County Planning Board,

Please find attached in this email a letter by Stormwater Partners Network ahead of tomorrow's Planning work session on the Forest Conservation Regulation Amendment (Item 10) . If you have any questions, please do not hesitate to contact us.

Thank you,
Denisse Guitarra



Denisse Guitarra
Maryland Conservation Advocate
Pronouns: she / her / ella
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cell: 240-630-4703

*Please check our [StayConnected](#) webpage frequently for new content and updates.
[Your gift to ANS](#) will help us create more resources throughout the shut-down. Thank you!*

STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



July 15, 2020

Montgomery County Planning Board

Dear Chair Anderson and Planning Board Members:

We, the Stormwater Partners Network (SWPN) of Montgomery County,¹ submitted a written testimony ahead of the June 25, 2020 Forest Conservation Regulation Amendment hearing and would like to submit additional comments as a response to the testimony provided by the Maryland Building Industry Association during the public hearing.²

We support the Planning Staff proposed changes to the Montgomery County Regulation Number COMCOR No, 22A.00.01, Forest Conservation – Trees, Regulations submitted by the Planning Staff to the Montgomery County Planning Board including the current ephemeral channel/streams and buffers definition. We are very concerned, however, that the Association’s proposal, asking the Planning Board to explicitly limit these definitions to ephemeral channels/streams and buffers only the Ten Mile Creek watershed, is unnecessary in this instance, premature, and would set back a good-faith discussion on how best to protect our essential ephemeral streams, no matter where they occur. Instead, we ask that the ephemeral stream provisions slated to be applied to Ten Mile Creek move ahead as planned and that staff and the Planning Board make no effort to preclude applying the definitions and protections to any other ephemeral channels/streams and buffers in Montgomery County, now or in the future. Specifically, we ask the Planning Board to keep the staff’s recommended definitions for Ephemeral Channel Buffers in the “Environmental buffers,”³ and the Natural Resource Inventory and Forest Standard Delineation (NRI/FSD) requirements⁴ section. As with our original testimony, simply stated, it is easier to conserve forest cover and our waterways than to replace or restore them.

If you have questions or comments about our position or concerns, please contact Jeanne Braha (jbaha@rockcreekconservancy.org) and Eliza Cava (eliza.cava@anshome.org), co-chairs of Stormwater Partners Network, or Denisse Guitarra (denisse.guitarra@anshome.org), MD Conservation Advocate at ANS.

¹ The Stormwater Partners Network is composed of organizations and individuals who support more effective stormwater policies and management in Montgomery County, MD, with the goal of clean and healthy streams throughout the county. We have worked collaboratively with county and state agencies and legislators to modify existing policies and practices so that they foster water infiltration rather than runoff. A full list of our current membership can be found on our website, www.stormwaterpartnersmoco.net.

² Forest Conservation Public Hearing June 25, 2020 – Additional Correspondence - Available from: <https://montgomeryplanningboard.org/wp-content/uploads/2020/06/Item-4-Correspondence-Staff-Draft-of-Amended-Administrative-Regulations-for-Chapter-22A-Forest-Conservation-Public-Hearing.pdf>

³ Attachment A: Forest Conservation – Trees, Regulations Proposed Changes – Section 22A.00.01.03 - Definitions – 17-Environmental Buffers. Available from: https://montgomeryplanningboard.org/wp-content/uploads/2020/06/AttachmentA_Chapter-22A.-Forest-Conservation-Trees-Regulations_Proposed-Changes-2018_2020_Attachment-A.pdf

⁴ Attachment A: Forest Conservation – Trees, Regulations Proposed Changes – Section 22A.00.01.06 - Natural Resource Inventory and Forest Standard Delineation (NRI/FSD) requirements – section 5. Available from: https://montgomeryplanningboard.org/wp-content/uploads/2020/06/AttachmentA_Chapter-22A.-Forest-Conservation-Trees-Regulations_Proposed-Changes-2018_2020_Attachment-A.pdf

STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



Sincerely,

Organizational and individual members of Stormwater Partners Network:

Denisse Guitarra
MD Conservation Advocate
Audubon Naturalist Society

Deborah Sarabia
President
Seneca Creek Watershed Partners

Emily Ranson
Maryland Director
Clean Water Action

Jeanne Braha
Executive Director
Rock Creek Conservancy

Ginny Barnes
Vice-Chair
Conservation Montgomery

Diane Cameron
Director
TAME Coalition
(Transit Alternatives to Mid-County
Highway Extended)

David Dunmire
Board of Directors
Eyes of Paint Branch

Kenneth Bawer
Vice President
Watts Branch Watershed Alliance

Kit Gage
Advocacy Director
Friends of Sligo Creek

Anne James
President
Friends of Ten Mike Creek

Individuals:
Peggy Dennis
Pia Iolster
Karen Metchis
Dr. Willo Pequegnat
Frank Sanford

Benjamin Alexandro
Water Program Director
Maryland League of Conservation Voters

Kirsten Johnson
Member of the Board of Directors
Maryland Native Plant Society

Caroline Taylor
Executive Director
Montgomery Countryside Alliance

Emmalee Aman
Policy Director
Potomac Conservancy

MCP-Chair

From: Wendy Jonas Calhoun <wendy1@erols.com>
Sent: Thursday, July 16, 2020 6:14 AM
To: MCP-Chair; Anderson, Casey; Fani-Gonzalez, Natali; Cichy, Gerald; Verma, Partap; Patterson, Tina; Sartori, Jason; Wright, Gwen; Govoni, Lisa
Subject: SSP
Attachments: Growth-Policy-response7.2-oral.docx; Growth-Policy-response 7-16-written.docx

Attached please find a copy of my oral testimony from 7/2, which I never submitted (my apologies).

In addition, I am submitting *new* comments, based on what happened at the meeting on 7/2.

Thank you,
Wendy Calhoun

Good afternoon. Thank you Chairman Anderson for the opportunity to speak today.

The Overview lays out that this Policy is responsible for managing our county's land use. The document itself says, "The Subdivision Staging Policy -- one of the many ways that Montgomery Planning *helps to preserve the excellent quality of life in Montgomery County* -- is based on having sufficient infrastructure to support growth."

Currently, we do not have sufficient infrastructure, namely schools, to support continued growth in the county, and the recommendations put forth do not change that. I believe that if the Planning Board approves these policy recommendations for growth, our schools will become even more overcrowded (by allowing school enrollment at 120% capacity as the norm rather than the exception) and more dilapidated (by reducing scarce and critical MCPS CIP funding to repair them).

I'm still wondering why are we even discussing changes in fees without a Financial Analysis.

There are many good ideas in the SSP, that Jason Sartori, Lisa Govani and others have worked hard on, and I testified about them in writing 2 weeks ago. However, I'm here to express my continued disappointment with what I consider to be critical concerns that have been flagrantly ignored: moratoria and normalizing 120% school facility use.

4.8, Eliminating moratoria for 93% of the county without replacing it with any emergency stop-gap for schools that are and will remain severely overcrowded with no solution in sight. It begs the question: how does this help "*preserve the excellent quality of life in Montgomery County?*"

4.12, The Board should not be allowed to green light development when schools are 120% overcrowded. A school at 120% capacity is not adequate for current county residents, let alone additional ones. Indiscriminately adding more students is not "*preserving the excellent quality of life in Montgomery County.*" At a minimum, there should be a clear and specific rubric for the Board to use to deny or approve a residential development project in any area with inadequate public school infrastructure.

4.16, Waiting until the supposed maximum of 120% school capacity to impose Utilization Premium Payments seems to fly in the face of the purpose of the SSP. Even with premium payments, the money arrives too late to address current overcrowding much less prepare for new students who will inhabit new dwelling units. If we are to "*preserve the excellent quality of life in Montgomery County,*" we need to fund capacity solutions sooner. Portables arrive on the scene at the earliest overcrowding. Even though a supposedly temporary solution, those cost money too.

I say all this knowing that you are reviewing the Thrive 2050 plan that encourages schools in every community, for every age group, within a 15-minute walk. How is the SSP working to help meet those goals? Why consider adjacent clusters for capacity? How is a long bus ride to a school up to 10 miles away remotely comparable with a 15-minute walk? How would utilizing a school that is 110% over capacity relieve overcrowding? And how will any of this "*preserve the excellent quality of life in Montgomery County?*"

I have moved beyond disappointment to anger. I'm angry that these recommendations do not take seriously the obligations of the SSP and AFPO to the children in this county: their need for adequate infrastructure—schools.

Please fix this. Our children are counting on you – please do right by them.

Dear Planning Board,

After listening to Chairman Anderson's response to my testimony on July 2, 2020, I felt a more in-depth response was warranted on two issues.

First, this policy does a great job toward helping meet the County's affordable housing goals, which is necessary, and I applaud that. However, I believe that this overwhelming housing emphasis damages the ability of the policy to enforce APFO standards for our schools. The SSP is not a zero sum game. There should not be winners and losers created from a previous, admittedly imperfect, policy that did attempt to balance these competing priorities. Instead affordable housing is consistently prioritized above school capacity adequacy. Why? Why instead of finding ways to meet both objectives, is one advanced at the expense of the other?

Second, Chairman Anderson shared the following reasoning for his policy position:

1. "It is not our responsibility to make sure that that infrastructure is actually used to accommodate the students that it should serve."
2. "It is not appropriate to expect the SSP to simply follow whatever MCPS's decisions are about the use of its' own school capacity."
3. "If the school capacity exists, I don't think that it's the Planning Department's responsibility to expect that we are going to control whether the school system uses it efficiently or effectively."
4. "...don't believe this Board can be in the position of simply accepting whatever MCPS's decisions are about how they use the classroom buildings that actually exist in the real world."
5. "I don't want to tell MCPS how to do its' job."

The reality is that while you may personally disagree with their decisions, you have to respect their decisions as ones that they alone can make and have made. Even the County Council made the decision to up and move the concentration of County functions from Rockville and the Planning Board's Silver Spring home to Wheaton creating a considerable shift of employee commuting travel. (Akin to MCPS changing the boundaries of several up county high schools.) Readily accessible transit may be available, but doesn't actually connect the two. (They're relatively close so what's the big deal.)

As far as the utilization of school facilities in the real world, I refer you to Ms. Melissa McKenna's comments:

Students don't arrive in neat amounts or bundles by grade. 54 seats available on paper does not = 2 classrooms.

Seats in elementary schools are across all grades preK-5. It is possible to have "overcrowded" classes of 29/30 students in an under enrolled school. It all depends on what grades those students are in.

Think of that space like a house, while you may have an empty corner here and there and that 10'x3' space in a front bay window that doesn't mean you have another bedroom.

MCPS moved the PEP program out of Ashburton ES. Three rooms for 18 special education students became general ed classrooms to hold 75 students. **Net gain 57 seats.** AND they still needed a modular unit to replace their portables.

Severe overcrowding at 110%-120%+ is hundreds of students overcapacity and not easily moved. There is no ONE place to move to unless space is created.

To point #5, Chairman Anderson is telling MCPS what to do. MCPS does not have a background in land use planning and zoning, and with all due respect, he doesn't have the background in schools.

The proposed changes are sending MCPS a message about where they should send students. That MCPS should follow all the 2017 OLO report guidelines to "liberalize" COSA requirements; change school boundaries; and transport students, in some cases 10 miles, to a school already overcapacity. Should it even be mentioned that converting or leasing "nontraditional" space COSTS MONEY? Which MCPS still does not have enough of for long-overdue, deferred, routine maintenance much less creating any kind of new space.

Imagine if MCPS tried to tell the Planning Board what to do. Suggested locations for residential development, regardless of other policy objectives or developer interest (we have a school with capacity in Laytonsville, for example, so put housing there). Suggested housing density (we have lots of space in Poolesville, so build more densely or lots of single family detached there). Or suggested traffic mitigations (the bus route times are taking too long, 45 minutes to go 2.4 miles, so add some lanes or let school buses and parents dropping off students run all the red lights).

Instead of trying to tell MCPS what to do by advancing an SSP that will make overcrowded schools even more overcrowded, why not work WITH MCPS to help solve our school overcrowding, affordable housing, and other infrastructure needs? The Urban Land Institute Advisory Services Panel "recommended seeking additional opportunities for systemic alignment in educational facilities planning and area master planning, to the greatest extent possible."

On July 2nd, Chairman Anderson said, "It's a two-way street." The reality is that there are currently two dead ends: one from MCPS and one from the Planning Board. What our county needs is meaningful two-way alignment and coordination between the Planning Board and MCPS. This policy should strive to create that street.

My children will have both graduated from MCPS before the next go-round of the SSP, and some of you will have graduated from the Planning Board by that time as well. However, in four years your successors will face an even bigger mess that will be created because schools will be left without the protection of the APFO.

I implore you again to please work with MCPS, and together find solutions for affordable housing and school capacity that both agree to. Otherwise, I wish your successors good luck tackling the mess that they will inherit.

Thank you,

Wendy Calhoun

MCP-Chair

From: Shruti Bhatnagar <shruti_bhatnagar@yahoo.com>
Sent: Thursday, July 16, 2020 12:09 PM
To: Anderson, Casey; MCP-Chair
Subject: Sierra Club Letter on SSP
Attachments: SCMoCo Ltr on Subdivision Staging Policy - 07.16.2020.pdf
Categories: Tracked To Dynamics 365

Dear Chair Anderson and Planning Board members –

Montgomery County Sierra Club is writing regarding the Subdivision Staging Policy (SSP). In particular, we want you to know that we favor deletion of the Highway Capacity Manual (HCM) from the SSP.

As you have heard Sierra Club say before -- we see climate change as the most critical environmental issue we face. In Montgomery County, the key route forward is a) expanding safe and efficient transportation options for many folks for many of the trips they need/want to make; and b) putting most new development in attractive walkable mixed-use, mixed-income neighborhoods at transit stations.

Removing the HCM from the SSP will help us move in the right direction. The deletion will lead to safer pedestrian and bicycle travel; and to more attractive transit-served walkable neighborhoods.

Thank you for your work to make Montgomery County a better place to live and work!

Sincerely,
Shruti

Shruti Bhatnagar
Chair, Sierra Club Montgomery County, MD

Attached: Sierra Club Letter on SSP



July 16, 2020

Mr. Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Avenue,
Silver Spring, Maryland 20910

Letter from SC to Planning Bd re: Subdivision Staging Policy

Dear Chair Anderson and Planning Board members –

Montgomery County Sierra Club is writing regarding the Subdivision Staging Policy (SSP). In particular, we want you to know that we favor deletion of the Highway Capacity Manual (HCM) from the SSP.

As you have heard Sierra Club say before -- we see climate change as the most critical environmental issue we face. In Montgomery County, the key route forward is a) expanding safe and efficient transportation options for many folks for many of the trips they need/want to make; and b) putting most new development in attractive walkable mixed-use, mixed-income neighborhoods at transit stations.

Removing the HCM from the SSP will help us move in the right direction. The deletion will lead to safer pedestrian and bicycle travel; and to more attractive transit-served walkable neighborhoods.

Thank you for your work to make Montgomery County a better place to live and work!

Sincerely,

Shruti Bhatnagar, Chair
Sierra Club Montgomery County, MD
Shruti.bhatnagar@mdsierra.org

Dave Sears, Land Use Chair
Sierra Club Montgomery County, MD
davidwsears@aol.com

MCP-Chair

From: Scott Plumer <scott.plumer@gte.net>
Sent: Thursday, July 16, 2020 4:16 PM
To: MCP-Chair
Subject: FW: SSP testimony by the Darnestown Civic Association at the Planning Board meeting on 6/11/20
Attachments: DCA SSP 200611.pdf
Categories: Tracked To Dynamics 365

From: Scott Plumer [mailto:scott.plumer@gte.net]
Sent: Thursday, July 09, 2020 1:08 PM
To: 'Jason.Sartori@montgomeryplanning.org' <Jason.Sartori@montgomeryplanning.org>
Subject: SSP testimony by the Darnestown Civic Association at the Planning Board meeting on 6/11/20

Hi Jason,

Attached is the brief spoken testimony the Darnestown Civic Association gave at the planning board meeting on 6/11/20. It is road centric and rather general but it's a start for us. Looking forward to dialing in 2020 and especially excited about 2024!

Thank you.

Scott Plumer
Staff Assistant for Research and Special Projects
Darnestown Civic Association Executive Board and Committees
scott.plumer@verizon.net
301-367-6632



Darnestown Civic Association
www.darnestowncivic.org

SSP 200611

Hello everyone. For the record this is Scott Plumer. I am representing Vision Zero Darnestown, a project of the Darnestown Civic Association's Roads Task Force. We are dedicated to eliminate vehicle involved death and severe injury while increasing safe, healthy, equitable mobility for all.

We wish to thank Chair Anderson, Vice Chair 'Fawne'-Gonzalez, and the rest of the board for allowing us to testify today. We also wish to thank Director Wright and the entire Montgomery Planning staff for their exceptional work which we enjoy every day as we live our lives in Montgomery County.

We see issues with the SSP not able to address the effect of development outside of our area. The Rural West Policy Area is particularly prone to external impacts. The design, implementation and capacity failures of the corridor has led to an inundation of overflow traffic. Overflow is even more acute on incident days.

An out of balance master plan due to development elsewhere compounded by corridor policy failures is a planning quagmire and an untenable assertion.

Convergence of standards of design, construction, and maintenance between the state and the county roads is especially important to us. We have four state roads within Darnestown: MD-190, MD-112, MD-28, and MD-118. Three of those state roads terminate in Darnestown, each terminating at an intersection with another state road. Our village is at the termination of MD-112 on MD-28. Just outside of Darnestown on the eastern and western edges, four additional state roads, MD-107 and MD-117 to the west, and MD-124 and MD-119 to the east, all terminate on MD-28.

We hope for more and better metrics than the intersection delay standard. We are curious how roundabouts will affect metrics and how to account for the numerous junctions not controlled by signal, in rural areas. We hope the forty-five-minute measure to job sites does not include routes where drivers speed through our neighborhoods.

When roads are busier than their intended design use, the built environment does not encourage safe behavior. Ingress and egress from neighborhoods becomes difficult. Aggressive driving and speeding increase as drivers are more agitated. Pavement markings require more frequent maintenance than planned. Signs and signals are insufficient for the unanticipated volumes. Posted speeds are too high. These are our roads.

We are energized by the new SSP, the Complete Streets program and the Vision Zero efforts and look forward to working with Planning, the county and the state to make the roads, yes the roads, adequate, safer, more efficient, and less evil.

Thank you for your time and attention.

MCP-Chair

From: Rob Robinson <Rob.Robinson@gaitHERSBURGmd.gov>
Sent: Friday, July 17, 2020 10:53 AM
To: MCP-Chair; Sartori, Jason
Cc: Dennis Enslinger; Thomas Lonergan; John Schlichting
Subject: City of Gaithersburg SSP update concern

Categories: Tracked To Dynamics 365

Dear Chair Anderson and Mr. Sartori,

First I would like to applaud Jason and his staff for the incredible work on and new direction taken in the County's Subdivision Staging Policy (SSP) update. Further, I personally appreciate Jason engaging City staff for input from the start of this effort. He has continued to make himself and his staff available to answer our questions, listen to our concerns, and has agreed to brief our Mayor & City Council in August on the approved Planning Board draft to be submitted to the County Council. In light of this and as you will conduct your last work session next Tuesday, I write to you today to please consider the City of Gaithersburg and the other County municipalities in your discussion regarding impact taxes.

While the City may have independent zoning authority, our residents are County residents also who pay County income and recordation taxes. Developments that occur in the City are subject to both County School and Transportation impact taxes. Much discussion with the Board has been made regarding the role of the SSP and achieving the County's stated housing targets. I note that the adopted County Council resolution (R 19-284) states:

"The Council supports the goals of the Metropolitan Washington Council of Government's (MWCOG) resolution which calls for an additional 320,000 housing units in the region by 2030. This is an increase of 75,000 housing units beyond the current forecast and calls for Montgomery County to set a goal of producing 10,000 housing units above the existing forecast, including housing that will be produced in the City of Gaithersburg and City of Rockville. The Council is committed to working closely with all County municipalities to achieve this new goal."

Of the 87,066 new households expected by 2045 for the County, Gaithersburg comprises 8,758, or 10.0% of that household growth. In short, we are in this together. In reviewing the public hearing draft of the SSP, City staff is supportive of the school impact areas assigned (and with those assignments, the associated student generation rates and impact tax rates) within the City, finding that they align with our own internal studies and designations.

I write to you today, much as I came before the Board four years ago to then request that you treat the City's Transportation Policy Area designation and associated impact tax rate such that it did not create an artificial competitive imbalance with the adjoining Life Sciences Center, Germantown, and the Shady Grove Sector. I ask that as the Board continues its deliberations on the impact taxes, that regardless of metrics or methodology agreed to be used (Activity Centers et al) to determine exemptions and discounting school (and possibly transportation) impact taxes using a 60% multiplier, that these be applied evenly and uniformly within the City of Gaithersburg and not have the municipalities exempted from the Planning Board Draft to be sent to the County Council. If the County acknowledges that to achieve its housing goals, it needs the City of Gaithersburg, then there should not be inherent competitive disadvantages built into the Planning Board draft, which omitting the City from impact tax reductions or exemptions would do. While I acknowledge that the County Council will make the final decision, I ask that their deliberations not begin, from the City's perspective, with a conflict point advocated by the Planning Board. I thank for your time and consideration on this matter,

Rob

Rob Robinson III, AICP CEP

**FCA Qualified Professional
Long Range Planning Manager
City of Gaithersburg
240-805-1072**

MCP-Chair

From: Jonathan Genn <jonathan@percontee.com>
Sent: Monday, July 20, 2020 10:34 AM
To: MCP-Chair
Cc: Anderson, Casey; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Verma, Partap; Wright, Gwen; Stern, Tanya; Sartori, Jason; Graye, Eric; Govoni, Lisa; Kronenberg, Robert; Sanders, Carrie; Butler, Patrick; Baek, Hye-Soo; ben@thinkmoco.com
Subject: Gentle Reminder - One Short, Simple, Sentence --- Planning Board's SSP Work Session #6 (Item #1 on Agenda for July 21, 2020)
Attachments: image002.emz

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning, Chair Anderson, Vice Chair Fani-Gonzalez, and Distinguished Commissioners of the Planning Board:

Because of the passage of time since prior testimony, and because of all the voluminous material the Planning Board has had to absorb and analyze for its SSP work sessions, this is a gentle reminder that just one short, simple amendment to §52-41(g)(6) of the Montgomery County Code would be most impactful for advancing the County's Racial Equity and Social Justice imperative, and to also help job and economic opportunities in the lower socio-economic areas of the County, as follows (**red underlined** words are proposed new language, words typed in **black** are existing language):

Not only is this amendment the best public policy; but also, this amendment is most vital and urgently consequential to the VIVA White Oak™ community revitalization efforts along the US Route 29 corridor. (VIVA White Oak™ is not in an Enterprise Zone; but is located within a certified Qualified Opportunity Zone.) There are very real and very substantial prospects for the first major commercial anchors in VIVA White Oak™, together with the needed at-risk initial infrastructure capital investors, who could be the private sector investors that jump start and catalyze these revitalization efforts. But time is of the essence for these prospects and capital investors. There are no assurances that waiting for the County Council to adopt these measures in November will be timely enough for these prospects and capital investors to "stick around" through the end of this year, as they all have options all around the country (with their having just completed such investments in the Mid-West, South, and West Coast).

GLDC thus respectfully (and urgently) requests the Planning Board add these few words highlighted in red above, and include them among the set of recommendations to the Council (which would also serve as an important signal to these prospects and capital investors to "stick around" and see that Montgomery County is serious about encouraging private

§52-41...

(g) A development impact tax must not be imposed on...

(6) any development located in an enterprise zone **formerly or currently** designated by the State **and/or located in a Qualified Opportunity Zone certified by the United States Treasury...**

investment in these lower socio-economic areas of the County and help create jobs and economic opportunities in these parts of the County that have historically been left behind).

Respectfully Submitted,

Jonathan

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