

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY

Thursday, October 26, 2023

2425 Reedie Drive
Wheaton, MD 20902
301-495-4605

The Montgomery County Planning Board met in regular session in the Wheaton Headquarters Building in Wheaton, Maryland, and via Microsoft Teams video conference on Thursday, October 26, 2023, beginning at 8:58 a.m. and adjourning at 4:34 p.m.

Present were Chair Artie Harris, Vice Chair Mitra Pedoeem, and Commissioners Shawn Bartley, James Hedrick and Josh Linden.

The Planning Board voted at 8:59 a.m. to convene in a Closed Session via Microsoft Teams and in person to discuss Item 1 on the motion of Commissioner Hedrick, seconded by Commissioner Linden with Chair Harris and Commissioners Hedrick and Linden, voting in favor of the motion. Vice Chair Pedoeem and Commissioner Bartley were absent for the vote but attended the Closed Session meeting. The meeting was closed under the authority of Annotated Code of Maryland, General Provisions Article §3-305(b)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Commissioner Bartley joined the Closed Session via Microsoft Teams and Vice Chair Pedoeem joined in person, both at 9:08 a.m. Also present for the meeting was Principal Counsel Emily Vaias of the Office of General Counsel (as Technical Writer), and the Interviewees.

In Closed Session, the Board discussed the Parks Director position. The Closed Session began at 9:08 a.m. and ended at 11:46 a.m.

The Planning Board reconvened in the auditorium and via video conference to return to open session at 12:34 p.m. to discuss Items 2 through 7, Item 9, Item 10, and Item 8 as reported in the attached Minutes.

Commissioner Bartley was necessarily absent for the afternoon session.

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There being no further business, the meeting adjourned at 4:34 p.m. The next regular meeting of the Planning Board will be held on Thursday, November 2, 2023, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich

Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. CLOSED SESSION

According to the MD Ann Code, General Provisions Article, § 3-305(b)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Topic to be discussed: Parks Director Position
E. Vaias

BOARD ACTION

Motion: Hedrick/Linden

Vote: 3-0

Other: Vice Chair Pedoeem and Commissioner Bartley were absent for the vote.

Action: Advice obtained with discussion. See the open session disclosure statement in Summary Section.

Item 2. Preliminary Matters

A. Adoption of Resolutions

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Resolutions submitted for adoption.

B. Approval of Minutes

1. Minutes for September 21, 2023

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved the Minutes for September 21, 2023, as submitted.

C. Other Preliminary Matters

Resolution to Reappoint Erin White, CPA, as Public Member of the Audit Committee.

Staff Recommendation Approval of Resolution

A. Harris

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved the Resolution cited above to Reappoint Erin White, CPA, as Public Member of the Audit Committee, as submitted.

Item 3. Record Plats (Public Hearing)

BOARD ACTION

Motion:

Vote:

Other: Commissioner Bartley was necessarily absent.

Action: There were no Record Plats submitted for approval.

Item 4. Regulatory Extension Requests (Public Hearing)

12700 Travilah Road: Preliminary Plan No. 120220120 – Regulatory Extension Request No. 2 - Request to extend the regulatory review period from October 16, 2023 to January 18, 2024.

Application to create seven lots for seven single-family detached units; located at 12700 Travilah Rd. Potomac; RE-2 zone; 16.03 acres; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the extension request

A. Duprey

Clarksburg Town Center

Project Plan Amendment No. 91994004E: Regulatory Review Extension Request No. 2 - Preliminary Plan Amendment No. 11995042E & Site Plan Amendment No. 82007022I: Regulatory Review Extension Request No. 1 - Request to extend the regulatory review period by three months until January 25, 2024.

Application to amend a Project Plan, Preliminary Plan and Site Plan to allow three multi-family buildings, commercial retail buildings, and associated amenities; south quadrant of Clarksburg Square Road and Saint Clair Road, Clarksburg; CRT-0.75 C-0.25 R-0.5 H-65; 1994 Clarksburg Master Plan.

Staff Recommendation: Approval of the extension request

P. Estes

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved staff recommendation for approval of the Regulatory Extension Request cited above.

Item 5. Roundtable Discussion

Parks Director's Report
M. Riley

BOARD ACTION

Motion:

Vote:

Other: Commissioner Bartley was necessarily absent.

Action: Received briefing.

Montgomery Parks Director Mike Riley gave an overview of the Montgomery Parks Police Department and introduced Chief Darryl McSwain who then offered a multi-media presentation regarding the Montgomery County Park Police. Mr. Riley noted the Park Police Department is a highly integral part of the Parks Department and commended Chief McSwain for his focus on building up the division since taking over.

Chief McSwain introduced Park Police Senior Command Staff including Captain Bryson Evans, Captain Nicole Adams, and Captain Lakeisha Robinson; and further recognized Captain Adams as being the first African American female in the history of the Commission Park Police promoted to the rank of Captain.

Chief McSwain stated the department consists of approximately 126 officers as well as the Mounted Police Unit, which is one of the largest in law enforcement on the East Coast and nationally recognized.

Chief McSwain noted Captain Adams has also become an integral member of the recruitment and selection process for the department. Captain Adams helped to change the Park Police written exam with a more empirical test measuring different qualities such as empathy, problem solving and ability to work with others. To date, the agency is comprised of roughly 30 percent female, 21 percent African American, 9 percent Latino, 5 percent other non-white, 11 percent Asian, and 52 percent white members.

Chief McSwain spoke about the training the Park Police Department participates in including: cultural competency/implicit bias; integrating communications, assessment, and tactics (ICAT); active bystandership for law enforcement (ABLE); crisis intervention, peer support, fair and impartial policing; empathetics; legally justified, but was it necessary; and critical incident leadership and decision making.

Chief McSwain discussed the executive leadership within the department noting field trips taken outside of the police facility to provide development opportunities to allow the officers to internalize the training.

Employee wellness is important to the department and includes LGBTQ+ and women's support groups, a mentoring program, and peer support for the department. Chief McSwain explained each year there is an annual health and wellness in-service for all personnel of the department.

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Professionals of various disciplines are also brought in to provide opportunities for sports medicine, yoga, acupuncture, meditation, chiropractor sessions, financial resiliency, and post-traumatic stress.

Chief McSwain detailed the service delivery for the department noting participation with removal of illegal nets in waterways, coffee with a cop at Starbucks, and community walks. Chief McSwain also highlighted the approximately 40 volunteers that help the department with anything from gate openings to coffee with a cop as well as other engagement outreach activities throughout the County.

Chief McSwain spoke on the Search and Rescue unit, which is also recognized as one of the finest in the nation. There are 6 certified search managers and 3 bloodhounds; and the unit averages roughly 100 calls per year both locally and statewide. Chief McSwain further highlighted Robert, the Human Remains Dog (HRD) dog within the unit that is 1 of 2 law enforcement HRD dogs within the entire state of Maryland. Chief McSwain also noted the department has introduced the usage of sensory bags as a way to help individuals with intellectual disabilities focus in times of stress. The sensory bags have a number of different items in them, and every officer on patrol carries a sensory bag with them. Chief McSwain stated the department is the first in the state of Maryland to introduce sensory bags and noted there have been a number of instances where the sensory bags have helped to avoid tragedy.

Chief McSwain explained the different modes of technology used by the Park Police Department including FLIR (Forward Looking Infrared) binoculars able to detect heat signatures, virtual reality goggles, and drone technology. Lastly, Chief McSwain offered comments regarding the upgrading of the computer aid dispatch system and records management system to the Motorola Integrated Video Platform and Digital Evidence Management. Upgrading this technology will allow greater connectivity with Prince George's County Police Department (sister agency), help with disaster recovery, and provide continuity of operations between departments. This upgrade will also allow integration of different technologies, safety of officers, and transparency for the public.

The Board asked for examples of items found within the sensory bags and Chief McSwain offered comments and responses.

The Board offered further comments regarding appreciation for the department being forward thinking as well as providing soft skills training.

Item 6. White Flint Civic Green Urban Park (Public Testimony Accepted)

Authorization to acquire 40,630 square feet of land, more or less, improved, from Jemal's Norman EMCO L.L.C., located at 11611 Old Georgetown Road, Rockville, MD 20852

Staff Recommendation: Approval and Adoption of Resolution

B. Sandberg

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved Staff recommendation for approval of the proposed land acquisition cited above and adopted the attached Resolution.

Brenda Sandberg, Real Estate Management Supervisor, offered a multi-media presentation detailing the background, park concept, and public benefits for the acquisition of White Flint Civic Green Urban Park. Further information can be found in the Staff Report dated October 19, 2023.

The subject property is located at 11611 Old Georgetown Road and contains approximately 0.93 acres or 40,630 square feet. The site is improved with a 23,280 square-foot freestanding retail building built in 1969 with paved parking areas and is currently occupied by two tenants. The property fronts on Old Georgetown Road to the north and Banneker Street to the south, providing the public access and visibility necessary for an urban park.

Ms. Sandberg described the policy and planning rationale for acquiring the property, in which the site meets the 2022 PROS Plan, THRIVE Montgomery 2050, and the Energized Public Spaces Functional Master Plan (EPS). In addition to being in a location that can help meet the measured need for more amenities, this acquisition will provide a new public park within an EFA-serving area (area within walking distance of an Equity Focus Area).

Ms. Sandberg described the park concept and dedication. The half-acre Lot 2 is being conveyed to Parks with open grass, paths, and benches to provide a functional park on this site during the interim period until the full one-and-a-half-acre park can be designed and constructed on both parcels. Figure 6 demonstrates a concept example for future development of the full park site. Ms. Sandberg noted in the White Flint Sector Plan, the White Flint Civic Green is intended to provide a central gathering place for people across the White Flint area. The *Energized Public Spaces Design Guidelines* (2019) defines these spaces as “formally planned, flexible, and programmed open spaces that serve as places for informal gathering, quiet contemplation, or large special events.” A signature amenity in such a “civic green” could be a large central lawn that serves multiple purposes. Additional key features recommended for this type of urban park include an abundance of seating, areas of shade and sun, public art that invites interaction and education, and other amenities to support everyday use and special programming. The Sector Plan also recommends this park include educational signage about Josiah Henson and directions to the Josiah Henson Museum only a short walk away down Old Georgetown Road.

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Ms. Sandberg discussed the other benefits from the acquisition, acquisition costs and funding, followed by an overview and breakdown of the start-up costs and Operating Budget Impact (OBI) costs, interim park phase, and ultimate park phase for the property and future Park. The acquisition cost is \$10,400,000.00 and funding will come from the Program Open Space Grant and Legacy Urban Space PDF. It was also noted that current tenants will remain in the building for a maximum of 5 years and the rent supports Parks management of the property.

The Board asked questions regarding the adjacent parking lot and timeframe for the half acre parcel to be operational.

Staff offered comments and responses to the Board's questions.

Item 7. Home Away From Home Pet Care: Conditional Use No. CU202405 (Public Hearing)

Request to transmit comments to the Hearing Examiner on a proposed Conditional Use for an Animal Boarding and Care pursuant to the 2014 Montgomery County Zoning Ordinance Sections 59.3.5.1.B.2.b (Specific Conditions) and 59.7.3.1 (General Conditions) at 24432 Ridge Road, Damascus; 3.20; RE-2C Zone; Damascus Master Plan.

Staff Recommendation: Approval to transmit comments to the Hearings Examiner

M. Beall

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved Staff recommendation to transmit recommendations to the Hearing Examiner regarding the Conditional Use request cited above, as stated in in a letter to be drafted at a later date.

Mark Beall, Planner IV, offered a multi-media presentation regarding Home Away From Home Pet Care. Further information can be found in the Staff Report dated October 16, 2023.

Mr. Beall described the vicinity and property area. Mr. Beall stated the Applicant proposes to convert the basement of an existing single-family dwelling unit into Animal Boarding and Care. The Applicant will retain the remainder of the house as a full-time residence. The Applicant is not proposing any changes to the outside of the house. The Applicant will utilize the existing driveway and parking area for the residence and the proposed Conditional Use. The Applicant will provide a van with kennels inside to go pick up the dogs from their owner's home to deliver them to the Property for their stay. Occasionally owners may drop off or pick up their dogs but most of the time the van will deliver the dogs to the Property and return the dogs to their respective houses. There will be no proposed outside dog run or exercise area. Dogs will not be permitted outside as part of this Conditional Use application. Dogs will be exercised in the basement exercise area. The Applicant is proposing a maximum of 15 dogs onsite at any one time. The Applicant is also proposing no non-resident employees.

Mr. Beall noted one correction to the Staff Report regarding the Conditional Use Plan number.

Stephanie Smith, legal counsel for the Applicants, offered comments on behalf of the Applicants stating agreement to all conditions. Ms. Smith offered further comments regarding the requested maximum number of dogs.

The Board asked questions regarding total amount of people living on site, conditions inside the house, and potential need for permit/licensing from animal control.

Staff offered answers to the Board's questions regarding licensing.

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Emily Jarvinen, the Applicant, offered comments and responses regarding outreach with the surrounding community, services that will be offered, exercise for the dogs, the number of possible dogs for doggie daycare during the day, and clarified the number of dogs that would be on the property staying overnight.

Item 9. Briefing on the Master Plan for Historic Preservation; Historic Site & District Designations; Locational Atlas and Index of Historic Sites; and other items

Staff Recommendation: Brief the Planning Board
R. Ballo/J. Liebertz

BOARD ACTION

Motion:

Vote:

Other: Commissioner Bartley was necessarily absent.

Action: Receive briefing.

Rebecca Ballo, Cultural Resources Supervisor and John Liebertz, Historic Preservation Planner III, offered a multi-media presentation regarding the Master Plan for Historic Preservation. Further information can be found in the Staff Report dated September 19, 2023.

Ms. Ballo gave an overview of what historic preservation does and what it does not do. The Historic Preservation Office (HPO) supports the Planning Board and the Historic Preservation Commission by providing for the identification, designation, and regulation of historic sites in Montgomery County. Historic Preservation staff also maintain an archive and library of documentation on historic resources in Montgomery County and provide preservation outreach and guidance on preservation best-practices to the public.

Ms. Ballo continued by discussing the National Register of Historic Places and Maryland Inventory of Historic Properties, the Locational Atlas of Historic Sites, Chapter 24A: Historic Resources Preservation, and the Master Plan for Historic Preservation.

The National Register of Historic Places and Maryland Inventory of Historic Properties is a federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. Properties listed under the Maryland or National Registries are also eligible for state and federal tax credits for certain interior and exterior rehabilitation projects. There are 86 resources in the County listed in the National Register of Historic Places and examples include: C&O Canal, Seneca Stone Quarries, Brookeville Historic District, Carderock Springs Historic District, Rachel Carson House, and the Walker Prehistoric Village Archaeological Site.

The Board asked for further definition of a district and if there are specific requirements to be considered a district. Staff offered comments and responses.

Ms. Ballo stated the Planning Board then created the Locational Atlas and Index of Historic Sites in 1976. The Locational Atlas includes resources that are potentially significant and provides partial protection from demolition and substantial alteration until the resource or district is evaluated for the Master Plan for Historic Preservation. Ms. Ballo discussed the criteria used for listing within the Locational Atlas. There are 13 Locational Atlas Historic Districts and 130 Locational Atlas Historic Site resources, with the majority being farmsteads.

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The Board asked questions regarding National Register of Historic Places listings being listed in the Locational Atlas and the relationship between the two.

Staff, including Chief of Countywide Planning and Policy Jason Sartori and Historic Preservation Planner III John Liebertz, offered comments and responses to the Board's questions.

The County Council adopted the Master Plan for Historic Preservation (a functional Master Plan with Countywide application) in 1979, and Chapter 24A of the Montgomery County Code governs how Historic Preservation in Montgomery County is conducted. Currently, there are 455 Master Plan historic sites and 25 Master Plan historic districts within Montgomery County.

Ms. Ballo discussed the recently listed Master Plan Historic sites including the Mesrobian House in Chevy Chase and the Edward U. Taylor School in Boyds. It was also noted the Potomac Overlook Historic District was recently listed as a Master Plan Historic District as well

Ms. Ballo then discussed the major differences in designations between the Locational Atlas and Index of Historic Sites and the Master Plan for Historic Preservation. Ms. Ballo also highlighted the role of the Historic Preservation Committee (HPC), which is comprised of 9 members appointed by the County Executive with the confirmation of the County Council, with regard to Master Planning efforts. The designation process was outlined, and environmental settings examples were also presented to the Board.

Lastly, many examples of adaptive reuse and redevelopment of Master Plan Sites and Locational Atlas Sites in Silver Spring were presented to show the range of possibilities and level of flexibility once a site has been designated.

The Board asked questions regarding criteria, the tax credit program. Potential programs to subsidize adaptive reuse properties, how currently listed Historic Districts and sites influence the Master Plan process, and how criteria for individual properties apply district wide.

Staff offered comments and responses to the Board's questions.

Item 10. Resolution of Adoption for the Pedestrian Master Plan

Staff Recommendation: Approve the Resolution of Adoption for Transmittal to the Full Commission and receive briefing on changes made to the plan document after transmittal of the Planning Board Draft

E. Glazier

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Receive briefing. Approved Staff recommendation for approval of Resolution for Adoption of the Pedestrian Master Plan and to transmit to the Full Commission, as stated in a transmittal letter to be prepared at a later date.

Eli Glazier, Multimodal Transportation Planner, offered a multi-media presentation regarding the Pedestrian Master Plan. Further information can be found in the Staff Report dated October 19, 2023.

The full County Council voted unanimously on a resolution of approval for the Pedestrian Master Plan, as amended, on October 10, 2023.

Mr. Glazier gave a detailed overview and explained the Council's amendments to the following Pedestrian Master Plan recommendations: Potential State Action, Open Parkways, Street Grid Improvements, New County Programs to Improve the Pedestrian Network, State Highways, Traffic Education, Enforcement, Sidewalk Materials, Funding, and Complete Streets Design Guide Area Types.

Lastly, Mr. Glazier requested approval of the Resolution for Adoption of the Pedestrian Master Plan, as amended.

The Board asked questions regarding Key Action B-7f, and what agency would take the lead for notification of new traffic improvements.

Staff offered comments and responses to the Board's questions.

Item 8. Silver Spring Downtown & Adjacent Communities Plan Public Open Space Fee-in-lieu Contribution Briefing (Public Testimony Accepted)

The 2022 Silver Spring Downtown & Adjacent Communities (SSDAC) Plan, Section 4.1.12, recommends that “For any Optional Method development project required to provide public open space on a site not recommended for a new public space in the Sector Plan, the Plan recommends that in lieu of on-site open space, applicants contribute to the creation of new and improvement of existing public parks recommended by the Sector Plan.”

Staff will present a proposed formula and methodology for the calculation of those contributions.

Staff Recommendation: Approve the proposed SSDAC Plan Public Open Space Fee-in-lieu Contribution Formula and future rate adjustment methodology.

H. Coppola

BOARD ACTION

Motion: Linden/Hedrick

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved staff recommendation for the approval of the proposed SSDAC Plan Public Open Space Fee-in-lieu Contribution Formula and future rate adjustment methodology, with modifications as discussed at the meeting.

Henry Coppola, Development Review Coordinator, offered a multi-media presentation regarding the Silver Spring Downtown & Adjacent Communities Plan Public Open Space Fee-in-lieu Contribution Briefing. Further information can be found in the Staff Report dated October 19, 2023.

Mr. Coppola stated the Silver Spring Downtown and Adjacent Communities (SSDAC) Plan was approved and adopted in 2022 and made recommendations regarding development of key opportunity sites, new parks, improvements to bicycle and pedestrian infrastructure, and a vision for sustainable economic growth in downtown. The SSDAC Plan language for *Section 4.1.12 On-Site Public Open Space* recommendation states for any Optional Method development project required to provide public open space on site not recommended for a new public space in the Sector Plan, the Plan recommends that in lieu of on-site open space, Applicants contribute to the creation of new and improvements to existing public parks recommended by the Sector Plan, preferably within the same district. Mr. Coppola stated that while the SSDAC Plan called for these public open space fee-in-lieu contributions and set the timing and basis of their determination (during the development review and approval process, based on the cost per square foot of constructing an equivalent area) it did not establish a formula or methodology for their determination.

Mr. Coppola explained that per the SSDAC Sector Plan the contribution must be based on the cost per square foot of constructing an equivalent area of the otherwise required on-site public open space. Mr. Coppola noted due to the costs of park and open space improvements varying, the average cost per square foot of the twelve recent, representative Parks projects was used to set the Base Rate for the contributions. The average cost per square foot for those projects is \$78.57 which is rounded to \$80.00 for simplicity and ease of use in the formula. Therefore, the recommended Base Rate is \$80 per square foot.

Mr. Coppola further stated due to development projects having different levels of impact on the demand for public open space based on density, a project's Approved Floor Area Ratio (FAR) will be applied to the Base Rate as a demand impact modifier to help ensure that each project is making a proportional contribution. The zoned FAR of CR-zoned parcels eligible for Optional Method development in the Plan Area ranges from 1 to 8, with roughly 1/3 of the parcels having a zoned FAR of 3 and roughly an additional 1/3 of the parcels having a zoned FAR of 5. Therefore, the Base Rate of \$80 will be assigned to a FAR of 4 and then reduced as the FAR decreases or increased as the FAR increases by 25 percent per whole number of FAR. This allows for the contribution Base Rate to be normalized to a FAR of 1 at \$20 so that the contribution can be understood as a rate of \$20 per square foot per Approved FAR.

Mr. Coppola also explained the contribution methodology for an affordable housing discount in which projects that provide 25 percent or more Moderately Priced Dwelling Units (MPDUs) or Department of Housing & Community Affairs (DHCA) approved equivalents will receive a discount rate equal to the rate of MPDUs and/or or DHCA approved equivalents provided.

Lastly, Mr. Coppola stated Staff recommends the Base Rate Adjustment to follow the same adjustment as the Downtown Silver Spring Overlay Zone Civic Improvement Fund contribution rate as set in Section 4.9.8.C.2.3.ii of the Zoning Ordinance, with the contribution to be paid prior to the release of the first above-grade building permit.

Darren Flusche, Chief of Park Planning and Stewardship, further stated Staff is looking for direction for a standard methodology to move forward with the fee-in-lieu contribution and noted the Planning Board will still have authority and discretion to make different determination on a case-by-case basis.

Stacy Silber of Lerch, Early, and Brewer offered testimony requesting the Board to exempt projects that provide a minimum of 25 percent MPDUs, exclusion of MPDUs from the fee-in-lieu calculation, and crediting projects for Public Open Space provided on-site.

Liz Rogers of Lerch, Early, and Brewer offered testimony requesting the Board exempt projects providing a minimum of 25 percent MPDUs from making a Public Open Space Fee-in-Lieu payment, excluding MPDUs and any other affordable dwelling built under government regulation or binding agreement from the fee-in-lieu payment, and noted agreement to the capping the FAR at the mapped FAR.

The Board asked questions regarding the monetary funds collected from fee-in-lieu to be designated for open space within the SSDAC Plan area, park impact tax payments in Silver Spring, the percentage of MPDUs associated with the affordable housing discount, spaces that have environmental restrictions with unusable open space, typical percentage of MPDUs in recent development, potential park designs for larger open spaces, internal projections for different scenarios, tax credit units, examples of buildings within the Plan area with an FAR of 8, and how often the base rates would be reviewed for adjustment.

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Staff including, Deputy Planning Director Robert Kronenberg, Deputy Director of Administration Miti Figueredo, Chief of Park Planning and Stewardship Darren Flusche, Planner III Atara Margolies, and Regulatory Supervisor Stephanie Dickel, offered comments and responses to the Board's question.

The Board held further discussion regarding tax credit housing units, percentage of MPDU's, DHCA approved equivalents, and approved FAR versus mapped FAR. The Board also requested further information as to what DHCA has deemed equivalent to an MPDU unit in the past.

The Board agreed by consensus to move forward with the presented formulas as well as including all affordable housing units within the percentage calculated for the fee-in-lieu payment, capping at the project mapped FAR, and including all affordable housing tax credits.