

2024 - 2028 GROWTH AND INFRASTRUCTURE POLICY WORKING DRAFT

Description

Today's briefing will provide an overview of the Working Draft for the 2024-2028 Growth and Infrastructure Policy (GIP) update. Staff recommends that the Planning Board approve the Working Draft as the Public Hearing Draft and set the public hearing for May 23, 2024. The Planning Board must transmit the draft GIP to the County Council by August 1, 2024. The Council will adopt an updated policy by November 15, 2024.

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Summary

- This staff report outlines the background for the county’s 2024 – 2028 Growth and Infrastructure Policy (GIP) update, including recommendations for schools, transportation, and impact taxes.
- Montgomery Planning is undertaking the quadrennial update of the GIP. The GIP addresses the adequacy of public facilities as it relates to the regulatory or development review process. It sets standards for evaluating individual development proposals to determine if the surrounding public infrastructure, such as transportation networks and school facilities, can accommodate the demands of the development. It also outlines requirements for mitigating inadequate infrastructure.
- The County Code directs the Planning Board to transmit a draft of the GIP to the County Council by August 1, 2024, and for the County Council to adopt the 2024-2028 policy by November 15, 2024.

Background and Overview

The foundation of the Growth and Infrastructure Policy is that Montgomery County must have adequate infrastructure to support growth. Every four years, the County Council updates the Growth and Infrastructure Policy (GIP) to ensure the best available tools are in place to test whether infrastructure like schools, transportation, water, and sewer services can support a proposed development. These policy tools are the guidelines for administering the county’s Adequate Public Facilities (APF) requirements.

The GIP addresses the adequacy of public facilities as it relates to the regulatory or development review process. The master-planning process is aspirational in creating a long-term vision for our communities, but the GIP has a more focused, shorter-term view. It sets standards for evaluating individual development proposals to determine if the surrounding public infrastructure, such as transportation and school facilities, can accommodate the demands of the development. It also outlines requirements for mitigating inadequate infrastructure.

Chapter 33A of the County Code requires a quadrennial review of the GIP, with the current review to be completed in 2024. The code directs the Planning Board to transmit a draft of the GIP to the County Council by August 1, 2024, and for the County Council to adopt the 2024-2028 policy by November 15, 2024. A primary goal of the 2024 update is to ensure the policy is aligned with the County’s priorities and the current growth context.

The recommendations in the Working Draft of the Growth and Infrastructure Policy quadrennial update ensure adequacy while improving development conditions in the county by enhancing predictability, transparency, and proportionality in the approval process.

The policy update is framed by the themes established in the [scope of work](#), including:

Review the Performance of the 2020-2024 GIP

Montgomery Planning Staff collected data and completed analysis to better understand the performance of the past GIP, and presented these findings to two technical workgroups, the Schools Technical Advisory Team and the Transportation Advisory Group. The summary presentations with findings can be found on the [GIP Work Group webpage](#). This objective evaluation, along with stakeholder input, helped inform staff’s recommendations for the update. The Appendices contain a summary of outreach and engagement during the update process.

While the 2016 and 2020 updates included in-depth policy reviews, resulting in significant overhauls of the existing policy, the 2024 update primarily focuses on honing existing tools to ensure they are equitable, fair, and effective. A summary of outcomes from the 2020-2024 GIP can be found in the Appendices.

Consider the County's Current Growth Trends

Planning Staff used the current growth context along with stakeholder input to recommend policy revisions, including changes to the School Impact Area and Transportation Policy Area classifications. The current growth trends analysis looked at the most probable trends in population, households, and employment, including key factors that may affect them. Planning Staff also analyzed school-related data to understand if the trends it found during the 2020 update were sustained. The report on Growth Status and Trends can be found in the Appendices.

Make Policy Implementation Clearer and More Efficient

Once the County Council adopts the 2024-2028 GIP, Planning Staff will recommend revisions to the Local Area Transportation Review (LATR) Guidelines and the Annual School Test (AST) Guidelines to align these implementation tools with the updated policy.

The LATR Guidelines is a document that Montgomery Planning and partnering agencies, developers, and community stakeholders regularly reference. The guidelines have been updated over several GIP cycles, and the iterative nature of its development has made it difficult to follow in places. The recommendations include reorganizing and updating the guide for clarity and ease of use.

Similarly, the AST evaluates projected school utilization at all 200 geographically based public schools in the county. The AST was rewritten following the adoption of the 2020-2024 GIP and the subsequent introduction of Utilization Premium Payments, which are required when the AST results indicate a project's school utilization will exceed certain thresholds. The 2024 update will require smaller revisions to align it with the new policy.

The Planning Board will approve the updated LATR and AST Guidelines in January 2025.

Review Development Impact Taxes

While impact taxes are not part of the Growth and Infrastructure Policy, they are an important implementation tool that can help the county meet many of its priorities. Planning Staff evaluated the current impact tax regime to build on existing context-sensitive approaches that encourage compact growth while providing appropriate exemptions and discounts for housing and other priority uses. While some proposed changes may result in less impact tax revenue from specific projects, others may lead to increased revenues. While impact taxes are a small portion of the capital budget, representing approximately 7% of the school capital budget and 4% of the transportation capital budget, they are an important source of revenue for the county. Acknowledging the inherent difficulty with predicting revenue streams, Planning Staff continues to work with the Executive Branch to better understand how proposed recommendations in the GIP may affect impact tax revenues and consider approaches to offset and maintain impact tax revenues.

Align the Policy with Updated County Priorities

Since the 2020 GIP update, the county has adopted several landmark plans and policies, establishing goals related to enhancing the county’s economic competitiveness, boosting environmental resilience in the face of a changing climate, and ensuring that social justice and equity are the centerpiece of all planning outcomes. Planning Staff also examined the adopted General Plan, *Thrive Montgomery 2050*, the Climate Action Plan, and the Racial Equity and Social Justice Act to include changes that will align the policy with the goals stated in these visionary documents. These priorities include:

- **Racial Equity and Social Justice:** Reducing and ultimately eliminating racial and other disparities experienced by residents of color across Montgomery County.
- **Economic Competitiveness:** Strengthening the county’s ability to compete for economic opportunities.
- **Environmental Resilience:** Minimizing the adverse environmental effects of development locally and countywide.
- **Compact Growth:** Creating a mix of land uses, developing strong population and employment centers, interconnecting streets, and designing structures and spaces at a human scale.
- **Housing for All:** Making Montgomery County’s housing stock more affordable and attainable.
- **Safety:** Improving the transportation system in line with the county’s Vision Zero approach.
- **Good Governance:** Ensuring that government is accountable, transparent, efficient, and effective to the extent possible.

Schedule

The Planning Board must transmit its policy recommendations along with a report on the county’s growth context to the County Council by August 1, 2024. The Council will adopt the updated policy via resolution by November 15, 2024. The following table highlights the upcoming timeline for GIP milestones and activities.

Milestone	Dates	Notes
Briefing on Working Draft	May 9, 2024	Review of draft recommendations to prepare the Public Hearing Draft and set the Public Hearing
Planning Board Public Hearing	May 23, 2024	
Work Session #1	May 30, 2024	Schools

Work Session #2	June 6, 2024	Transportation
Work Session #3	June 13, 2024	Transportation, Impact Taxes
Work Session #4	June 20, 2024	Impact Taxes
Work Session #5	June 27, 2024	Track Changes
Planning Board approval of Planning Board Draft and Resolution	July 25, 2024	Transmit to the County Council and County Executive by August 1
County Council Public Hearing	September 2024	
County Council Review and Approval	September – November 2024	Council adoption is required by November 15, 2024

Attachments

- Attachment 1 – 2024 – 2028 Growth and Infrastructure Policy Working Draft
- Attachment 2 – 2024 – 2028 Growth and Infrastructure Policy Appendices