

2024 - 2028 GROWTH AND INFRASTRUCTURE POLICY WORK SESSION #4 – OUTSTANDING TOPICS FOR TRANSPORTATION AND SCHOOLS

Description

Montgomery Planning is undertaking the quadrennial update of the Growth and Infrastructure Policy (GIP). On Thursday, May 23, 2024, the Planning Board held a public hearing for the 2024 GIP draft. Over the course of five weeks, the Planning Board will have the opportunity to review and provide policy direction on each recommendation throughout a series of work sessions. The fourth work session will address certain transportation and schools recommendations that were not resolved at previous work sessions.

Complete: 06-14-2024

MCPB

2425 Reedie Drive

Item No. 5

Floor 14

6/20/2024

Wheaton, MD 20902

ymg	Lisa Govoni, Acting Planning Supervisor, Countywide Planning & Policy Division lisa.govoni@montgomeryplanning.org , 301-650-5624
DB	Darcy Buckley, Planner III, Countywide Planning & Policy Division darcy.buckley@montgomeryplanning.org , 301-495-4514
HB	Hye-Soo Baek, Planner III, Countywide Planning & Policy Division hye-soo.baek@montgomeryplanning.org ,
DA	David Anspacher, Acting Chief, Countywide Planning & Policy Division david.anspacher@montgomeryplanning.org , 301-495-2191

Summary

- 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.
- This staff report outlines outstanding recommendations for transportation and schools in the 2024 – 2028 Growth and Infrastructure Policy (GIP) update.
- 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.

2024 – 2028 GROWTH AND INFRASTRUCTURE POLICY WORK SESSION #4 -- OUTSTANDING TOPICS FOR TRANSPORTATION AND SCHOOLS

Overview of Work Sessions

The Planning Board has held three previous work sessions on the Growth and Infrastructure Policy:

- Work Session #1: On May 30, 2024, the Planning Board began its review of the schools element recommendations (**Attachment C**).
- Work Session #2: On Thursday, June 6, 2024, the Planning Board began its review of the transportation element recommendations (**Attachment D**).
- Work Session #3: On Thursday, June 13, 2024, the Planning Board began its review of the impact tax element recommendations (**Attachment E**).

The GIP comment matrix (**Attachment G**) provides Planning Staff’s responses to comments and testimony.

During Work Session #5, scheduled for June 27, 2024, the Planning Board will address any remaining outstanding topics.

Chapter 33A of the County Code requires a quadrennial review of the GIP, with the current review to be completed in 2024. 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
Work Session #1	May 30, 2024	Schools
Work Session #2	June 6, 2024	Transportation
Work Session #3	June 13, 2024	Impact Taxes
Work Session #4	June 20, 2024	Outstanding Topics for Transportation and Schools
Work Session #5	June 27, 2024	Outstanding Topics
Work Session #6	July 18, 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

Background

In Montgomery County, development is largely, though not entirely, characterized by infill and redevelopment in our urban core and along our transit corridors. Once dominated by greenfield development that created single-family housing for nuclear families, the county's growth pattern has shifted to infill development, where multi-family housing and non-family households define residential communities. The 2016–2020 *Subdivision Staging Policy* and the 2020–2024 *Growth and Infrastructure Policy* (GIP) recognized the varying and changing growth contexts throughout the county and created flexible policies that moved the growth policy from a one-size-fits-all policy to one that recognized the need for greater flexibility.

The 2024-2028 GIP builds upon the transformational growth policies of 2016 and 2020 to further refine and enhance them. A primary goal of the 2024 GIP update is to ensure the policy aligns with the County's priorities and the current growth context. The Public Hearing Draft of the GIP ensures adequacy while improving development conditions in the county by enhancing predictability, transparency, and proportionality in the approval process.

TRANSPORTATION

Recommendation 3.1: Update policy areas to support the county's goals.

Background

As listed below and shown in **Figure 1**, the Public Hearing Draft proposes the following changes to policy areas:

- Establish three new Red policy areas: Great Seneca Life Science Center, ~~White Oak Village & Center~~ Downtown White Oak¹, and Rock Spring. The new policy areas reflect the vision for these activity centers as defined in master plans.
- Expand the Orange policy area classification to include corridor-focused growth areas identified in *Thrive Montgomery 2050*, including communities along Rockville Pike (MD 355), Georgia Avenue (MD 97), and Colesville Road/Columbia Pike (US 29).
- Change Damascus from a Green policy area to Yellow, recognizing that it is an established community where limited growth is desirable.

Planning Board Comments

During the work session on June 6, 2024, the Planning Board expressed general support for the proposed policy area designations, but asked Planning Staff to revisit the topic with detailed maps of the White Oak area with labeled streets.

¹ Planning Staff recommends naming this policy area Downtown White Oak, rather than White Oak Village and Center, which it was called in the Public Hearing Draft.

Planning Staff Response

Maps of the White Oak area are shown in **Figures 2-4** and full-page maps are included at the end of the document (**Figures 5 and 6**). Maps for all policy areas are in Attachment B, beginning on page 158.

The Public Hearing Draft GIP splits the current White Oak Policy Area into two separate policy areas: White Oak and Downtown White Oak. Planning Staff recommends designating Downtown White Oak as a Red policy area and maintaining the Orange policy area designation for White Oak. The recommended policy area designations reflect the vision for future development detailed in area master plans, functional master plans, and the General Plan. They also align with the *Pedestrian Master Plan's* Complete Streets Design Guide Area Type designations. As shown in Figure 4, Downtown White Oak is a Downtown area type, whereas the White Oak policy area includes Town Center and Suburban areas.

Planning Staff Recommendation: Planning Staff recommends supporting the designations shown in the Public Hearing Draft. Planning Staff also recommends using “Downtown White Oak” for the policy area currently referred to as White Oak Village and Center in the Public Hearing Draft.

Figure 1 Proposed Policy Area Classifications

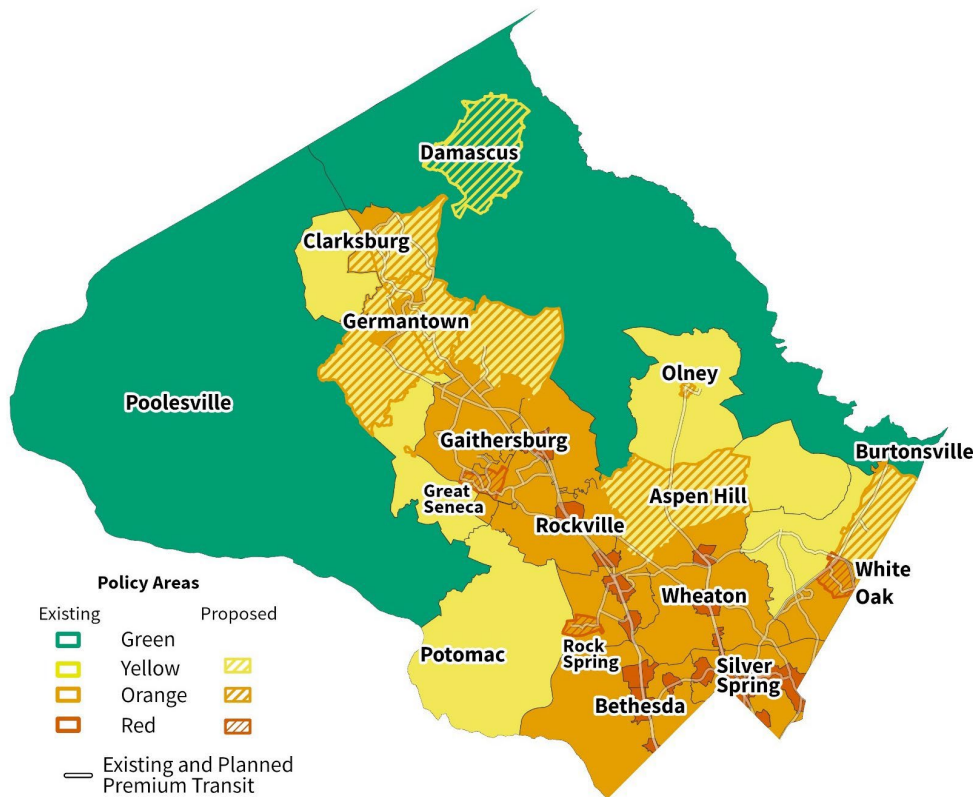


Figure 2 Downtown White Oak Policy Area (2024-2028 GIP)

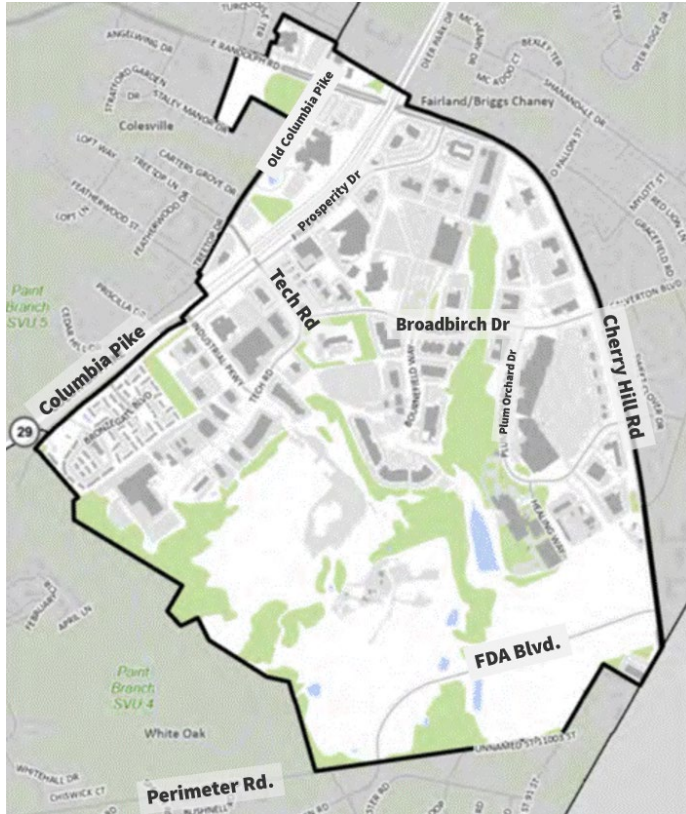
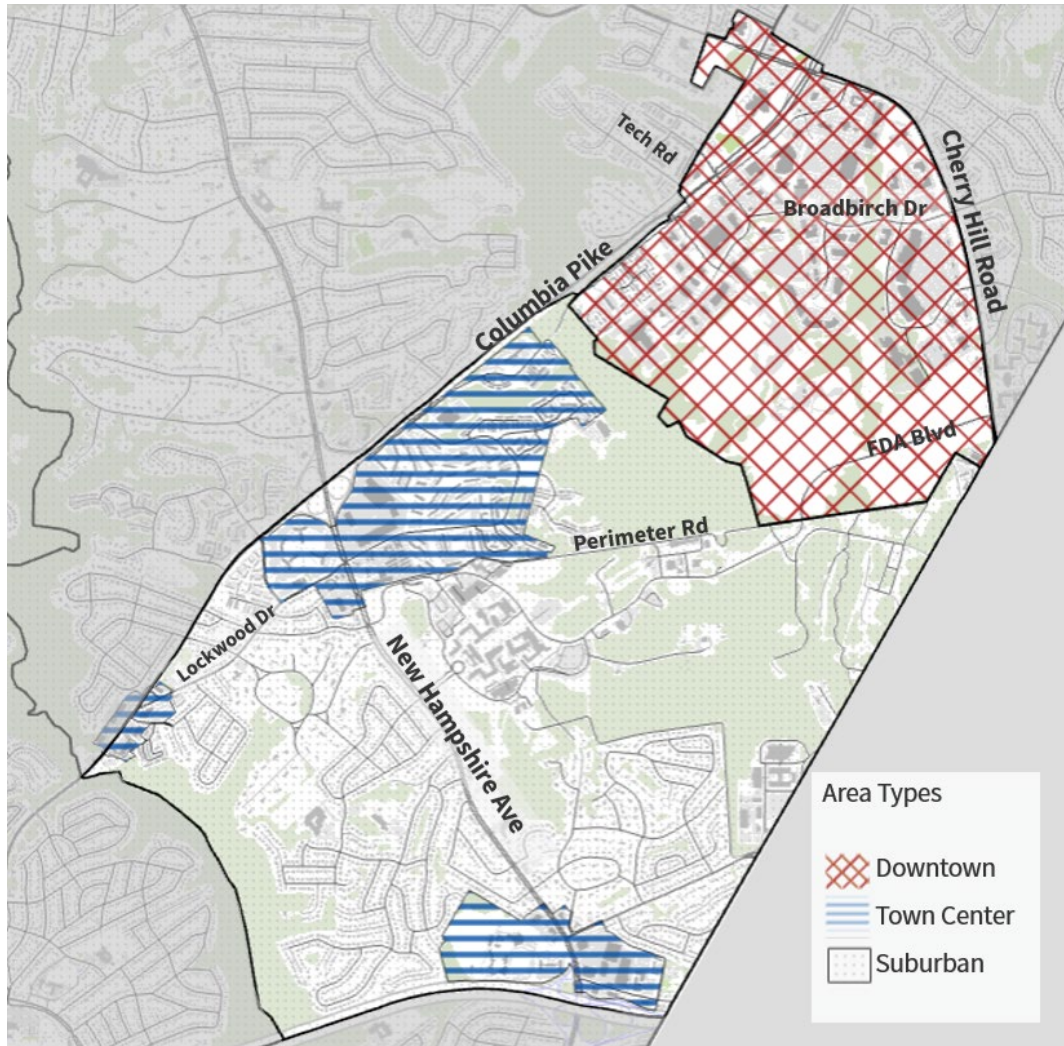


Figure 3 White Oak Policy Area (2024-2028 GIP)



Figure 4 White Oak Complete Streets Design Guide Area Types



Recommendation 3.9: Allow all fee-in-lieu funds to be spent in both the subject policy area and adjacent policy areas.

Background: This recommendation provides the Montgomery County Department of Transportation (MCDOT) with the flexibility to use small mitigation payments more effectively. The county’s strong preference is to require developers to construct improvements and only collects fee-in-lieu payments when construction is infeasible. When mitigation payments are necessary, MCDOT prioritizes directing the payments towards partially funded capital projects within the subject policy area. However, because of the unpredictable timing of payment collection, it can sometimes be a challenge to find an appropriate project. Under the current policy, if there is no suitable project in the subject policy area, MCDOT has the option of allocating the funds in an adjacent area for Red and Orange Town Center

policy areas. This recommendation would allow funds to be spent in any adjacent policy area, regardless of designation.

Planning Board Comments: During the Planning Board work session on June 6, 2024, the Planning Board supported the recommendation, but asked Planning Staff to explore the option of including language prioritizing using collected fees in an Equity Focus Areas (EFAs).

Planning Staff Response: While Planning Staff appreciates the desire to spend funds in EFAs, the best way to do this is by programming and funding projects in EFAs through the capital budget process. The goal of this recommendation is to provide MCDOT with flexibility to use small mitigation payments more effectively and adding new restrictions on the use of these funds may be counterproductive. Planning Staff recommends supporting the recommendation as it appears in the Public Hearing Draft of the GIP. Planning Staff also suggests adding language to the report discussing the importance of having appropriate level-of-effort capital projects in EFAs that can receive mitigation funds.

Recommendation 3.11: Expand the current off-site mitigation exemption for affordable housing units, which currently only includes mitigation payments, to include constructed improvements. Adjust the Proportionality Guide limit by subtracting trips attributed to new affordable units. The trips generated by these units will still count toward the LATR trip threshold.

Planning Board Comments: During the Planning Board work session on June 6, 2024, the Planning Board supported the recommendation as it appeared in the Public Hearing Draft. The Board asked Planning Staff to revisit the topic with more information and recommendations on the options to further expand the exemption that were presented in public testimony.

Planning Staff Response: Under the current recommendation, individual affordable housing units would be proportionally exempt from off-site mitigation payments and constructed improvements. Multiple options to further exempt projects with affordable housing were presented in testimony, and are presented below.

- Proposal #1: *For each deeply affordable unit (at 50% AMI or less), exempt one market rate unit.*
- Proposal #2: *Exempt all units (both affordable and market rate) for projects with a minimum of 25-50% affordable units.*
- Proposal #3: *Exempt Mixed-Income Housing Community projects (both affordable and market rate units) from LATR requirements.*

Planning Staff recommends supporting Proposal #3, which would exempt [Mixed-Income Housing Community](#) projects from LATR requirements. Mixed-Income Housing Community projects combine a high percentage of affordable housing (30-50%) with deeper levels of affordability (30-60% AMI),

creating housing that is affordable to more people with lower incomes. This new land use type, which was introduced 2023 through [Ord. 20-03](#), replaces the standard sketch and site plan requirements with an expedited review. While Planning Staff generally supports exempting the affordable housing component of projects from LATR construction and payment at a one-to-one ratio, the significant number of units at deeper levels of affordability combined with the expedited review schedule makes Mixed-Income Housing Community projects a good candidate for a full LATR exemption.

Recommendation 3.15: Update the Non-Auto Driver Mode Share (NADMS) goals to reflect recently adopted master plans. Establish NADMS goals for new policy areas and other areas without goals.

Background: The main purpose of this recommendation is to include NADMS goals that were inadvertently left out of the 2020 GIP update and to establish goals for new policy areas. The 2020 GIP update process developed NADMS goals for areas without them by adding 5% to the existing NADMS compiled from the American Community Survey, 2019 5-year estimates. Considering the Covid pandemic’s impact on travel trends, Planning Staff used the same data set for this update rather than relying on more recent 5-year data. The 2028 GIP update process should include a more thorough review and potential overhaul of NADMS goals.

MCDOT testified that it supports the establishment of NADMS goals for new policy areas, and requested more information on the calculations. After reviewing the goals and methodology with Planning Staff on June 12, 2024, MCDOT expressed support for the recommended goals as shown in the Public Hearing Draft.

Planning Staff Response: Planning Staff recommends supporting the goals as shown in the Public Hearing Draft (**Tables 1-3**). Planning staff also suggests adding language to the report that explains the data and methodology and proposes a more thorough review and potential overhaul of NADMS goals as part of the 2028 GIP update process.

Table 1. NADMS Goals for New Policy Areas

Policy Area	2020–2024 GIP	2024–2028 GIP
Clarksburg East	25% (Clarksburg)	26%
Clarksburg West	25% (Clarksburg)	18%
Colesville	27% (Fairland/ Colesville)	27%
Fairland/Briggs Chaney	27% (Fairland/ Colesville)	27%
Olney Town Center	22% (Olney)	23%

Table 2. NADMS Goals for Areas without Goals

Policy Area	2020–2024 GIP	2024–2028 GIP
Damascus	-	19%
Montgomery Village/Airpark	-	30%
North Bethesda (Elsewhere)	-	42%
R&D Village (Elsewhere)	-	28%
Rural East	-	26%
Rural West	-	27%

Table 3. Master Plan Updates to NADMS Goals

Policy Area	2020–2024 GIP	2024–2028 GIP
Fairland/ Briggs Chaney	27% (Fairland/ Colesville)	27%
Silver Spring CBD	50% for employees in TMD	65%
Shady Grove	<ul style="list-style-type: none"> • 35% transit ridership for residents in TMD • 25% transit ridership for residents elsewhere • 12.5% transit ridership for employees 	<ul style="list-style-type: none"> • 50% for residents and 20% for employees in TMD • 39% blended elsewhere

SCHOOLS

Recommendation 2.4: Reclassify stacked flats and similar housing unit types that deviate from the traditional single-family or multi-family classifications from the current multi-family low-rise category to the single-family attached category.

Planning Board Comments: During the Planning Board Work Session on May 30, 2024, Planning Staff presented the Board with the following options to address the classification of stacked flats:

- **Option A:** Reclassify stacked flats as single family attached units as recommended in the Public Hearing Draft.
 - This will increase the student generation rates and impact tax rates of stacked flats, but the rates for multi-family low-rise units will decrease to reflect their true impact.
- **Option B:** Maintain the current classification of stacked flats as multi-family low-rise units.
 - The student generation rates and impact tax rates for multi-family low-rise units will be inflated due to the higher student generation rates of stacked flats, and Planning Staff will work with DPS to ensure projects are charged the correct impact tax rates.
- **Option C:** create an additional housing type category for stacked flats.
 - Due to the low record counts in each impact area, the student generation rate and impact tax rates will likely fluctuate considerably between each biennial recalculation.

The Board requested actual student generation rate and impact tax rate data for each option to help understand the implications.

Planning Staff Response: The following tables show student generation rates, impact tax rates and the number of units for each option and each unit type.

Table 4 Student Generation Rates

Student Generation Rates, K-12 Total (based on all units for SFA, only units built 1990 or later for stacked flats and MFL)		Option A (Stacked Flats = SFA)	Option B (Stacked Flats = MFL)	Option C (Stacked Flats as Own Type)
Infill Impact Areas	Single-Family Attached (SFA)	0.406	0.428	0.428
	Stacked Flats	-	-	0.239
	Multifamily Low-rise (MFL)	0.146	0.162	0.146
Turnover Impact Areas	Single-Family Attached	0.495	0.497	0.497
	Stacked Flats	-	-	0.409
	Multifamily Low-rise	0.232	0.261	0.232

Table 5 Impact Tax Rates

Impact Tax Rate		Option A (Stacked Flats = SFA)	Option B (Stacked Flats = MFL)	Option C (Stacked Flats as Own Type)
Infill Impact Areas	Single-Family Attached (SFA)	\$28,090	\$29,607	\$29,607
	Stacked Flats	\$28,090	\$11,211	\$16,652
	Multifamily Low-rise (MFL)	\$10,072	\$11,211	\$10,072
Turnover Impact Areas	Single-Family Attached	\$34,419	\$34,562	\$34,562
	Stacked Flats	\$34,419	\$17,997	\$28,276
	Multifamily Low-rise	\$15,981	\$17,997	\$15,981

Table 6 Housing Inventory: Units Built

Number of Units (includes all units for SFA, only units built 1990 or later for stacked flats and MFL)		Option A (Stacked Flats = SFA)	Option B (Stacked Flats = MFL)	Option C (Stacked Flats as Own Type)
Infill Impact Areas	Single-Family Attached (SFA)	15,849	13,988	13,988
	Stacked Flats	-	-	1,861
	Multifamily Low-rise (MFL)	8,739	10,600	8,739
Turnover Impact Areas	Single-Family Attached	57,428	55,204	55,204
	Stacked Flats	-	-	2,224
	Multifamily Low-rise	11,424	13,648	11,424

Planning Staff is updating its recommendation on stacked flats. Planning Staff now recommends keeping stacked flats as multifamily low-rise. For the purposes of zoning and SDAT classifications, these units are already classified as multifamily low-rise. Based on Planning Staff's review of historical impact tax data, there is some precedent for these types of units to be charged the multifamily low-rise rate. Also, the lower rate makes it easier to build these attainable housing typologies.

Attachments

[Attachment A – 2024 Growth and Infrastructure Policy Update – Public Hearing Draft](#)

[Attachment B – 2024 Growth and Infrastructure Policy Update – Appendices](#)

[Attachment C – GIP Work Session #1: Schools Element \(May 30, 2024\) Staff Report](#)

[Attachment D – GIP Work Session #2: Transportation Element \(June 6, 2024\) Staff Report](#)

[Attachment E - GIP Work Session #3: Impact Taxes \(June 13, 2024\) Staff Report](#)

[Attachment F - Current Impact Tax Rates](#)

Attachment G - Testimony and Comment Response Matrix

Figure 5 Downtown White Oak Policy Area

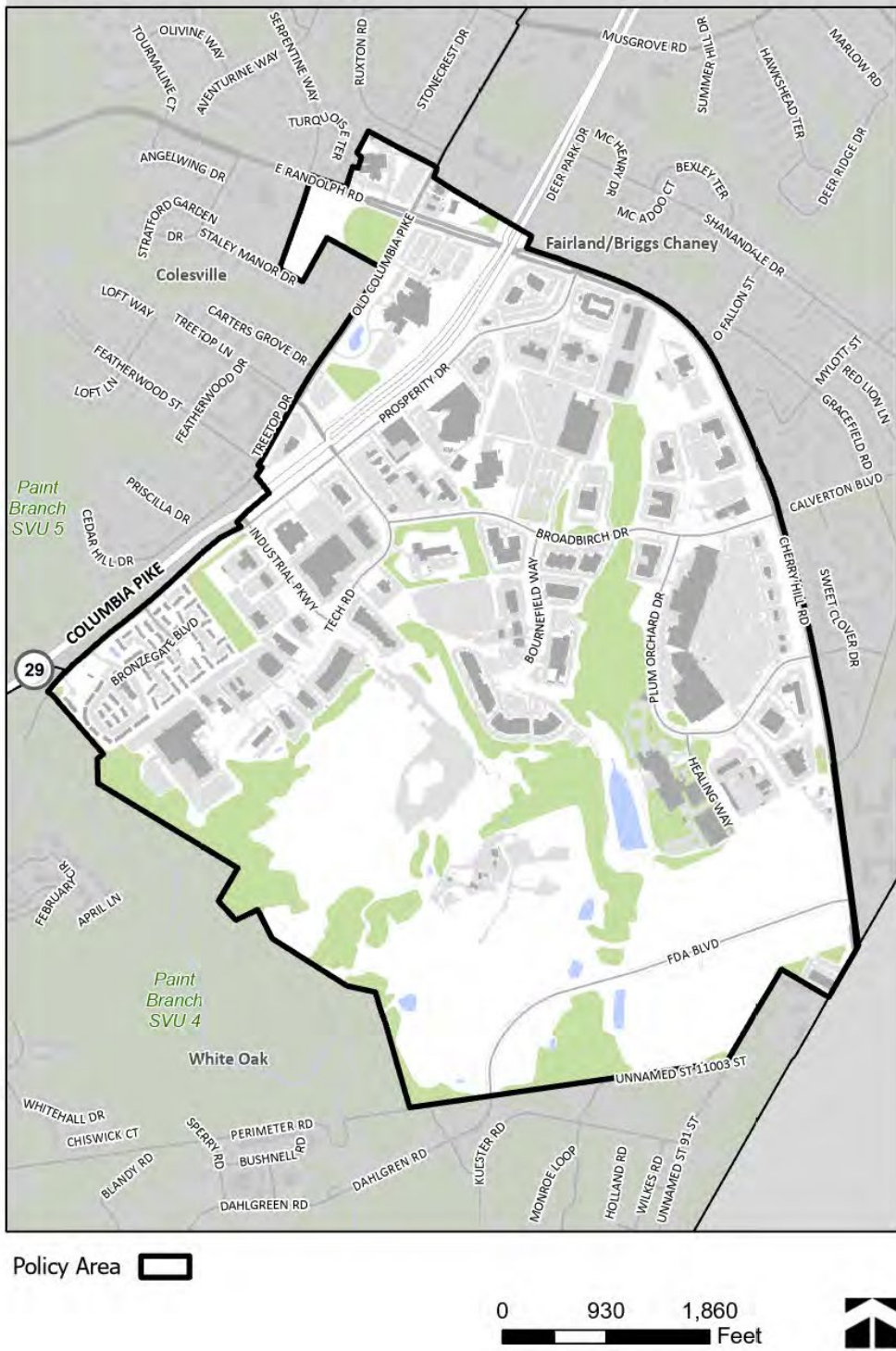



Figure 6 White Oak Policy Area



Policy Area 

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 Feet

