

## Item 11 - Correspondence

**From:** [Wallace, Scott C.](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Govoni, Lisa](#); [Chris Malm](#); [Kenneth Malm](#); [kkubit@elmstreetdev.com](mailto:kkubit@elmstreetdev.com)  
**Subject:** Growth and Infrastructure Policy Update - Public Hearing Draft  
**Date:** Friday, July 12, 2024 2:20:28 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Dear Chairman Harris:

I represent Watkins Mill Development LLC, the developer of a 232-unit residential project located off of Metropolitan Grove Road in the City of Gaithersburg (the “Stevenson-Metrogrove Project”). The Stevenson-Metrogrove Project received Sketch Plan approval from the City in 2022 and Schematic Development Plan (“SDP”) approval occurred earlier in 2024. A Final Site Plan application, which is the third step in the approval process, is pending review by the Planning Commission. Construction of the Stevenson-Metrogrove Project is expected to begin in 2025.

The Stevenson-Metrogrove Project is located in the Orange Policy Area and is in a Desired Growth and Investment Area (“DGIA”). Pursuant to the current provisions of the Impact Tax Law, the Stevenson-Metrogrove Project qualifies for a 40% discount from the applicable impact tax rate.

The Public Hearing Draft of the Growth and Infrastructure Policy (“GIP”) update includes a recommendation at page 38 to eliminate the impact tax discount for projects in DGIA's.

Eliminating the discount without appropriate legacy language creates a particular hardship for projects such as the Stevenson-Metrogrove Project that have commenced but not completed the lengthy approval process required prior to issuance of building permits. The financial analysis for underwriting such projects would have taken into account the significant discount in impact taxes provided under County law for projects in DGIA's.

Accordingly, the Planning Board should consider appropriate legacy language to allow projects that qualify for the DGIA discount and have received certain approvals but not yet started construction to continue to be eligible for the discount for the full build-out of the project. Similar legacy language has typically been included when significant changes to the Impact Tax Law are approved.

To accomplish this, we suggest that the Planning Board Draft of the GIP include a recommendation that any amendments to the County impact tax laws that eliminate the DGIA not apply to projects that have obtained preliminary plan of subdivision

approval, or the equivalent plan approval in the City of Gaithersburg, by the effective date of such amendments. In the case of the Stevenson-Metrogrove Project, under applicable Gaithersburg laws the approval of the SDP also constitutes approval of a preliminary plan of subdivision.

This is a reasonable request given the potential significant impact eliminating the discount will have on the Stevenson-Metrogrove Project and similarly situated projects.

I will attend the Planning Board worksession on the GIP on July 18 and will be available to answer any questions you have at that time.

Scott

**Scott C. Wallace**

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**From:** [Hummel, Phillip A.](#)  
**To:** [MCP-Chair](#); [Govoni, Lisa](#); [Buckley, Darcy](#); [Glazier, Eli](#); [Anspacher, David](#)  
**Cc:** [Mitch Bonanno \(mbonanno@jhu.edu\)](#); [Leslie Ford Weber \(lweber@jhmi.edu\)](#); [Matthew Myers \(mmyers58@jhu.edu\)](#)  
**Subject:** 7/18/24 Planning Board Meeting - 2024-2028 Growth and Infrastructure Policy Update (Item 11)  
**Date:** Monday, July 15, 2024 3:48:01 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image005.png](#)  
[Ltr to Planning Bd 7-15-24 re GIP Update.pdf](#)  
[Exhibit A to 7-15-24 PB Letter.pdf](#)

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Good afternoon,

Please find JHU's attached letter (with exhibit) commenting on the 2024-2028 Growth and Infrastructure Policy Update currently scheduled for discussion during the Planning Board's July 18, 2024 meeting (Item 11). Kindly include this correspondence in the public record for the 2024-2028 Growth and Infrastructure Policy Update. Thank you very much for your consideration of our comments.

Best,  
Phil

**Phillip A. Hummel**

*Principal*

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July 15, 2024

**Phillip A. Hummel**  
phummel@milesstockbridge.com  
301.517.4814

Artie Harris, Chair and  
Commissioners of the Montgomery County Planning Board  
2425 Reedie Drive, 14th Floor  
Wheaton, Maryland 20902

**Re: 2024-2028 Update to the Growth & Infrastructure Policy – Expansion  
of Red Policy Area for Great Seneca Life Sciences Center**

Dear Chair Harris and Commissioners:

Our firm represents Johns Hopkins University (“JHU”) and we write this letter on JHU’s behalf to comment on the public hearing draft of the 2024-2028 update to the Growth & Infrastructure Policy (the “GIP Public Hearing Draft”). JHU is the owner of the approximately 107-acre property commonly known as the Belward Campus (the “Belward Campus”), which is located within the Life Sciences Center planning area (the “LSC”) of the currently pending Great Seneca Plan (the “Draft Great Seneca Plan”).

JHU previously requested the Planning Board modify the Draft Great Seneca Plan by expanding the boundary of the proposed new Great Seneca Life Sciences Center red transportation policy area (the “GSLs Red Policy Area”) to cover the entire LSC, but it declined to do so. The Planning, Housing, and Parks (“PHP”) Committee of the Montgomery County Council has since voted to remove the GSLs Red Policy Area recommendation from the Draft Great Seneca Plan and instead address it as part of the Growth and Infrastructure Policy quadrennial update, which is currently pending before the Planning Board.

Therefore, JHU resubmits its request for the Planning Board to expand the proposed GSLs Red Policy Area in the GIP Public Hearing Draft so it is coterminous with the LSC and the pending Great Seneca Life Sciences Overlay Zone (the “GSLs Overlay”). This expansion will align the GIP Public Hearing Draft with the Draft Great Seneca Plan’s and the GSLs Overlay’s shared vision of establishing a new complete downtown for the LSC that incorporates a mix of uses and a range of premium transportation options.

## Background

### The Draft Great Seneca Plan

The Montgomery County Planning Board (the “Planning Board”) held several work sessions on the Draft Great Seneca Plan before transmittal to the Montgomery County Council (the “County Council”). The Draft Great Seneca Plan recommended, among other things, designating only a portion of the LSC as the new GSLS Red Policy Area. See Draft Great Seneca Plan, pg. 37.<sup>1</sup> As discussed below, this recommendation left out several “Opportunity Sites” identified in the Draft Great Seneca Plan, including the Belward Campus. As a result, JHU requested the Draft Great Seneca Plan expand the GSLS Red Policy Area to the entirety of the LSC, but the Planning Board declined to do so.<sup>2</sup> The Planning Board thereafter transmitted the Draft Great Seneca Plan to the County Council on May 9, 2024 with its recommendation unchanged.

The PHP Committee considered the Draft Great Seneca Plan’s recommendation for the GSLS Red Policy Area at its June 24, 2024 work session. County Council staff proposed the PHP Committee remove this recommendation from the Draft Great Seneca Plan because a red policy area designation should be determined as part of the quadrennial Growth and Infrastructure Policy update process, which was currently underway before the Planning Board. The PHP Committee unanimously agreed with County Council staff’s recommendation. In light of the PHP Committee’s vote, JHU is again requesting the Planning Board expand the boundaries of the proposed GSLS Red Policy Area in the GIP Public Hearing Draft so they cover the entire LSC and are coterminous with the boundaries of the proposed GSLS Overlay.

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<sup>1</sup> The Draft Great Seneca Plan’s sixth transportation recommendation stated: “Designate the Downtown Area Type within the Life Sciences Center as a Red Transportation Policy Area.” Draft Great Seneca Plan, pg. 37.

<sup>2</sup> It appears that one such reason for the Planning Board’s decision was because biosciences are currently assessed a \$0.00 transportation impact tax rate, the policy area “color” was irrelevant. This reasoning is unpersuasive for several reasons, including 1) it relies on an assumption that the bioscience rate will always be \$0.00; and 2) it overlooks that the Belward Campus may be developed with uses other than bioscience (as envisioned for the LSC in the Draft Great Seneca Plan and encouraged by the GSLS Overlay).

### The GIP Public Hearing Draft

On May 9, 2024, the Planning Board adopted the GIP Public Hearing Draft the same day it transmitted the Draft Great Seneca Plan to the County Council. The GIP Public Hearing Draft recommended establishing three new red transportation policy areas: the GSLS Red Policy Area, the White Oak Village & Center (since renamed Downtown White Oak), and Rock Spring. The Public Hearing Draft also recognized the important role transportation policies can have in implementing master plan recommendations and encouraging growth in targeted areas:

Policy area designations are an essential tool in the county's effort to concentrate context-sensitive growth in centers of activity and along corridors. The updated policy area boundaries and classifications reflect the vision for future development detailed in area master plans, functional master plans, and the General Plan, *Thrive Montgomery 2050*. Aligning the GIP and related policies with our planned vision increases the likelihood of achieving it.

GIP Public Hearing Draft, pg. 24. Since the adoption of the Public Hearing Draft, the Planning Board also voted to expand the boundaries of five existing red transportation policy areas: Glenmont, Shady Grove, Silver Spring CBD, Twinbrook, and Woodside.<sup>3</sup>

### The GSLS Overlay

After the Planning Board's transmittal of the Draft Great Seneca Plan and during the Planning Board's work sessions on the GIP Public Hearing Draft, the County Council introduced a zoning text amendment on June 11, 2024 (ZTA 24-03) to establish the GSLS Overlay. The draft GSLS Overlay identified four specific purposes:

1. Attract and retain the life sciences industry.
2. Incentivize the production of housing.

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<sup>3</sup> It appears this was done to align the policy area boundaries with Montgomery County's Pedestrian Plan (the "Pedestrian Master Plan"). JHU observes that the approved and adopted Pedestrian Master Plan designates the Complete Streets Design Guide area type for the LSC as "downtown" and includes the Belward Campus within the "Downtown Life Sciences Center." Pedestrian Master Plan, pgs. 131, 134.



3. Achieve a community that includes a range of land uses, jobs, diverse housing options, services, and amenities that meet the needs of people within a 15-minute walk, bike ride, roll, or other trip through safe, accessible, and reliable transportation infrastructure.
4. Implement recommendations of the Great Seneca Plan: Connecting Life and Science, including land uses, densities, building heights, parking, and public benefits.

The boundaries of the GSLS Overlay, which are the same as the LSC, are shown in a map attached hereto as Exhibit "A".

### **Request to Expand the Boundary of the GSLS Red Policy Area to Cover the Entire LSC and be Coterminous with the GSLS Overlay**

JHU believes expanding GSLS Red Policy Area over the entire LSC so it is coterminous with the GSLS Overlay is consistent with the GIP Public Hearing Draft. Specifically, the GIP Public Hearing Draft describes red policy areas as “[d]owntowns with current or master planned high-density development and premium transit service (e.g., Metrorail, Purple Line, BRT).” Public Hearing Draft, pg. 24. All of the LSC satisfies this description. The Draft Great Seneca Plan aims to “[c]reate a **Life Sciences Center downtown** supported by diverse housing options, safe, accessible, and reliable transportation infrastructure; services; and amenities to meet the needs of a variety of people within a 15-minute walk, bike, roll, or ride.” Draft Great Seneca Plan, pg. 28. This includes, among other things, robust bicycle facilities and dedicated bus lanes recommended for the LSC in the Draft Great Seneca Plan. Per previous development approvals, the redeveloped Belward Campus itself will incorporate considerable new multimodal transportation enhancements, such as the extension of Belward Campus Drive with two dedicated transitway lanes and a BRT station, a bicycle parking station, the Darnestown Promenade, new parks, and a new street grid with buffered sidewalks, side paths, separated bicycle lanes, and protected intersections.

Making the GSLS Red Policy Area coterminous with the LSC and GSLS Overlay is also harmonious with the GIP Public Hearing Draft’s recommendation to support County efforts for concentrating context-sensitive growth in centers of activity and along corridors. GIP Public Hearing Draft, pg. 24. The Draft Great Seneca Plan identifies ten properties as “Opportunity Sites” with “potential to accommodate infill development or redevelopment **near planned transit**, as well as to deliver public benefits, including parks, public open space, streets, and sustainable design.” Draft Great Seneca Plan, pg. 56 (Emphasis added). The GSLS Red Policy

Area as currently proposed, however, *excludes a number of Opportunity Sites, including the Belward Campus*. Expanding the GSLS Red Policy Area over the entire LSC will ensure *all* identified Opportunity Sites are included, thereby aligning the GIP Public Hearing Draft with the Draft Great Seneca Plan.

Designating the whole LSC within the GSLS Red Policy Area in the GIP Public Hearing Draft will also support the purposes of the GSLS Overlay. As noted in the Draft Great Seneca Plan, the Life Sciences Center “serves as the county’s premier location for the life sciences and biohealth industries. . . . The Life Sciences Center and adjacent areas contain approximately 9,000 private sector life science jobs, more than 60% of the county’s total private life science jobs, more than 60% of the county’s total private life science employment.” Public Hearing Draft, pg. 27.<sup>4</sup> The GSLS Overlay seeks to provide zoning that will build upon this success and enhance the County’s economic competitiveness throughout the nation. Therefore, it is critical to note that development within red transportation policy areas is exempt from the LATR motor vehicle adequacy test and is assessed lower transportation impact tax rates. These important benefits provide significant incentives to achieve the very purposes of the GSLS Overlay, such as attracting and retaining life science businesses, encouraging the production of housing, achieving a complete community with a range of land uses, jobs, housing options, services, and amenities, as well as establishing a new downtown within the LSC area per the Draft Great Seneca Plan.

In sum, expanding the GSLS Red Policy Area so it covers the entire LSC and is coterminous with the GSLS Overlay aligns the GIP Public Hearing Draft with the shared visions of the Draft Great Seneca Plan, the GSLS Overlay, and other County planning efforts, thereby “**increas[ing] the likelihood of achieving [those visions].**” Public Hearing Draft, pg. 24 (Emphasis added).

Thank you very much for your review and discussion of these comments. JHU looks forward to monitoring the Planning Board’s July 18 work session on the GIP Public Hearing Draft and continuing participation once the Planning Board’s draft is transmitted to the County Council.

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<sup>4</sup> As stated in the Draft Great Seneca Plan, “[e]ven as the county experienced slow job growth in many employment sectors, the private life sciences industry grew by over 40% between 2010 and 2021. Almost two-thirds of the county’s total life science jobs are concentrated in the LSC and adjacent areas in Rockville and Gaithersburg.” Draft Great Seneca Plan, pg. 72.



Montgomery County Planning Board  
July 15, 2024  
Page 6 of 6



Sincerely,

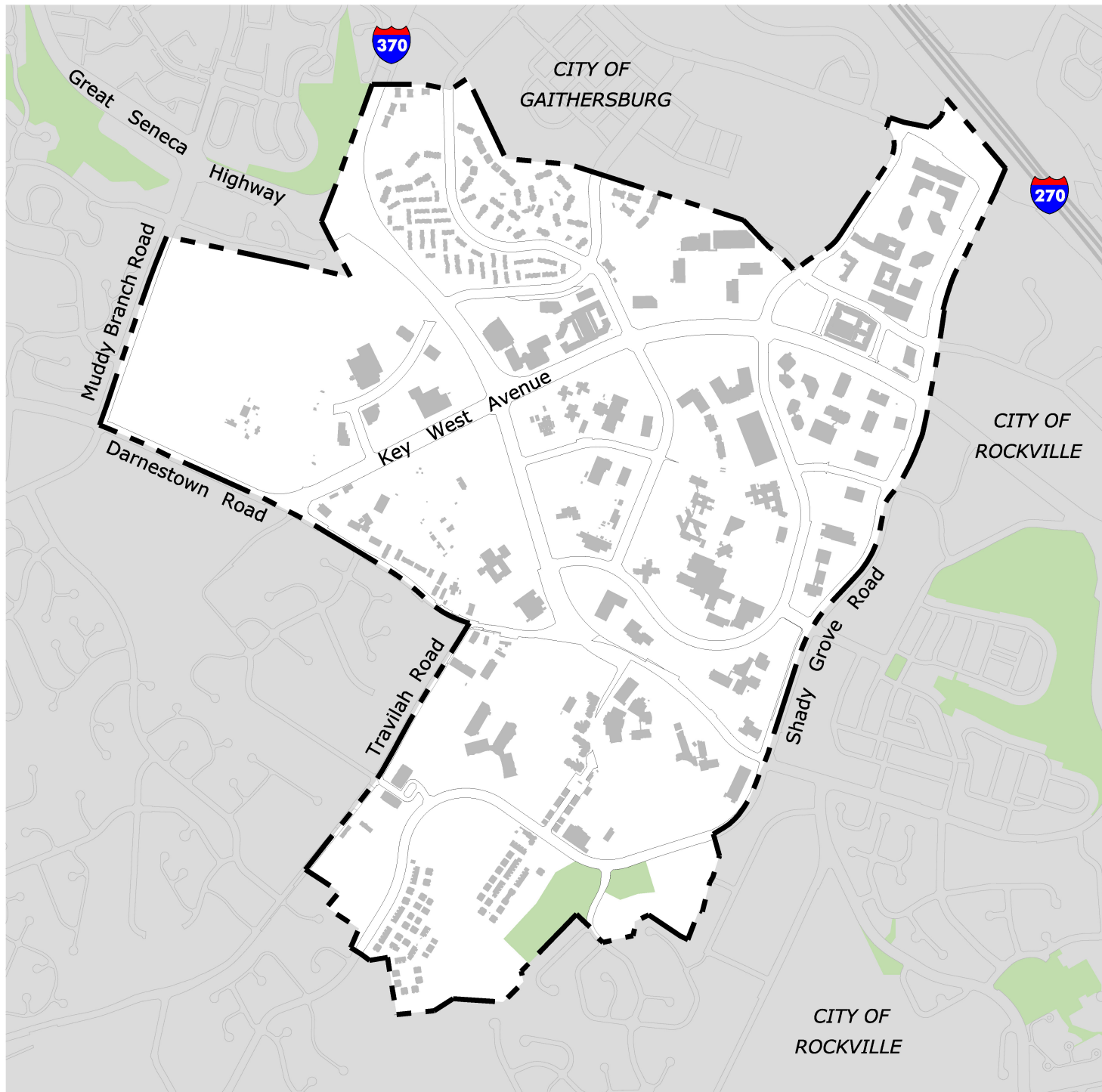
**MILES & STOCKBRIDGE P.C.**




A handwritten signature in black ink that reads 'Phillip A. Hummel'.

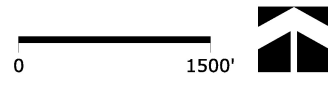
Phillip A. Hummel

cc: Lisa Govoni, Montgomery Planning  
Darcy Buckley, Montgomery Planning  
Eli Glazier, Montgomery Planning  
David Anspacher, Montgomery Planning  
Mitch Bonanno, JHU  
Leslie Ford Weber, JHU  
Matthew Myers, JHU

# Life Sciences Center



-  Life Sciences Center Planning Area Boundary
-  Non Plan Area
-  Parkland



**From:** [Sally McCarthy](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Laura Stewart](#); [MCCPTA CIP Committee](#); [Brigid Howe](#); [Rodney Peele](#); [Matthew Swibel](#); [Govoni, Lisa](#); [Buckley, Darcy](#); [Baek, Hye-Soo](#)  
**Subject:** MCCPTA Request for testimony at Planning Board Meeting, July 18 item 11: GIP recommendations and modifications to the Impact Tax, Item 4.1  
**Date:** Monday, July 15, 2024 9:00:22 AM

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Dear Chair Harris and Planning Board members,

Please consider this email letter a request for MCCPTA testimony participation at the upcoming Planning Board meeting on Thursday July 18. We believe that modifying the Impact Tax percentage, especially without ensuring there is something to replace it, will have a negative impact on the MCPS CIP budget both immediately and for years to come.

Our MCCPTA comments were based on the original decision to maintain the per seat impact at 100% after participating in the year-long Schools Technical Advisory Committee meetings. However, after comments were sent to Planning by developer reps in June, a reduction of 30% (based on current state contributions to per seat cost) was suggested for adoption without consultation from MCPS or community organizations like MCCPTA. We represent all families, students and staff across MCPS and respectfully ask for the opportunity to present our views via testimony comments at the upcoming Planning Board meeting on Thursday, July 18.

We look forward to your consideration and reply.

Thank you,  
Sally McCarthy

Sally McCarthy, PhD  
she.her.hers  
[sallyamccarthy@gmail.com](mailto:sallyamccarthy@gmail.com)  
240/676-4778

MCCPTA Capital Improvements Committee, Chair  
MCCPTA - MCPS School Construction Work Group  
MCCPTA rep, Montgomery County GIP Review, STAT

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**From:** [Patricia Ilgenfritz](#)  
**To:** [MCP-Chair](#)  
**Cc:** [Sartori, Jason](#); [Buckley, Darcy](#); [Govoni, Lisa](#); [Matthew Gordon](#)  
**Subject:** Growth & Infrastructure Policy (GIP) Comments - Request to Clarify Exemption 3.11b  
**Date:** Wednesday, July 17, 2024 10:25:25 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Letter to Planning Board re. Growth Infrastructure Policy \(7-17-24\) \(00730897xD8665\).pdf](#)

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Dear Chairman Harris and Members of the Planning Board, please find attached a letter from Matt Gordon regarding the above-referenced matter. Thank you and please let us know if you have any questions.



**Patricia Ilgenfritz** | Administrative Assistant

[pilgenfritz@sgrwlaw.com](mailto:pilgenfritz@sgrwlaw.com)

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**Selzer Gurvitch Rabin Wertheimer & Polott, P.C.**

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**Matthew M. Gordon, Esquire**

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Direct Dial: (301) 634-3150

July 17, 2024

**Via Email - [MCP-Chair@mncppc-mc.org](mailto:MCP-Chair@mncppc-mc.org)**

Mr. Artie Harris, Chair

And Members of the Planning Board  
Montgomery County Planning Board  
2425 Reedie Drive, 14<sup>th</sup> Floor  
Wheaton, Maryland 20902

Re: Item No. 11, 2024 Growth and Infrastructure Policy (the “GIP”) – Request to clarify exemption 3.11b

Dear Chair Harris and Planning Board Members,

On behalf of several affordable housing developers active in Montgomery County, we respectfully request that Recommendation 3.11b of the GIP be clarified to include development projects that achieve the same level of affordability as a Mixed-Income Housing Community Plan but that are processed under the more traditional regulatory approval processes (e.g., Sketch Plan, Preliminary Plan and/or Site Plan). We fully support the proposed LATR exemption for Mixed-Income Housing Community projects (both affordable and market-rate units) but believe that further clarification is necessary for the following reasons.

The Mixed-Income Housing Community Plan represents a thoughtful and appropriate policy that is aimed at allowing for certain affordable housing projects to achieve speed-to-market through the County’s regulatory review process. It is sound public policy and consistent with the legislative history of ZTA 23-02 that created the Mixed-Income Housing Community Plan to exempt these projects from LATR review (and the associated off-site mitigation requirements that may otherwise apply). Given that the Mixed-Income Housing Community plan only became effective on August 7, 2023, it is important that the GIP acknowledge that many development projects with increased affordable housing started before the opportunity to pursue this new, expedited regulatory approval process existed. In this respect, there are development projects that contain regulated affordable housing that meet the criteria in Section 59-3.3.4.A of the Zoning Ordinance (as defined below) but that started the development review process before the Mixed-Income Housing Community plan was an option. Additionally, there are likely to be development projects with traditional regulatory approvals (Preliminary Plan and/or Site Plan) that are contemplating the opportunity to increase the amount of regulated affordable housing from a more typical market-rate project (e.g., 15% MPDUs and 85% market-rate units) to a more heavily affordable project for various reasons.

**Selzer Gurvitch Rabin Wertheimer & Polott, P.C.**

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In order to ensure that development projects are encouraged to increase the amount of regulated affordable housing and that all projects with increased affordable housing are treated equally, we respectfully request that Recommendation 3.11b be clarified to state that all development applications that include affordable housing that meets one of the four (4) standards for a Mixed-Income Housing Community be exempt from completing an LATR Study. In short, any development project that provides regulated affordable housing as outlined below should be exempt from the LATR requirements regardless of whether such a project was processed under more traditional regulatory approvals (Sketch Plan, Preliminary Plan and/or Site Plan) or the more recently created Mixed-Income Housing Community Plan. The goal should be to encourage and reward projects that produce increased regulated affordable housing irrespective of the specific development review process followed.

Section 59.3.3.4.A, Mixed-Income Housing Community Affordable Housing Criteria

1. at least 50% of the units built under a government regulation or binding agreement that limits the price charged for at least 30 years and affordable to households earning 60 percent or less of Area Median Income (AMI);
2. at least 30% of the units built under a government regulation or binding agreement that limits the price charged for at least 30 years with at least 10% of the total units affordable to households earning 30% percent of Area Median Income (AMI) or below and at least 20% of the total units affordable to households earning incomes eligible for the MPDU program in Chapter 25A;
3. at least 30% of the units built under a government regulation or binding agreement that limits the price charged for at least 30 years with at least 20% of the total units affordable to households earning 50% percent of Area Median Income (AMI) or below and at least 10% of the total units affordable to households earning incomes eligible for the MPDU program in Chapter 25A; or
4. the project receives an award of 9% Low-Income Housing Tax Credits (LIHTC) from the Maryland Department of Housing and Community Development (DHCD).

Based on the forgoing, we respectfully recommend that Recommendation 3.11b be modified as follows (changes in bold and underline):

Recommendation 3.11b: Exempt Mixed-Income Housing Community projects (both affordable and market rate units), **and other development applications that meet the affordability requirements in Section 59-3.3.4.A of the Zoning Ordinance,** from the requirement to complete an LATR study.

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 in 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. **Recognizing that many development projects were initiated through the regulatory approval process prior to the adoption of Ord. 20-03, such projects that provide the same level of affordability through the standard sketch and site plan process should also receive a full LATR exemption.**

We thank you for the opportunity to provide these comments on Recommendation 3.11b and commend the Planning Board and its staff on the work that has gone into the GIP thus far. We believe that this additional clarification will help to produce additional regulated affordable housing and is consistent with many other policies already in the GIP.

Very truly yours,

**Selzer Gurvitch Rabin Wertheimer  
& Polott, P.C.**

*Matthew M. Gordon*

Matthew M. Gordon

cc: Jason Sartori  
Darcy Buckley  
Lisa Govoni

Montgomery County Council of Parent-Teacher Associations

**MCCPTA**

*everychild.onevoice.*

July 18, 2024

Montgomery County Planning Board  
2425 Reddie Drive, 14th Floor  
Wheaton, MD 20902

Dear Planning Board Chair Harris and Board Members:

Thank you for the opportunity to provide additional public comments on the recommendation regarding the schools' Impact Tax. MCCPTA participated in the Growth & Infrastructure Policy (GIP) review, Schools Technical Advisory Team (STAT) from November 2023 to May 2024. Planning Board staff presented an overview of the GIP to our Board of Directors in late April and on May 22, MCCPTA submitted comments on the draft recommendations to the Planning Board. At this time, the draft submitted for discussion recommended item 4.1 "to continue to calculate standard school impact taxes at 100% of the cost of a seat using the School Impact area student generation rates."

In June, however, the Impact Tax originally recommended was modified after feedback by developers. This modification calls for adjusting the MCPS per seat calculation to the "true per student cost of school construction to the county." This new calculation would subtract the proportion of state aid accounted for in the six year CIP and therefore, *leaving a 30% gap* in the current per seat calculation assessed.

MCCPTA strongly opposes this modification for the following reasons:

- We oppose the discounting to the calculation because the immediate effect punches a hole in the bottom line of the MCPS CIP budget, especially over time. This 30% reduction is a blunt tool which could have a significant impact for FY26, the 2nd year of the CIP, and the cumulative effect would mean less capacity to keep up with the impact of new housing on schools. The FY26 impact tax projection of 24 million would be significantly lowered, a 30% adjustment would be 7 million, 50% of a full addition. This adjustment would be layered on the other more surgical tools, adjusting impact taxes based on housing types the county wants to see more available for families. MCCPTA agreed to those targeted adjustments.
- We oppose the modification based on the rationale that state aid, which is derived from tax payer dollars, including from Montgomery County families, should be excluded from the cost calculus and is not a part of the "true cost." What makes state aid different from local financing and why should developers be exempt from an assessment based on the full cost of school infrastructure? The planning board was thoughtful in its original recommendations, balancing the adequate facility ordinance with encouraging more

housing types for families. We encourage this tiered approach, where we all pitch in to assure quality school infrastructure for current and future residents. In the future we'd like to see that tiered approach where exemptions are implemented as well.

Finally, we cannot continue down this path of decision-making in a siloed and redundant manner. We need a transparent, collaborative work group on school infrastructure financing going forward. We respectfully request that the Planning Board and the Council convene a work group outside of this routine process *to engage all interested parties*, including representatives from MCPS and the Board of Education. This workgroup should be charged with benchmarking local infrastructure tax rubrics across the metropolitan area, with the goal of recommending a future financial mechanism(s) that is sustainable and does not jeopardize the maintenance, replacement and expansion of MCPS school facilities.

MCCPTA leaders are ready to engage with County leadership in this work. We have copied MCPS, Board of Education, County Council and County Executive leaders on this request. We look forward to collaboration in the near future as the Growth & Infrastructure Policy and Impact Tax recommendations are considered by the Council.

Regards,

Brigid Howe, MCCPTA President  
Rodney Peele, MCCPTA VP Advocacy  
Sally McCarthy, MCCPTA CIP Budget Chair

CC:  
MCPS Superintendent, Dr. Thomas Taylor  
Assoc. Superintendent, Seth Adams  
MCPS Board of Education President, Karla Silvestre  
MCPS Board of Education Vice President, Lynne Harris  
County Council Education and Culture Committee Chair Will Jawando  
Council Members Gabe Albornoz, Kristin Mink  
County Executive Marc Elrich