

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

## **MONTGOMERY COUNTY PLANNING BOARD APPROVED PUBLIC MEETING MINUTES**

**Meeting Date:** Thursday, February 26, 2026

**Meeting Location:** 2425 Reedie Drive, Wheaton, MD 20902

### **SUMMARY**

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, February 26, 2026, beginning at 9:19 a.m. and adjourning at 1:15 p.m.

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

Item 1 and Items 5 through 8 were discussed in that order and reported in the attached Minutes.

The Planning Board convened in Closed Session at 11:20 a.m. to discuss Item 8 on the motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with Chair Harris, Vice Chair Linden, and Commissioners Bartley, Hedrick, and Pedoeem voting in favor of the motion. The meeting was closed under the authority of Annotated Code of Maryland, General Provisions Article § 3-305(b)(7) to consult with counsel to obtain legal advice.

Present for the meeting were Chair Harris, Vice Chair Linden, and Commissioners Bartley, Hedrick, and Pedoeem. Also present for the meeting was Deputy General Counsel, Michael Aniton and Principal Counsel, Emily Vaias of the Office of General Counsel.

In Closed Session, the Board obtained legal advice from Commission attorneys. The Closed Session began at 11:30 a.m. and ended at 1:15 p.m.

There being no further business, the meeting adjourned at 1:15 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 5, 2026, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

*Rachel Roehrich*

Rachel Roehrich  
Technical Writer/Legal Assistant

## MINUTES

### Item 1. Preliminary Matters

#### A. Adoption of Resolutions

1. 20300-20350 Century Blvd. Administrative Plan No. 620260080 – MCPB No. 26-03
2. 20300-20350 Century Blvd. Expedited Approval Plan No. E20260020 – MCPB No. 26-04
3. 20300-20350 Century Blvd. Forest Conservation Plan No. F20260250 – MCPB No. 26-05

**Board Action:** Adopted the Resolutions above, as submitted.

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

#### B. Approval of Minutes

There were no Minutes submitted for approval.

#### C. Other Preliminary Matters

There were no other Preliminary Matters submitted for approval.

### Item 2. Record Plats (Public Hearing)

There were no Record Plats submitted for approval.

### Item 3. Regulatory Extension Requests (Public Hearing)

There were no Regulatory Extension Requests submitted for approval.

### Item 4. REMOVED - Roundtable Discussion

The Planning Director's Report was removed from the Board's agenda.

**Item 5. 2025 Bethesda Annual Monitoring Report**

**Staff Recommendation:** Transmit to the County Council

**Board Action:** Approved Staff recommendation to transmit comments discussed during the meeting to the County Council, as stated in a transmittal letter to be prepared at a later date.

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

Jeffrey M. Server, Planner III, offered a multi-media presentation regarding the 2025 Bethesda Annual Monitoring Report (BAMR). Further information can be found in the Staff Report dated January 30, 2026 and posted to the Agenda for February 26, 2026.

Mr. Server gave an overview of the implementation progress for recommendations on transportation, parks, and schools and discussed the current status of the Non-Auto Driver Mode Share (NADMS) goals, park projects, park acquisitions, park development approvals, and Park Impact Payments. Mr. Server also discussed the 2024-2025 school enrollment, and six-year school enrollment projected trends. Lastly, Mr. Server stated the BAMR was presented to the Bethesda Implementation Advisory Committee on February 2, 2026, and the Committee provided comments.

The Board asked questions regarding ways to increase the NADMS goals, the purpose of the report, how long the report will continue, and if lease vacancy was taken into account for the school projections.

Staff, including Jason Sartori, Planning Director, Elza Hisel-McCoy, Chief of West County Planning, and Hye-Soo Baek, Planner III, offered comments and responses to the Board's questions.

**Item 6. Retail Market Study – Progress Briefing**

**Board Action:** Receive briefing.

Carrie McCarthy, Chief of Research and Strategic Projects, and Alex Pemberton, Real Estate Planner III, offered a multi-media presentation regarding the ongoing Countywide Retail Market Study. Further information can be found in the Staff Report posted to the Agenda for February 26, 2026.

Previously, the division published a Retail Market Strategy Study in 2017 that assessed the strengths, challenges, and competitive position of retail in the county. Since then, shifts in consumer behavior, accelerated e-commerce adoption, hybrid work patterns, evolving food service models, and intensifying regional competition have reshaped the function of retail spaces and consumers' experiential expectations.

Mr. Pemberton gave an overview of the retail sector and market in Montgomery County. Mr. Pemberton discussed the different types of retail, types of retailers, unique features of retail leases, retailer lease requirements, and the challenges of retail redevelopment. Ms. McCarthy offered brief comments regarding the unique features of retailer lease requirements.

Ms. McCarthy discussed the market conditions and preliminary Countywide observations noting generally the national market is softening, retail clusters near mixed-use, residential centers perform better, vacancy rates are stable, there is a high demand for smaller retail spaces, and retail has been a resilient sector. Ms. McCarthy also discussed consumer sentiment, consumer spending, E-commerce retail sales, Montgomery County retail spending, regional trends for retail spending, density impacts to spending potential, food spending potential, and distribution of retail by business size.

Ms. McCarthy gave an overview of past studies and Mr. Pemberton stated Montgomery Planning contracted with Econsult Solutions, Inc. to update the 2017 study to current conditions; assess the post-pandemic, e-commerce, experiential trends, and retail impacts; and support master plans, corridor planning, and Thrive Montgomery 2050 implementation. Mr. Pemberton noted the update will seek to review the trends in retail today.

The Board asked questions regarding pad retailers, covenant agreements versus leases and the impact on tenants to have a large chain company tenant, if retail includes e-commerce/online spending, visitor spending, residential/ retail synergy of an area, incubator efforts in business improvement districts, best way to determine amount of parking needed for retail, and how the Wheaton retail market is doing.

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

**Item 7. Legislative Update**

**A. HB 1411 Data Centers Complaints and Transparency Act**

**Staff Recommendation:** Informational

**Board Action:** The Board agreed by consensus to bring back for further discussion at a future Board meeting.

**B. HB 1296 Safe School Route Reports**

**Staff Recommendation:** Support with Amendments

**Board Action:** Approved Staff recommendation to support with amendments.

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

**C. HB 1237 Pesticide Applications – Subscription Contract Requirements and Registry Establishment**

**Staff Recommendation:** Oppose

**Board Action:** Approved Staff recommendation to oppose the bill.

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0

**D. HB 1560 Forest Conservation – Incentives – Pilot Program and Fund**

**Staff Recommendation:** Informational

**Board Action:** The Board agreed by consensus to bring back for further discussion at a future Board meeting.

Jordan Baucum Colbert, Senior Government Affairs Analyst, gave an overview and briefed the Board on Bills HB 1411, HB 1296, HB 1237, and HB 1560. Further information on the bills can be found under the Agenda for February 26, 2026.

**HB 1411 - Data Centers Complaints and Transparency Act**

Ms. Baucum Colbert stated HB 1411 requires an owner or operator of a certain large-scale data center to submit a certain disclosure report to certain State and local agencies and elected officials under certain circumstances and specifying the contents of the disclosure report. This bill also requires the Department of the Environment to publish the disclosure report on its website within a certain period of time.

Jason Sartori, Planning Director, offered comments and noted concerns regarding the bill's requirements.

The Board held discussion and offered comments regarding the threshold, mandate language, and to have the word "plan" defined to clarify who would need to use these standards.

The Board agreed by consensus to hold the bill, have Ms. Baucum Colbert engage with the bill sponsor, and bring it back for further discussion at a future Board meeting.

### **HB 1296 – Safe School Route Reports**

Ms. Baucum Colbert stated HB 1296 requires most developers of projects with five or more residential dwelling units to prepare and submit a safe school routes report as part of a preliminary subdivision or site plan. The report must document existing pedestrian and bicycle infrastructure, identify a proposed safe route to public schools within the applicable attendance boundary, assess gaps or hazards along the identified routes, and describe measures to address those gaps and hazards. Ms. Baucum Colbert also noted the bill allows a local jurisdiction to withhold a preliminary subdivision or site plan approval if the safe school routes report is not approved by both the Planning Board and the Board of Education. Lastly, Ms. Baucom-Colbert noted Staff met with the bill sponsor and is requesting to support the bill with amendments.

Eli Glazier, Transportation Planner III, offered brief comments and stated transportation had an informative conversation with the sponsoring Delegate where Staff learned the intent behind the bill is simply to ensure the safety of our kids when traveling to and from school no matter the form. Mr. Glazier discussed the recommendations and proposed amendments in greater detail.

The Board asked questions regarding Applicant responsibility of improvement requirements for potential deficiencies not identified by an LATR study and improvement requirements for projects up to 2 miles versus LATR study requirements.

Staff, including Jason Sartori, Planning Director, offered comments and responses to the Board's questions.

The Board agreed to support the bill with amendments.

### **HB 1237 - Pesticide Applications – Subscription Contract Requirements and Registry Establishment**

Ms. Baucum Colbert stated HB 1237 establishes certain requirements for a pesticide business licensee that has a subscription contract for pest control with a residential customer; requiring the Department of Agriculture to establish a Residential Pollinator Protection and Neighbor Notification Registry for the purpose of registering certain individuals who are interested in receiving notice of certain pesticide applications; requiring the Department to prepare a certain list from the Registry and distribute the list to certain licensees; requiring certain licensees and pesticide applicators to take certain actions before and during a pesticide application to a property contiguous or adjacent to the property of a registered individual.

Ms. Baucum Colbert noted the Montgomery Parks Department opposes HB1237 due to significant administrative burdens, creation of operational uncertainty, and hindering timely and necessary pesticide applications essential to natural resource management.

Holly Thomas, Chief of HFEE and Bill Hamilton, Natural Resources Manager, offered comments regarding reasoning for opposing the bill. Ms. Thomas stated Parks is

already doing many of the things the bill would require, and Mr. Hamilton stated there are also concerns the amount of additional burdens on administrative time.

The Board asked questions regarding the notification process of pesticide applications on athletic fields and length of closures.

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

The Board agreed to oppose the bill.

### **HB 1560 - Forest Conservation – Incentives – Pilot Program and Fund**

Ms. Baucum Colbert stated HB 1560 requires the Department of Natural Resources to establish and implement a pilot program for ecosystem value-oriented forest management plans to provide additional incentives for enrolling in and extending commitments to forest conservation and management. This bill also establishes the Forest Ecosystem Value Incentives Fund as a special, non-lapsing fund to finance the pilot program; requiring interest earnings of the Fund to be credited to the Fund.

Ms. Baucum Colbert noted Staff raised concerns regarding the bill potentially overlapping the Forest Conservation Law. Christina Sorrento, Chief of Environment and Climate, also offered comments regarding the need for further clarity and confirming the bill does not overlap with the Forest Conservation Law.

The Board asked questions regarding the Forest Ecosystem Value Incentives Fund and Staff offered comments and responses.

The Board agreed by consensus for staff to engage with Delegate Blair and revisit the bill at a future Board meeting.

**Item 8. Closed Session**

According to MD ANN Code, General Provisions Article, Section 3-305 (b)(7), to consult with counsel to obtain legal advice.

M. Aniton/E. Vaias

**Topic:** Legal advice.

**Board Action:** Obtained legal advice. See Code citation and open session report in narrative minutes.

**Motion:** Hedrick/Pedoeem

**Vote:** 5-0