



2020



Montgomery Planning | Functional Planning & Policy Division

# PB Draft: 2020 County Growth Policy

North Bethesda TMD Presentation

July 29, 2020

# What is the Subdivision Staging Policy?

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- The County's Adequate Public Facilities Ordinance (APFO) became law in 1973:
  - *“The [Planning] Board may only approve a preliminary plan when it finds that public facilities will be **adequate** to support and service the subdivision. Public facilities and services to be examined for adequacy include roads and transportation facilities, sewer and water service, schools, police stations, firehouses, and health clinics.”* §50.4.3(J) of the County Code

# What is the Subdivision Staging Policy?

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- The Subdivision Staging Policy (SSP) is the set of policy tools that administer the APFO:
  - Guides the timely delivery of public facilities to serve existing and future development
    - Schools
    - Transportation
    - Water and Sewer
    - Police, Fire and Rescue
  - Defines adequacy and how we measure it
- The policy is updated every four years.
  - The County Council must adopt the new SSP by November 15, 2020.

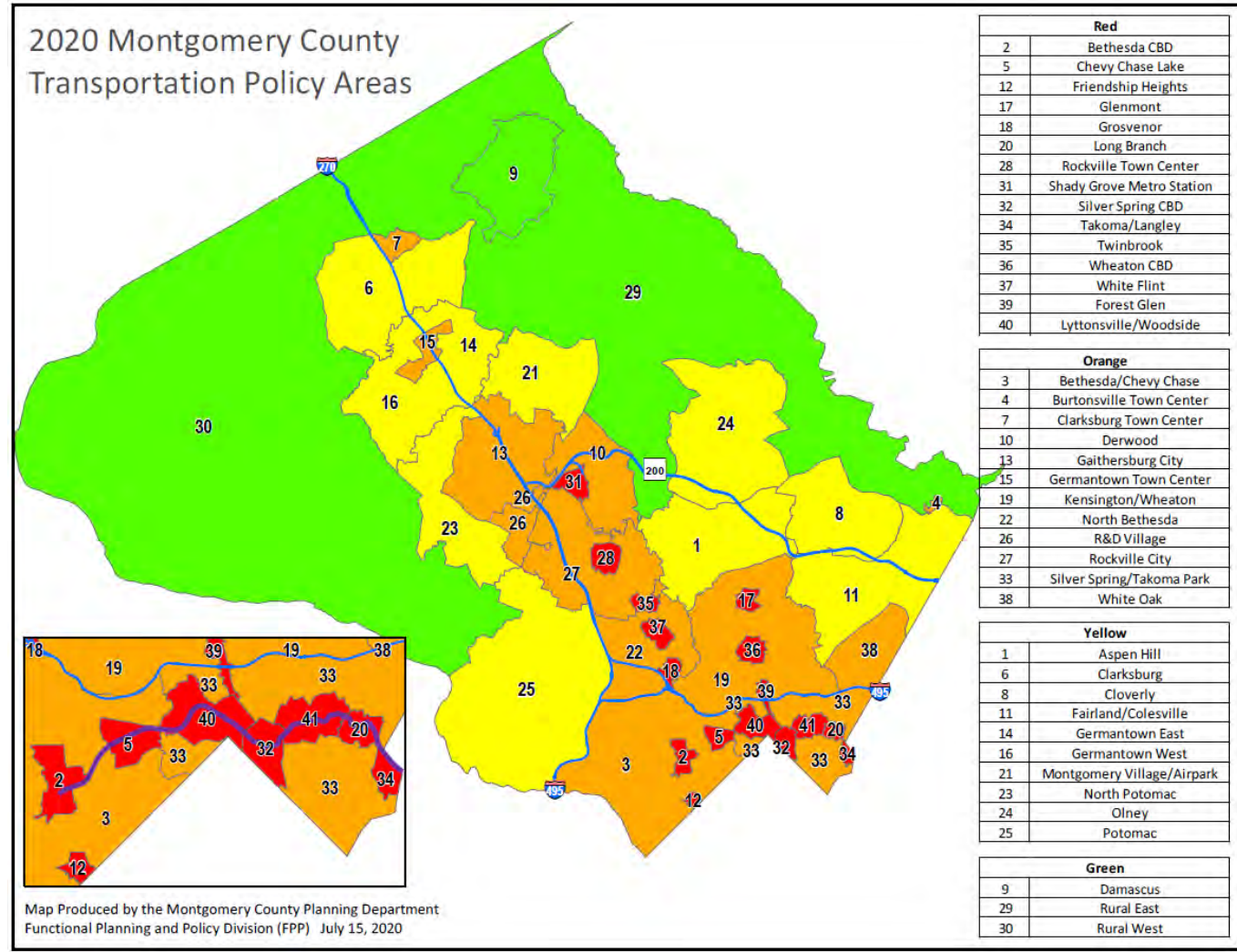
# What does the Transportation Element of the SSP do?

- Groups our policy areas into **four policy area categories**.
- Establishes a set of multi-modal **Local Area Transportation Review (LATR)** tests for determining transportation adequacy.
- Creates **Unified Mobility Programs (UMPs)**, which include an area-wide analysis of needed transportation improvements.



# Policy Area Categories

- **Red:** Downcounty Central Business Districts and Metro Station Policy Areas characterized by high-density development and the availability of premium transit service (i.e., Metrorail/Purple Line).
- **Orange:** Corridor cities, town centers, and emerging Transit-Oriented Development (TOD) areas where premium transit service (i.e., Corridor Cities Transitway, bus rapid transit) is planned.
- **Yellow:** Low-density areas of the county characterized by mainly residential neighborhoods with community-serving commercial areas.
- **Green:** The county’s Agricultural Reserve and rural areas.



# 2020 SSP Update Scope

- Update of the transportation element is focused on two primary tasks:
  - Identify opportunities to incorporate the county's **Vision Zero** travel safety objectives into the Local Area Transportation Review process
  - Reintroduce a **policy area-level review** to evaluate a master plan's balance between transportation capacity and land use travel demand



# What does the Schools Element of the SSP do?

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- Requires the Planning Board to annually approve the results of a **school test** evaluating projected school capacity
- Establishes the criteria for enacting **development moratoria** based on projected school capacity utilization
- Identifies **exceptions to the moratoria**



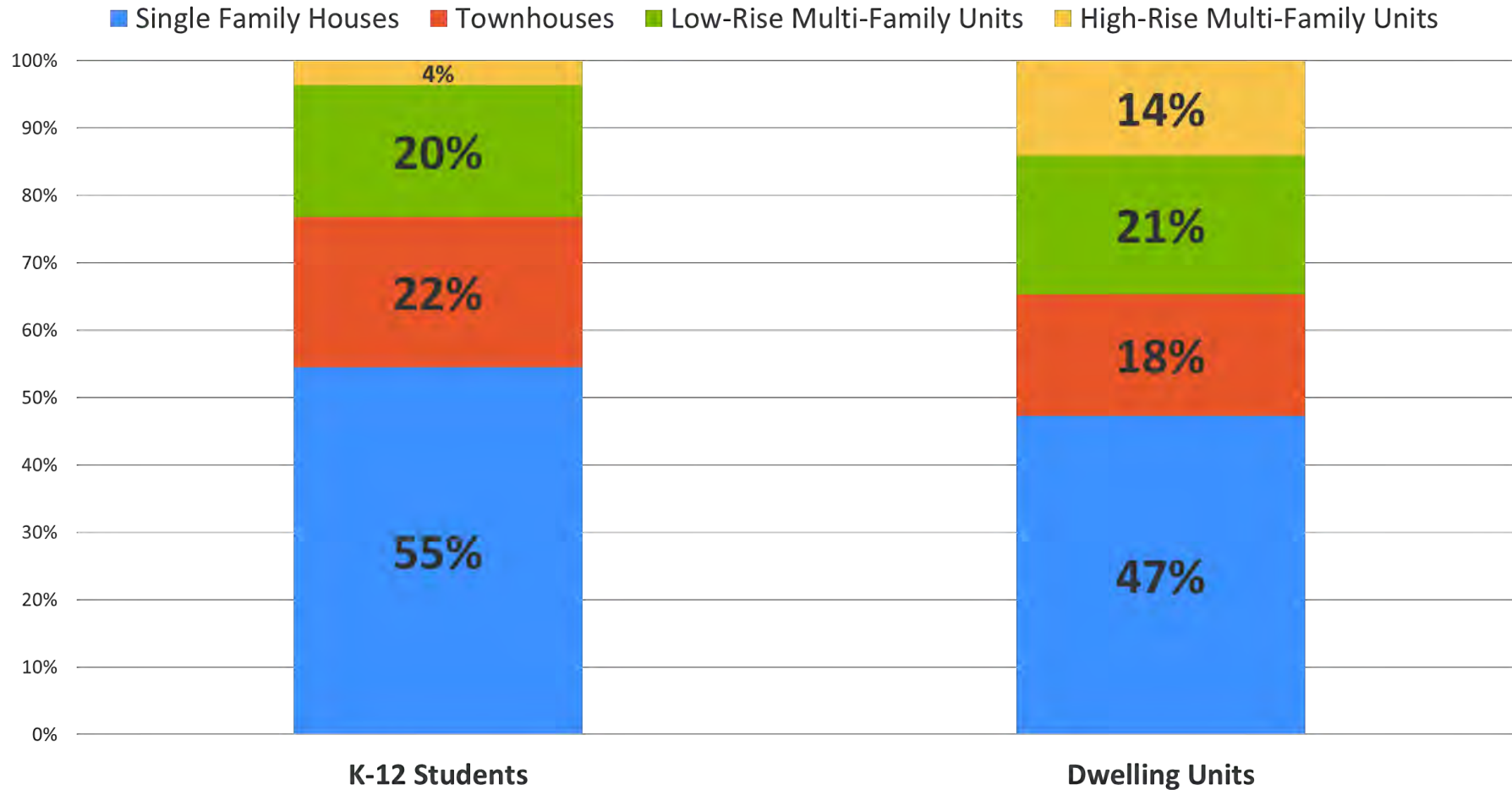
## 2020 SSP Update Scope

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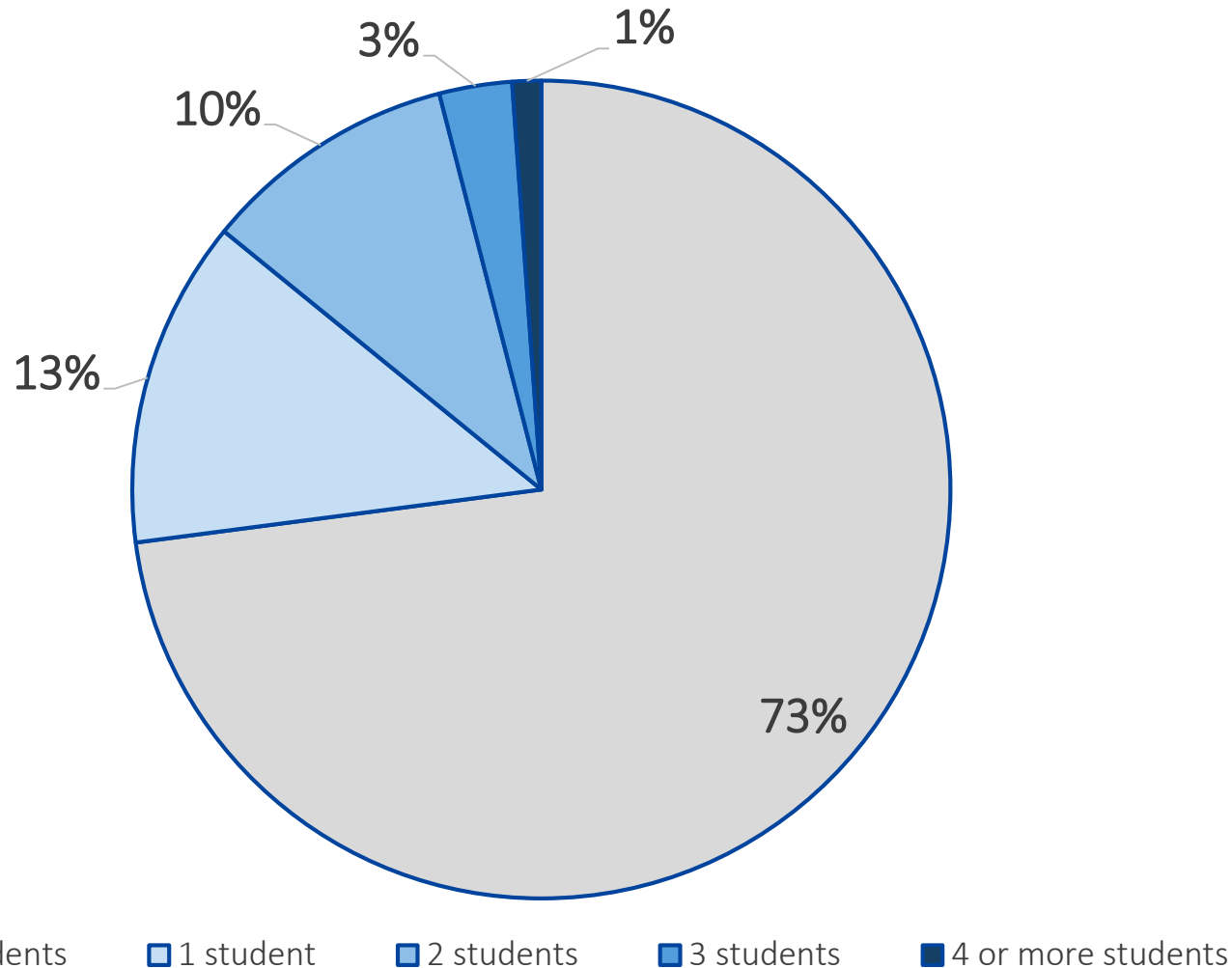
- Ensure school capacity adequacy within the county's **current growth paradigm**
- Apply a more **context-sensitive approach** to the policy that also supports the county's other policy priorities
- Review and consideration of
  - the **moratorium policy** and its thresholds and exceptions
  - the **Annual School Test** procedures
  - estimating **enrollment impacts**
  - **development queue** impacts
  - impacts of **neighborhood turnover** on enrollment
  - how **impact taxes** are applied and calculated
  - other potential school infrastructure **funding options**



# Share of Students and Units by Dwelling Type, 2018

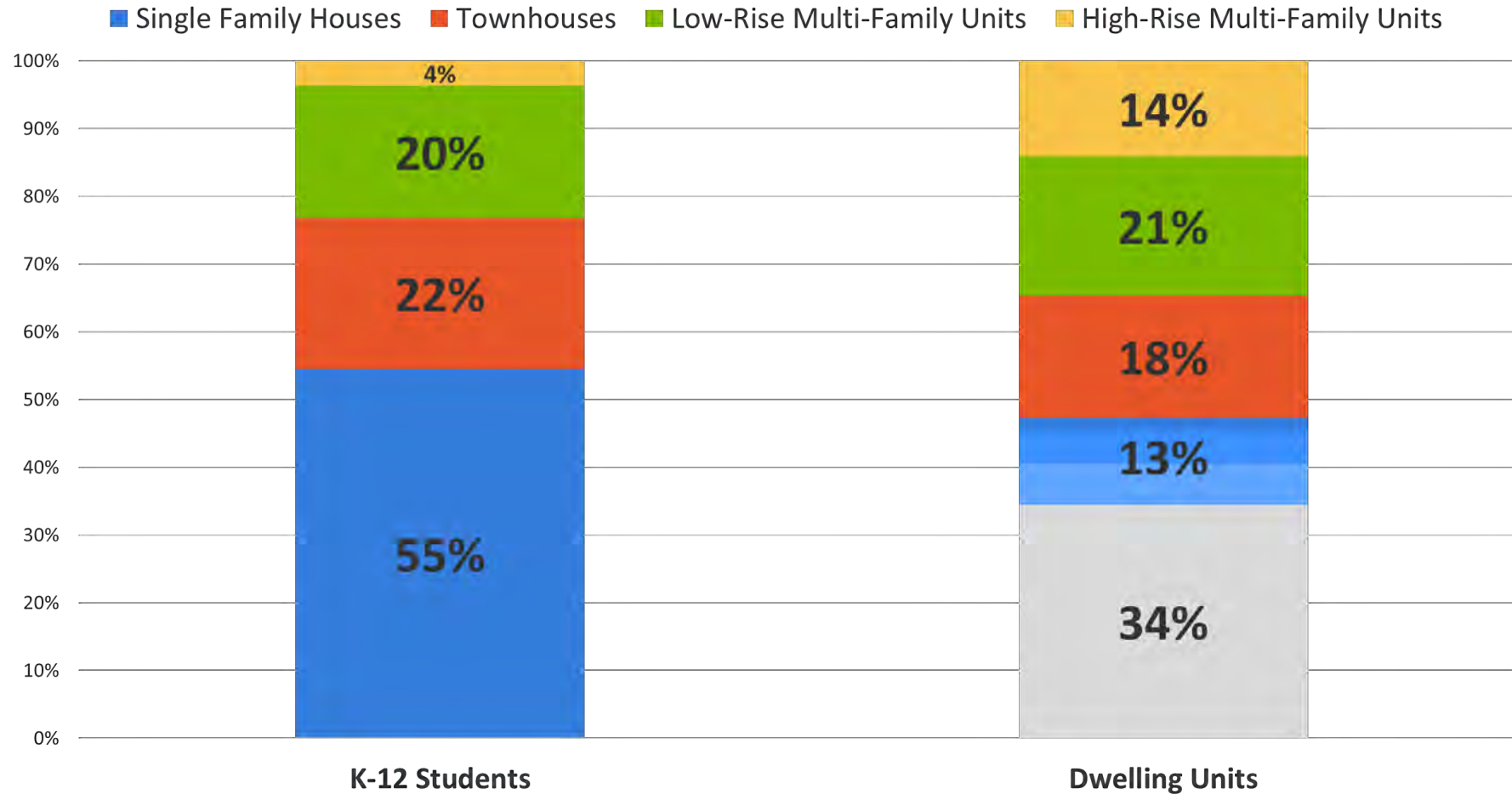


# SFD Homes by Number of Students, 2018

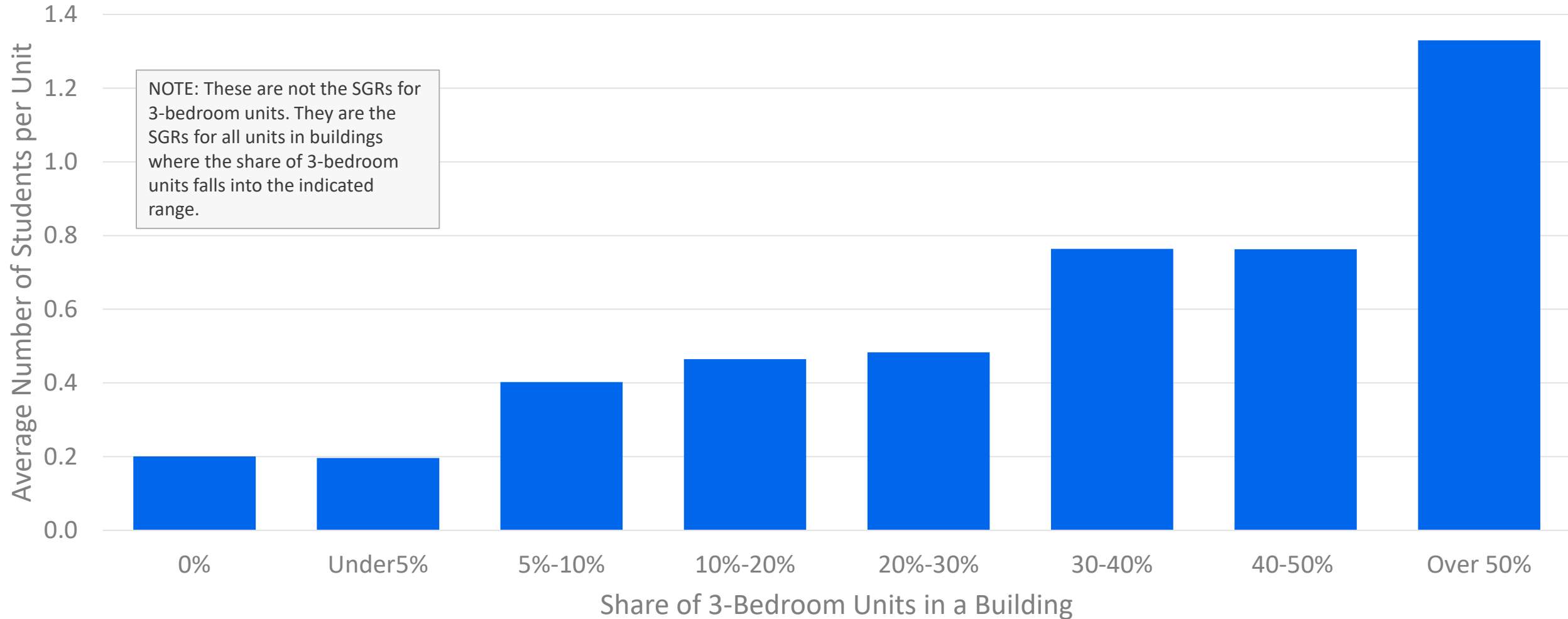


Homes *with students* on average have **1.7 students** each

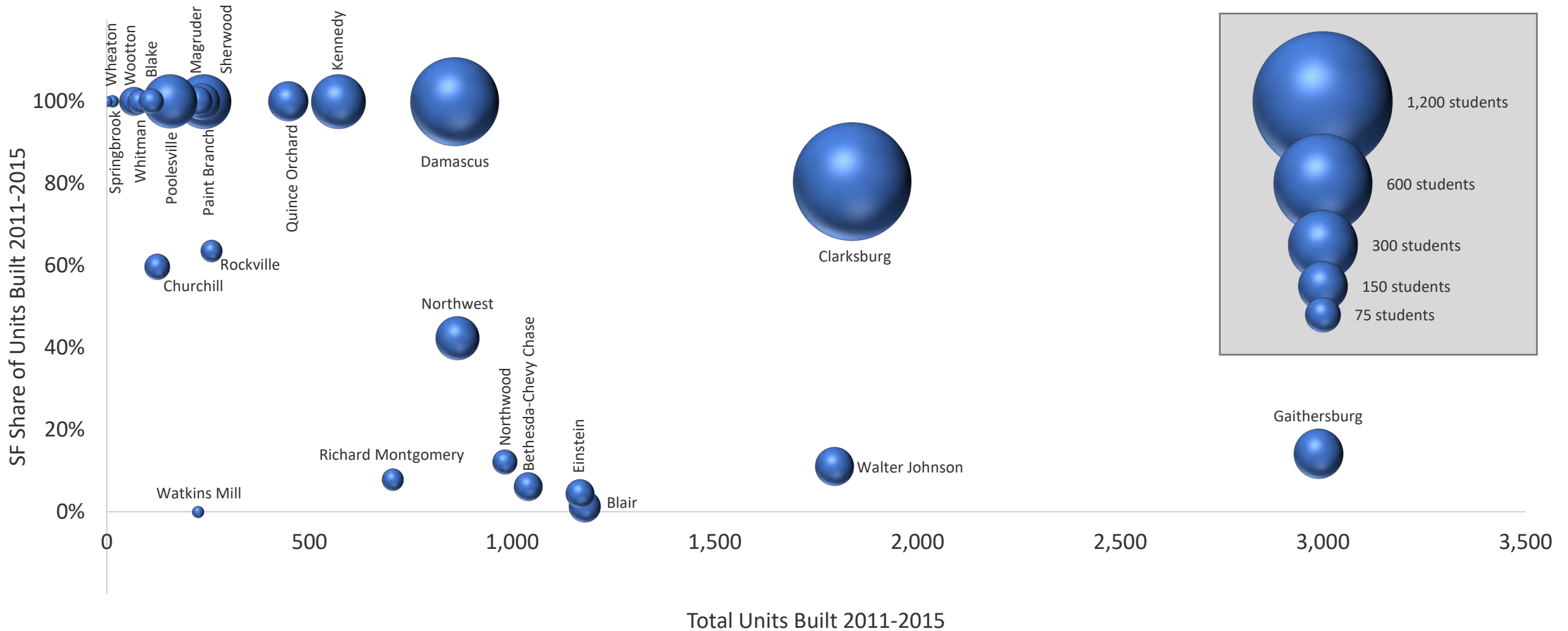
# Share of Students and Units by Dwelling Type, 2018



# SGR by a Structure's Share of 3-Bedroom Units, 2018



# 2015 Students Residing in Units Built 2011-15 by Cluster



## New Development vs. Turnover

- A review of new dwelling units built (excluding replacement homes) between 2011 and 2015 revealed:

Unit Type	Units Built	Share of 2010-15 Enrollment Growth	
Single Family Detached	2,606 (16.1%)	10.9%	19.1%
Single Family Attached	3,403 (21.0%)	8.2%	
Multifamily Low-rise	3,498 (21.6%)	2.6%	4.3%
Multifamily High-rise	6,660 (41.2%)	1.7%	
<b>TOTAL</b>	<b>16,167</b>	<b>23.3%</b>	

# Index of Recommendations

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## CHAPTER 3. POLICY RECOMMENDATION

### Policy Name

- 3.1 Policy name change

## CHAPTER 4. SCHOOLS ELEMENT RECOMMENDATIONS

### School Impact Areas

- 4.1 Creation of School Impact Areas
- 4.2 Treatment of Red Policy Areas

### Annual School Test and Utilization Report

- 4.3 Annual School Test – guidelines
- 4.4 Annual School Test – individual school level
- 4.5 Annual School Test – adequacy standards
- 4.6 Annual School Test – length of test results
- 4.7 Utilization Report – countywide reporting
- 4.8 Utilization Report – individual school reporting

### Residential Development Moratorium

- 4.9 Moratorium applicability
- 4.10 Moratorium exceptions – no student impacts
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- 4.13 Calculation of student generation rates

### Development Application Review

- 4.14 APF extension requests – retesting for school adequacy
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- 4.16 Establishing and requiring Utilization Premium Payments

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### School Impact Taxes

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- 6.3 School impact tax credits
- 6.4 School impact tax surcharge on large units

### Impact Tax Exemptions

- 6.5 Former Enterprise Zone impact tax exemption
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### Recordation Tax

- 6.9 Modifications to the Recordation Tax



Planning Board Recommendation

# Policy Name



## Policy Name

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### R3.1

#### **Change the name of the Subdivision Staging Policy to the County Growth Policy.**

- With a changing growth context more focused on infill and redevelopment, and a recognized need to grow the economy and provide more attainable housing, this policy must be more than a tool for ensuring infrastructure keeps pace with development.
- It must be a growth management tool that helps ensure growth comes in the form, amount and locations we need and desire.



County Growth Policy

Planning Board Recommendations  
Schools Element



## Key Schools Element Recommendations

- 4.1 Classify county neighborhoods into **School Impact Areas** based on their recent and anticipated growth contexts.
- 4.2 Classify all **Red Policy Areas** as Infill Impact Areas.
- 4.4 The Annual School Test will be conducted at the **individual school level only**, for each and every elementary, middle and high school.
- 4.5 The Annual School Test will evaluate projected school utilization **three years in the future** using new adequacy standards.
- 4.9 **Moratoria** will only apply in Greenfield Impact Areas.
- 4.11 New moratorium exception if a **nearby school** has more capacity.
- 4.13 Calculate **multifamily student generation rates** by analyzing units built since 1990, without distinguishing by building height.
- 4.16 Require **Utilization Premium Payments** when a school's projected utilization three years in the future exceeds 120%.



# School Impact Areas

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R4.1

**Classify county neighborhoods into School Impact Areas based on their recent and anticipated growth contexts. Update the classifications with each quadrennial update to the County Growth Policy.**

# School Impact Areas

## Infill Impact Areas

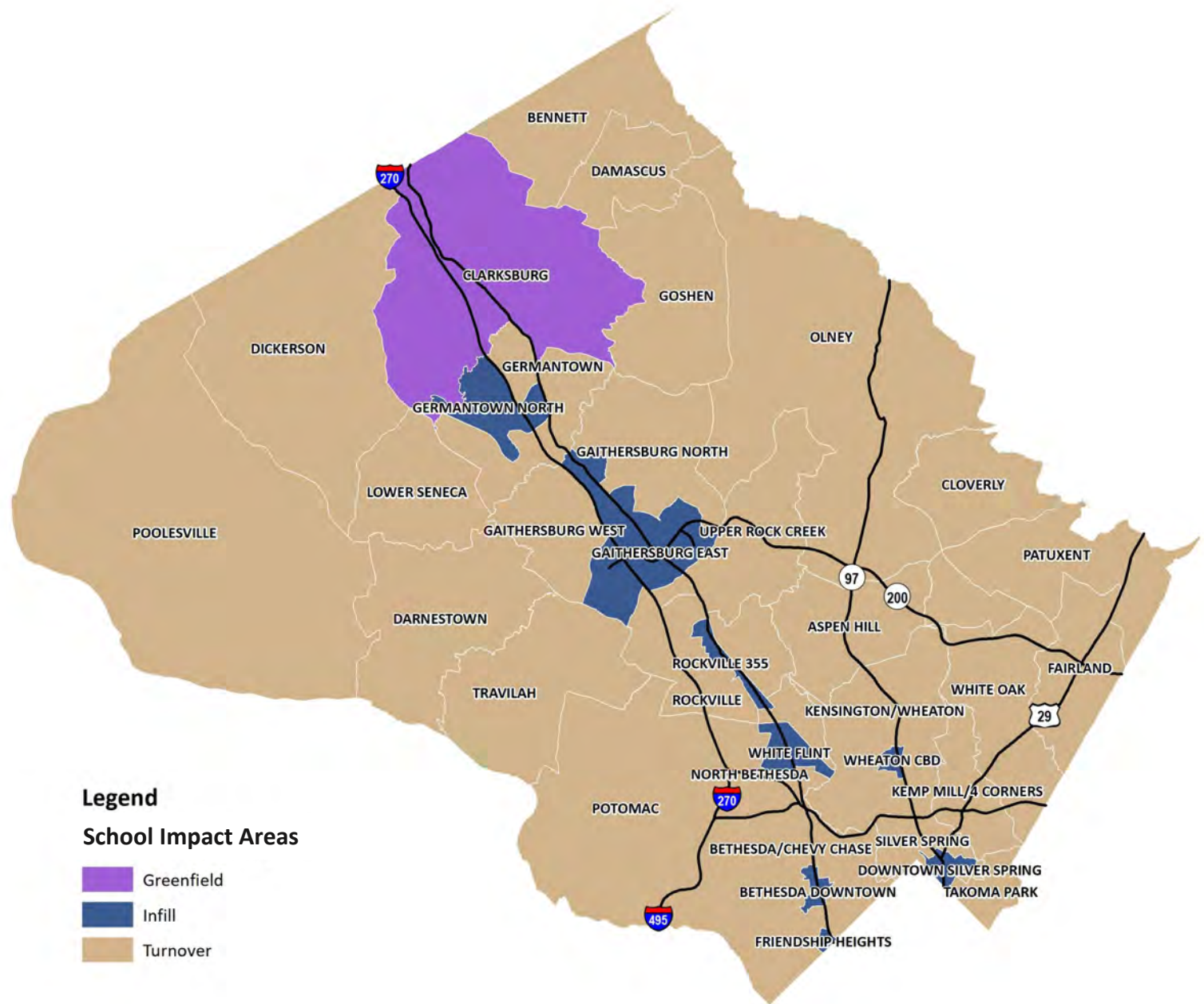
- Areas with high housing growth that is predominantly multifamily, which generates few students on a per unit basis

## Turnover Impact Areas

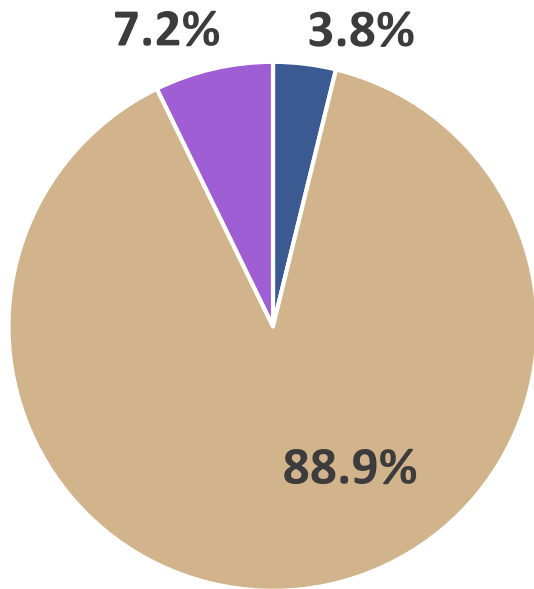
- Areas with low housing growth where any enrollment growth is largely due to turnover of existing single-family units

## Greenfield Impact Areas

- Areas with high enrollment growth due largely to high housing growth that is predominantly single-family

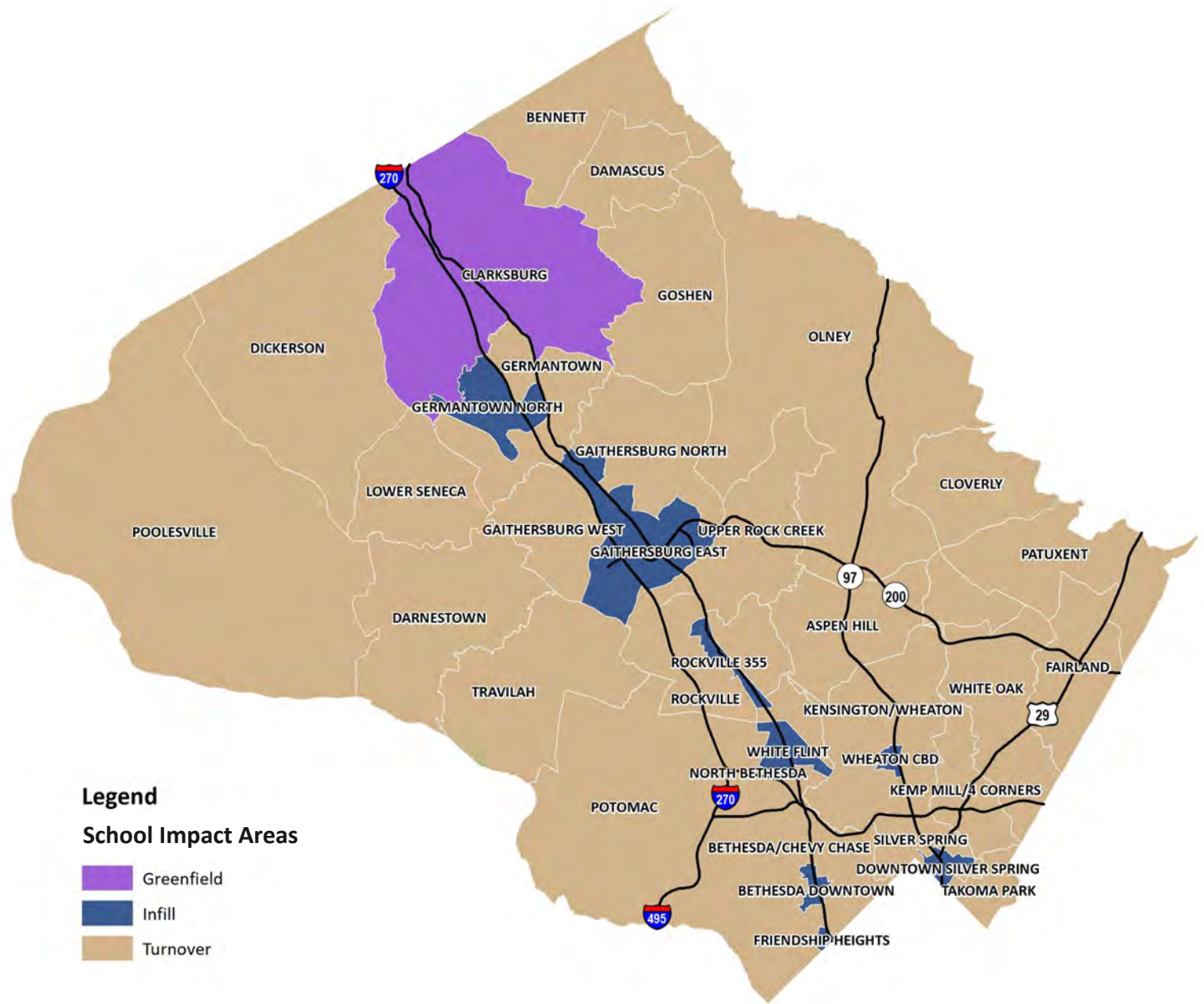


# Land Area Shares

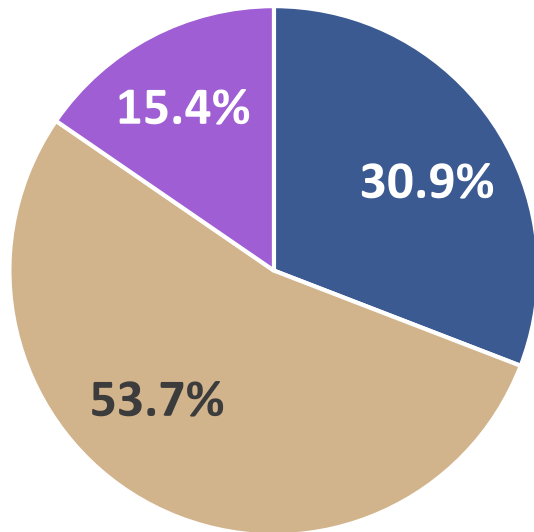


**■ Infill ■ Turnover ■ Greenfield**

Greenfield	23,474 acres
Infill	12,420 acres
Turnover	288,504 acres

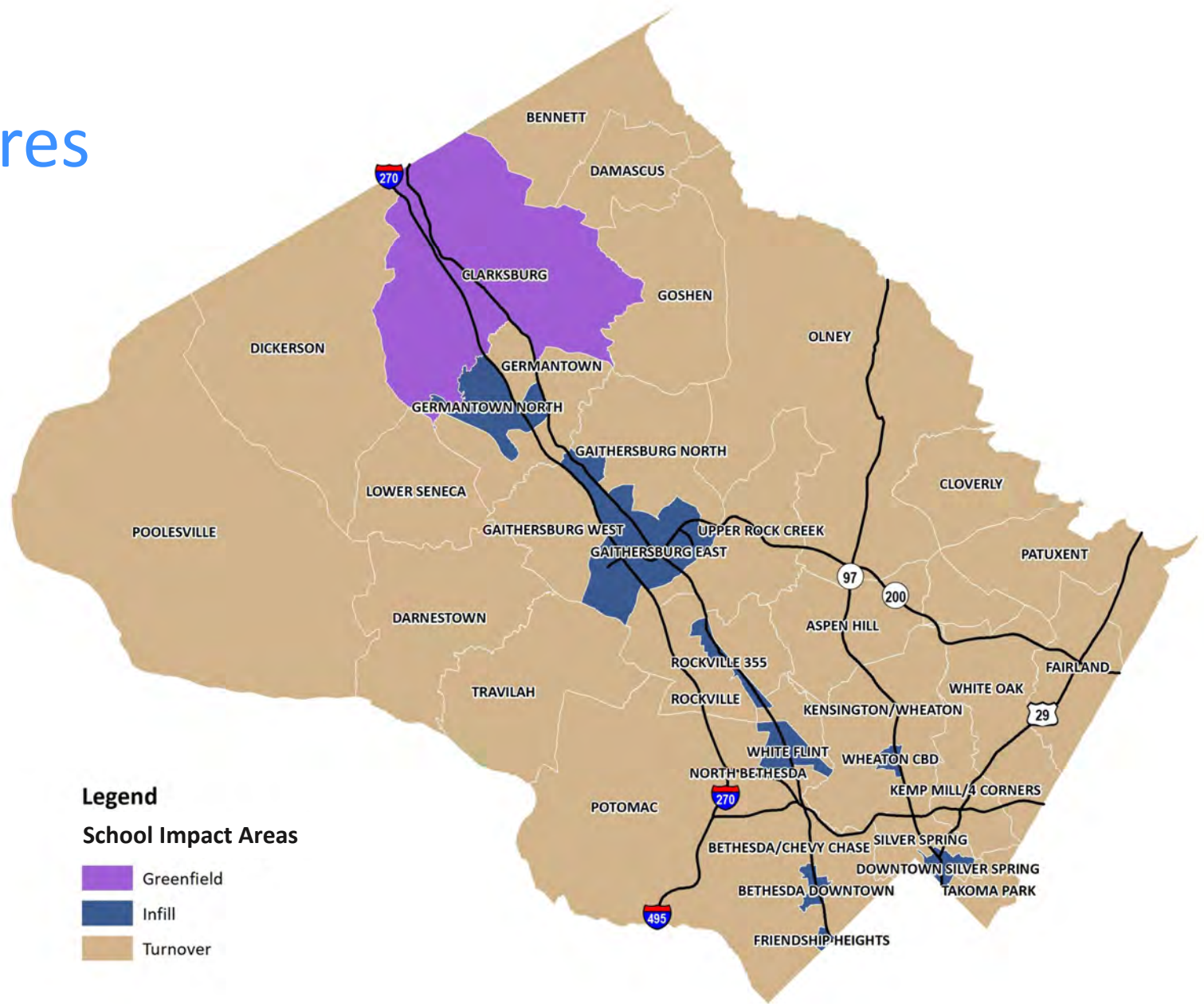


# Population Growth Shares 2013-2018



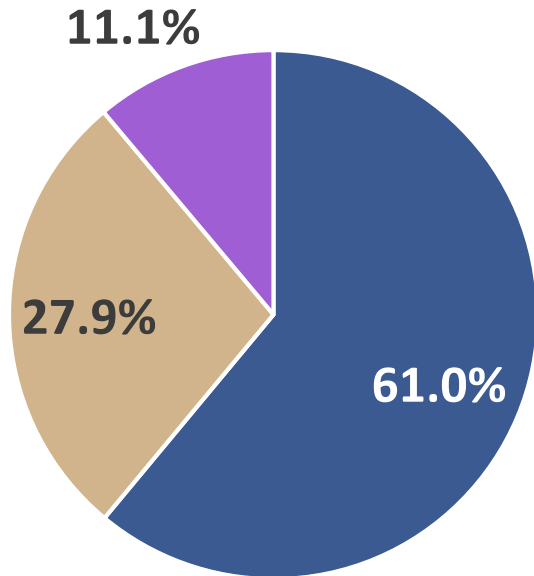
**■ Infill ■ Turnover ■ Greenfield**

Greenfield	+7,812 people
Infill	+15,634 people
Turnover	+27,213 people



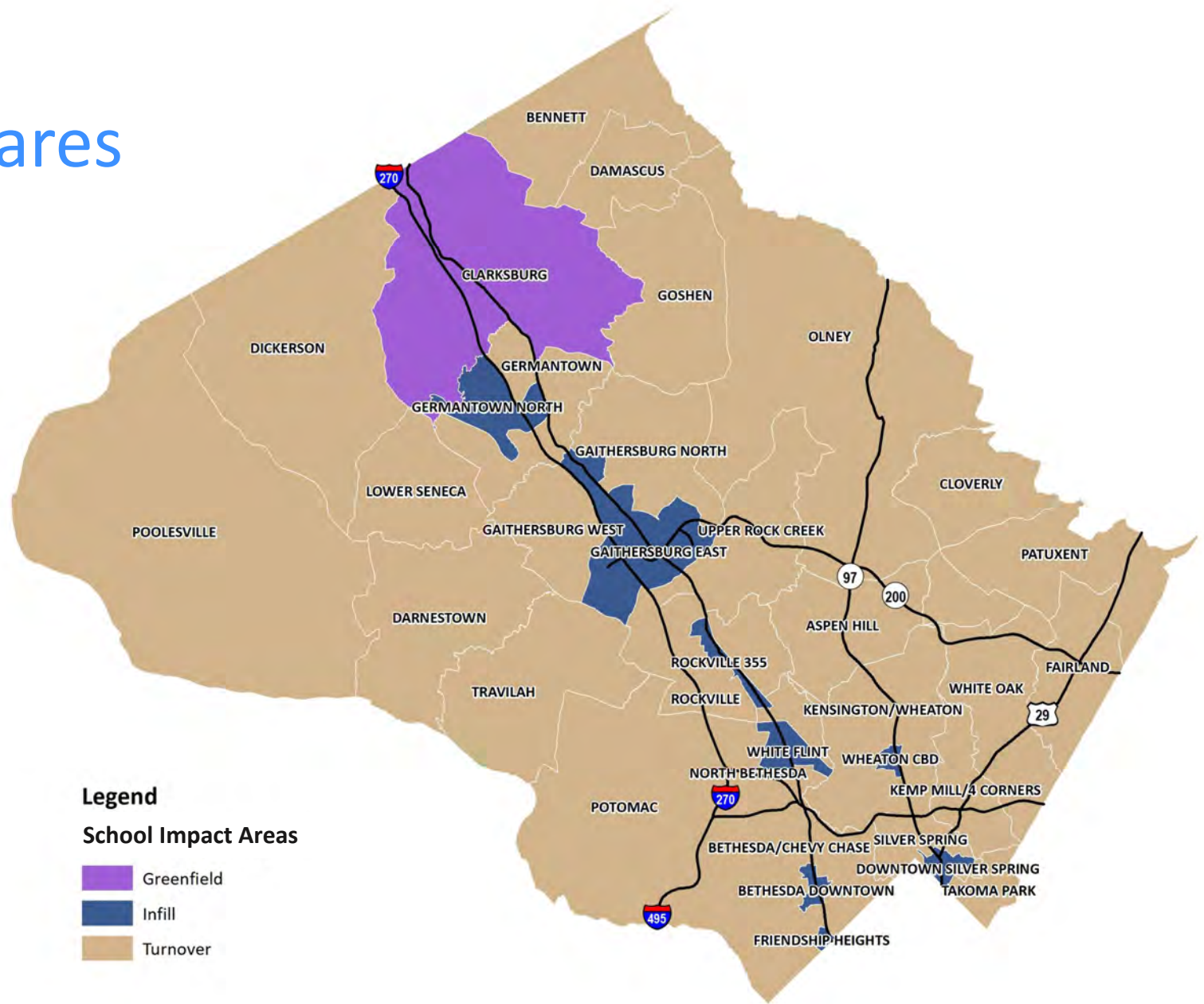


# Housing Unit Growth Shares 2013-2018

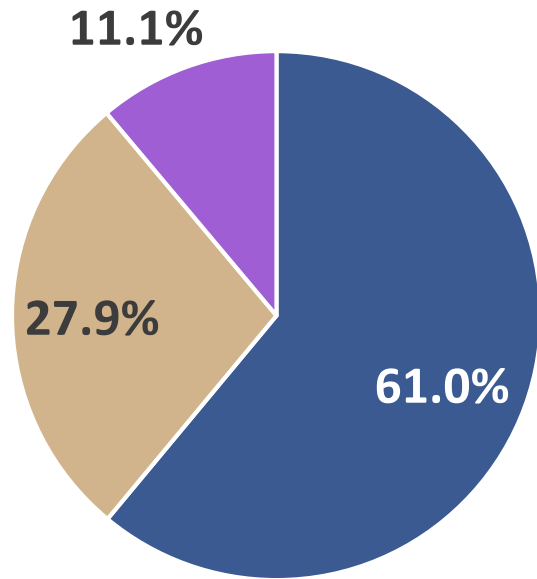


**■ Infill ■ Turnover ■ Greenfield**

Greenfield	+2,880 units
Infill	+15,826 units
Turnover	+7,224 units

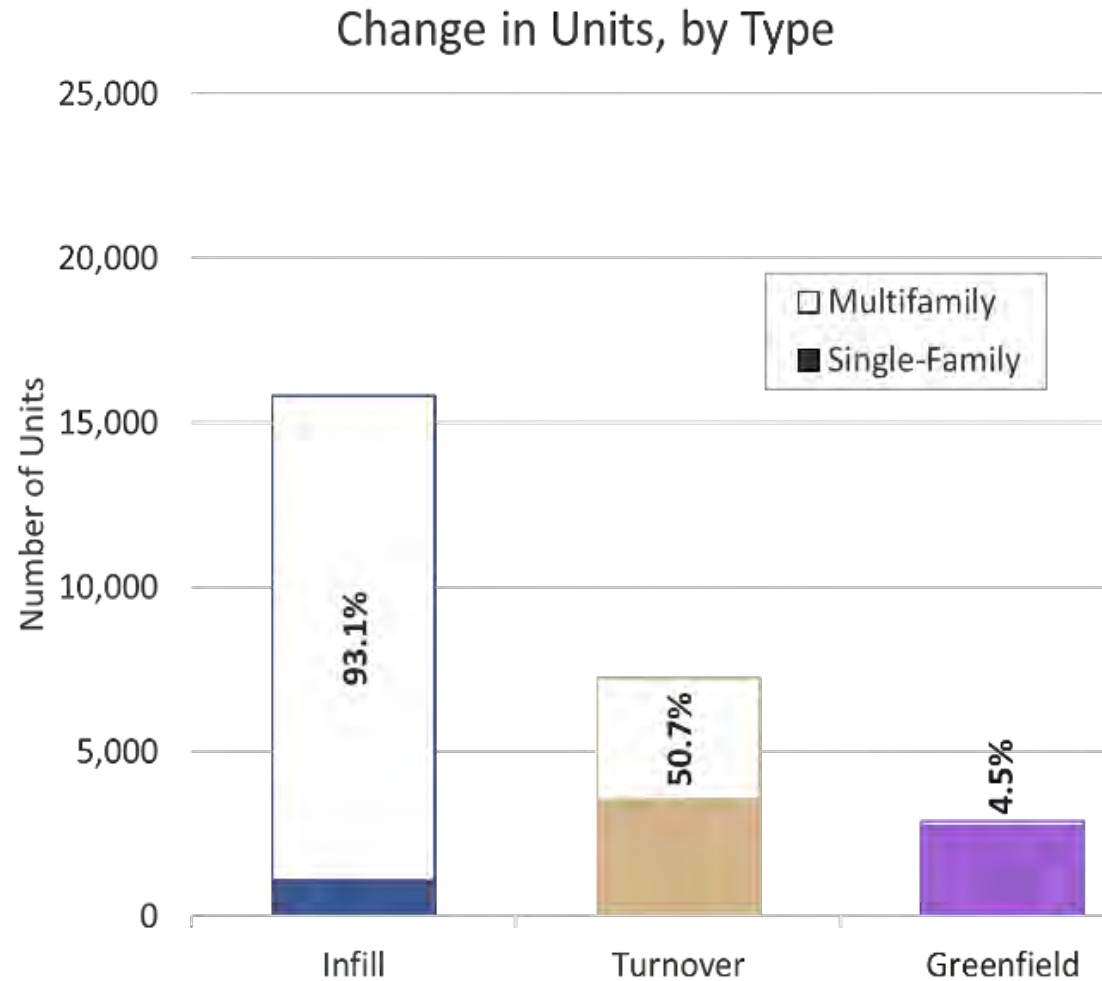


# Housing Unit Growth Shares 2013-2018

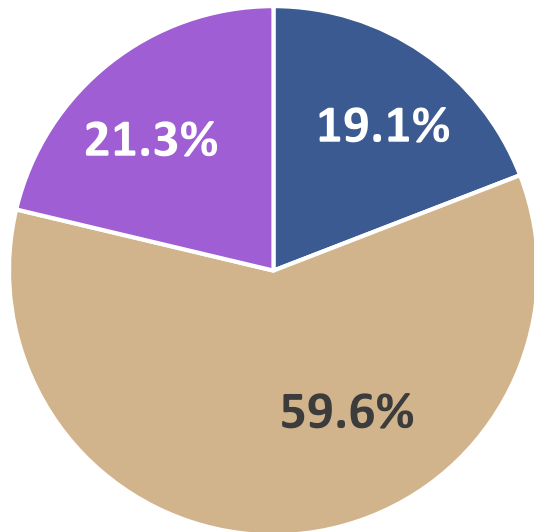


■ Infill ■ Turnover ■ Greenfield

Greenfield	+2,880 units
Infill	+15,826 units
Turnover	+7,224 units

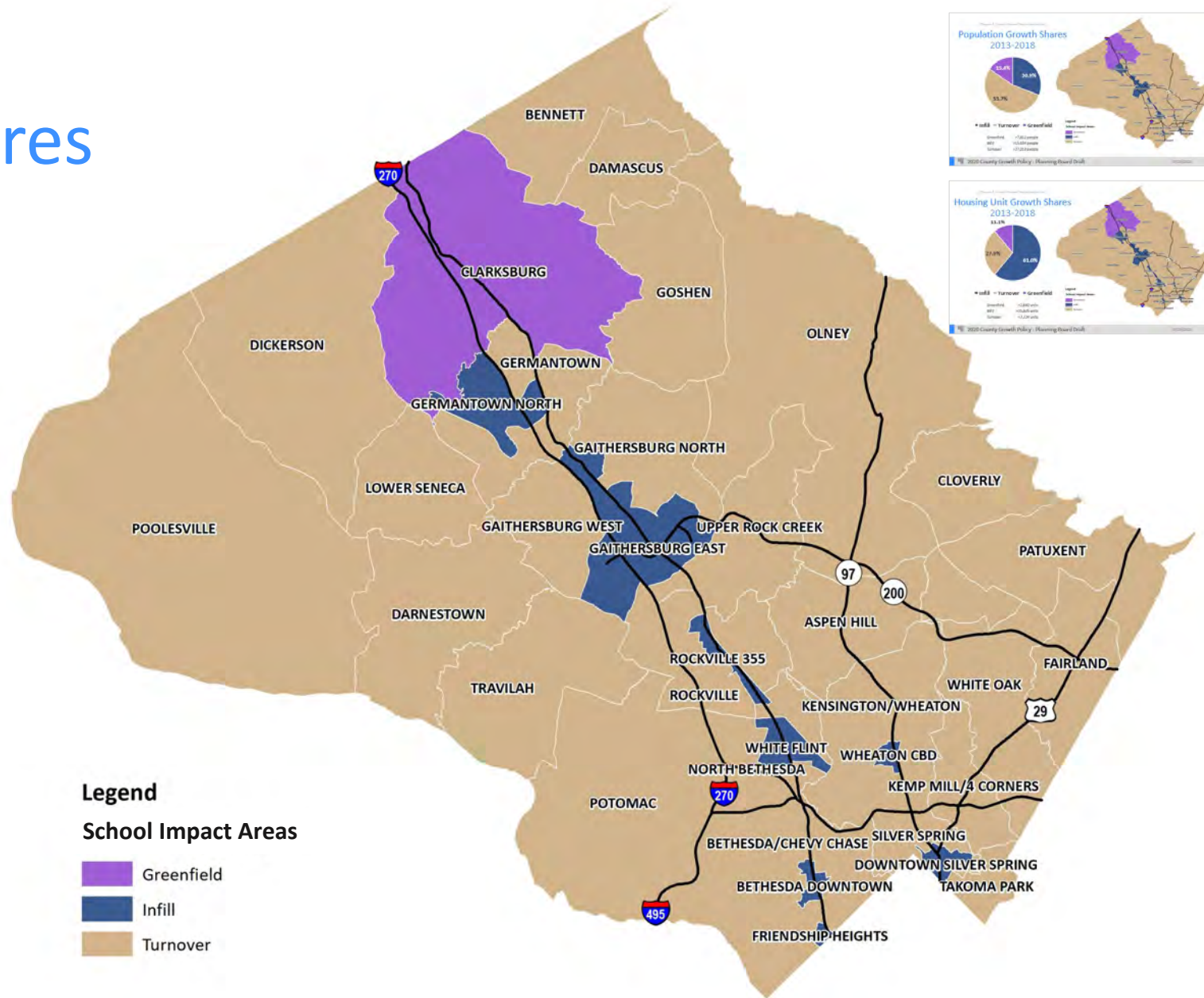


# Enrollment Growth Shares 2013-2018

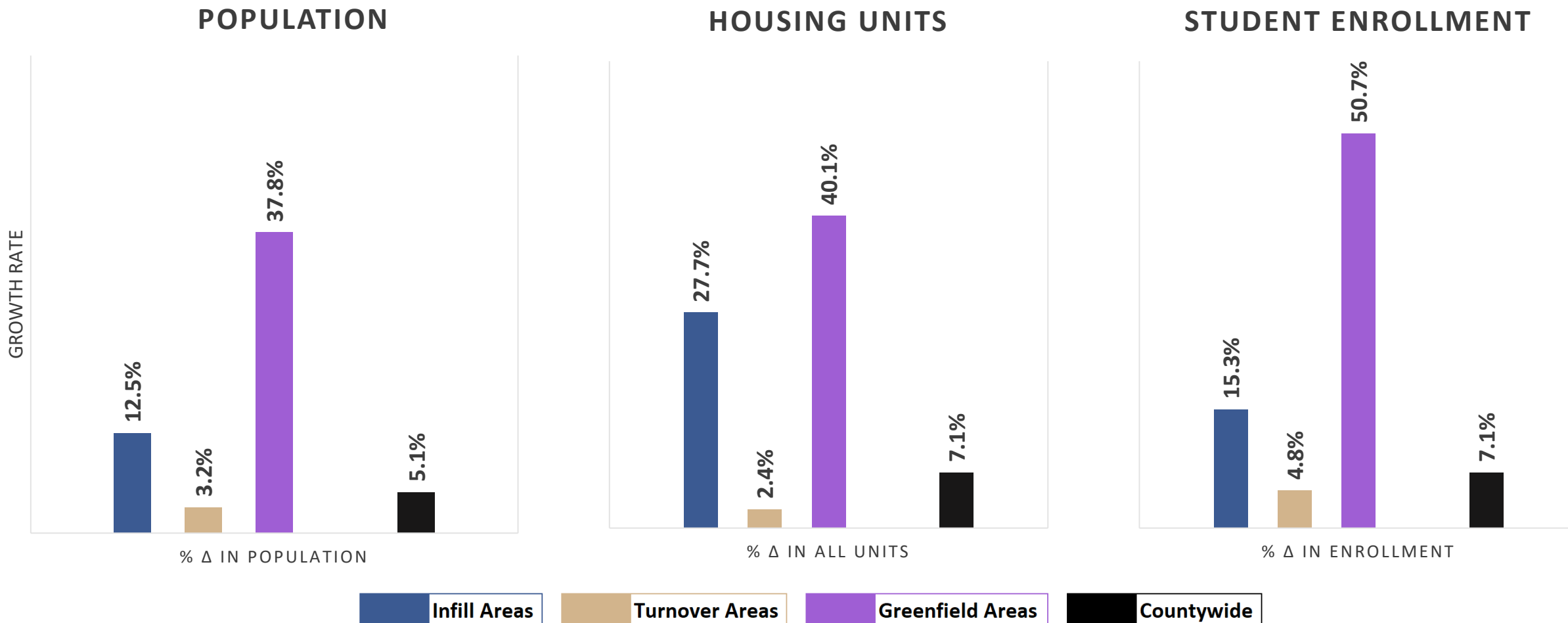


**■ Infill ■ Turnover ■ Greenfield**

Greenfield	+2,237 students
Infill	+2,010 students
Turnover	+6,263 students



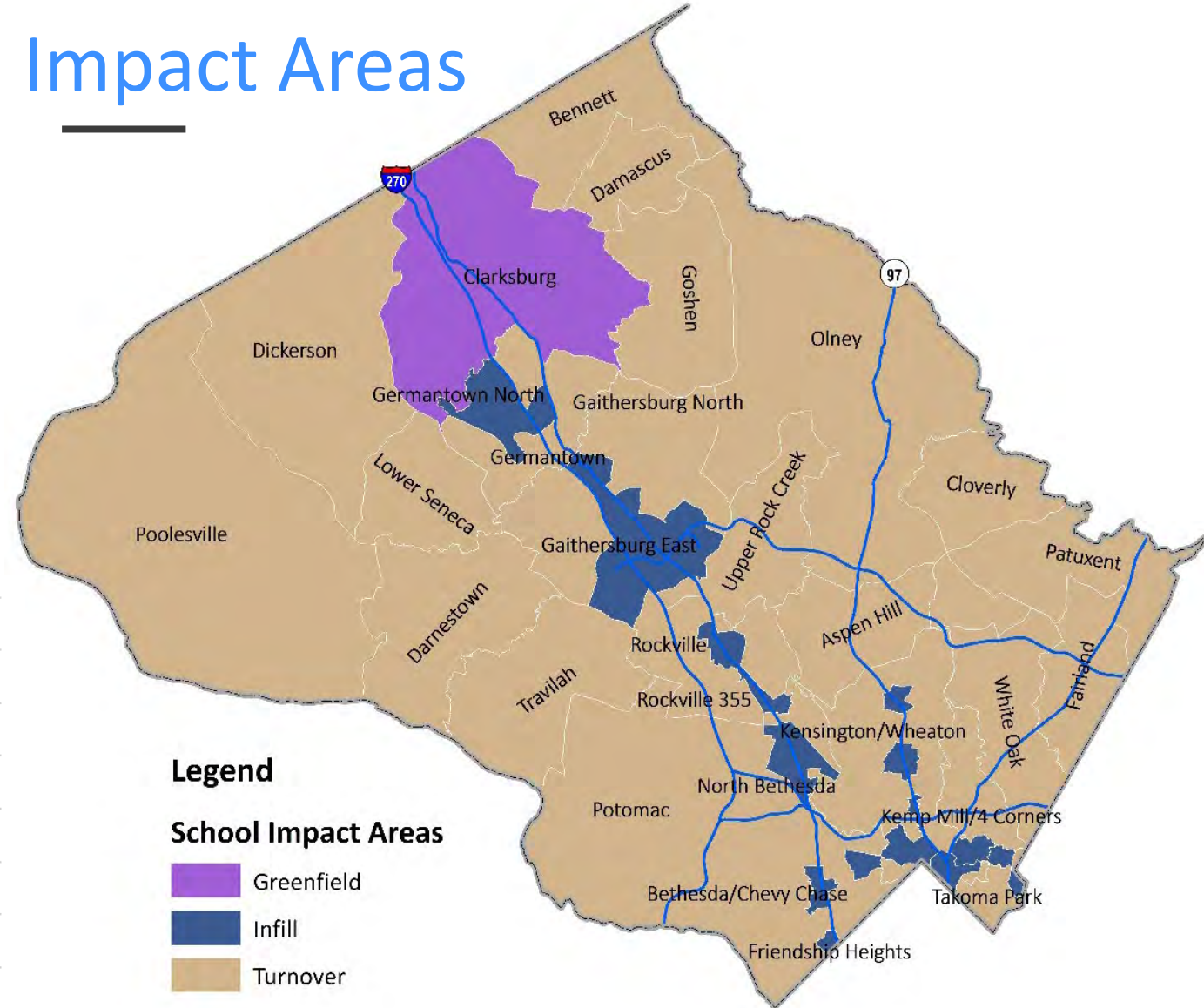
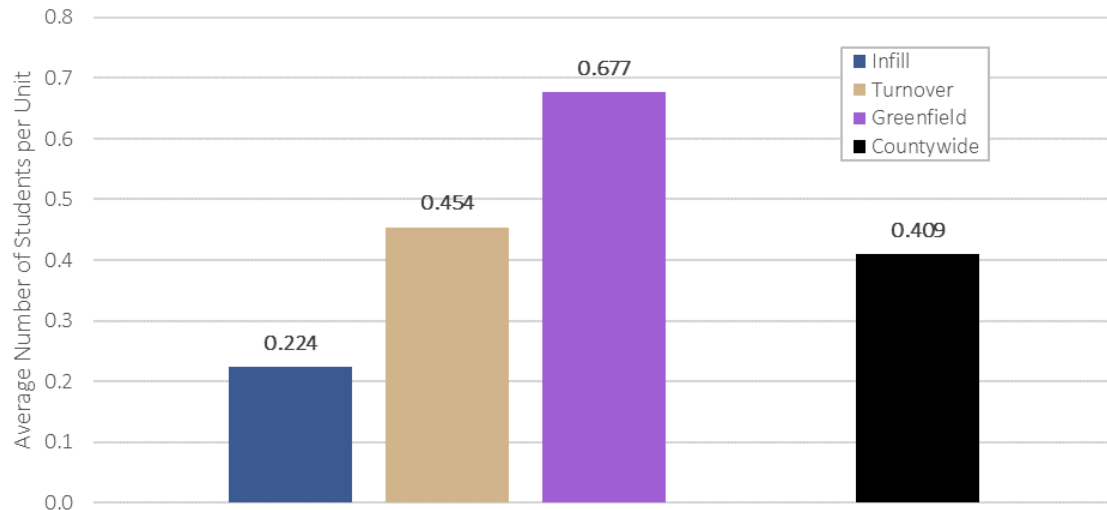
# School Impact Area Growth Rates, 2013-2018



# School Impact Areas

## R4.2

Classify all Red Policy Areas (Metro Station Policy Areas and Purple Line Station Policy Areas) as Infill Impact Areas.



# Annual School Test and Utilization Report

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## R4.3

**By January 1, 2021, the Planning Board must adopt a set of Annual School Test Guidelines, which outline the methodologies used to conduct the Annual School Test and to evaluate the enrollment impacts of development applications and master plans.**

# Annual School Test and Utilization Report

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R4.4

**The Annual School Test will be conducted at the individual school level only, for each and every elementary, middle and high school, for the purposes of determining school utilization adequacy.**

# Annual School Test and Utilization Report

## R4.5

The Annual School Test will evaluate projected school utilization three years in the future using the following school utilization adequacy standards:

School Adequacy Standards		Adequacy Status		
Projected Utilization	Projected Seat Deficit	Greenfield Impact Areas	Turnover Impact Areas	Infill Impact Areas
≤ 120%	N/A	Open	Open	Open
> 120%	N/A	UP Payments Required	UP Payments Required	UP Payments Required
> 125%	≥ 115 seats for ES ≥ 188 seats for MS N/A for HS	Moratorium		



# Annual School Test and Utilization Report

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## R4.6

**The Annual School Test will establish each school service area's adequacy status for the entirety of the applicable fiscal year.**

- There will be no staging ceiling or threshold against which a development application's enrollment impact is measured.
- The staging ceiling creates and places the fate of development applications on a false sense of precision.
- A school service area's status will not be changed during a fiscal year to reflect the impacts of prior approvals in the development pipeline.

# Annual School Test and Utilization Report

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## R4.7

**The Annual School Test will include a Utilization Report that will provide a *countywide* analysis of utilization at each school level.**

- This would provide a countywide context for an individual school's condition.
- The data reported should include historical and projected:
  - countywide utilization rates by level
  - share and number of schools at each level that fall into the following utilization categories: Up to 80%; 80-100%; 100-120%; Over 120%

# Annual School Test and Utilization Report

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## R4.8

**The Utilization Report will also provide additional utilization and facility condition information for each school, as available.**

- Will include data related to the facility conditions and infrastructure adequacy for each individual school:
  - historical and projected enrollment, program capacity, and utilization
  - the current number of relocatable (portable) classrooms at the school
  - the most current MCPS Key Facility Indicator data and
  - a list of the three nearest schools at the same school level along with the distance to the schools
  - information pertaining to the core capacity of each school and lunch periods, to the extent possible

# Residential Development Moratorium

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## R4.9

**Moratoria will only apply in Greenfield Impact Areas. The Planning Board cannot approve any preliminary plan of subdivision for residential uses in an area under a moratorium, unless it meets certain exceptions.**

- Moratorium will be possible in the Greenfield Impact Areas where **schools cannot keep pace with rapidly increasing enrollment** that is caused by new development.

# Residential Development Moratorium

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## R4.10

**Exceptions to residential development moratoria will include projects estimated to net fewer than one full student at a school in moratorium, and projects where the residential component consists entirely of senior living units.**

# Residential Development Moratorium

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## R4.11

**Establish a new exception that allows the Planning Board to approve residential development in a Greenfield Impact Area under a moratorium if:**

**1) a school (at the same level as any school causing the moratorium) is located within 3, 5 or 10 network miles (ES, MS or HS, respectively) of the proposed subdivision**

**AND**

**2) the school has a projected utilization less than or equal to 105%.**

# Residential Development Moratorium

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R4.12

**Eliminate the moratorium exception adopted in 2019 pertaining to projects providing high quantities of deeply affordable housing or projects removing condemned buildings.**

# Student Generation Rate Calculation

## R4.13

Calculate countywide and School Impact Area student generation rates by analyzing all single-family units and multifamily units built since 1990, without distinguishing multifamily buildings by height.

		Student Generation Rates			
		ES	MS	HS	K-12
Countywide	Single-Family Detached	0.198	0.111	0.155	0.464
	Single-Family Attached	0.222	0.115	0.151	0.487
	Multifamily (Since 1990)	0.066	0.030	0.036	0.133
Infill Impact Areas	Single-Family Detached	0.190	0.096	0.133	0.419
	Single-Family Attached	0.171	0.086	0.112	0.369
	Multifamily (Since 1990)	0.050	0.020	0.024	0.093
Turnover Impact Areas	Single-Family Detached	0.193	0.109	0.155	0.457
	Single-Family Attached	0.229	0.120	0.160	0.510
	Multifamily (Since 1990)	0.097	0.050	0.060	0.208
Greenfield Impact Areas	Single-Family Detached	0.336	0.181	0.206	0.724
	Single-Family Attached	0.318	0.141	0.158	0.618
	Multifamily (Since 1990)	0.253	0.131	0.149	0.532



# Development Application Review

## R4.14

**Amend Chapter 50, Article II, Section 4.3.J.7. of the County Code to require a development application to be retested for school infrastructure adequacy when an applicant requests an extension of their Adequate Public Facilities validity period.**

- The application would be reviewed for school infrastructure adequacy under the test that applies at the time of the extension request.

# Development Application Review

## R4.15

**Require MCPS to designate a representative to the Development Review Committee to better tie the development review process with school facility planning. Ensure this representative has appropriate authority to represent MCPS's official positions.**

- Beneficial to both agencies in terms of better understanding applicable school conditions, a development's potential impact on schools and any potential solutions.
- Opportunity for discussion about potential land dedications, school construction or facility improvements to be performed or paid by the applicant.

Recommendation was generally supported by the Board as it helps formalize the relationship between the agencies.

# Utilization Premium Payments

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## R4.16

**Require applicants to pay Utilization Premium Payments when a school's projected utilization three years in the future exceeds 120%.**

- Utilization Premium Payment exemptions include legacy approvals and MPDUs (and other affordable units).
- Condition of approval that would require a developer to pay any UP Payments that are applicable when it applies for its building permit.
- These should be calculated on a net unit basis, like impact taxes.
- Revenue would not be restricted for use at the school or cluster where it is generated.
- Per unit payment amount is calculated as a percentage of the standard impact tax rate, based on unit type and School Impact Area.
  - Elementary School UPP = 25% of standard impact tax
  - Middle School UPP = 15% of standard impact tax
  - High School UPP = 20% of standard impact tax

# Utilization Premium Payments

## R4.16

Require applicants to pay Utilization Premium Payments when a school's projected utilization three years in the future exceeds 120%.

		Single-family Detached	Single-family Attached	Multifamily
Infill Impact Areas	Elementary School	\$4,927	\$4,328	\$1,093
	Middle School	\$2,956	\$2,597	\$656
	High School	\$3,941	\$3,462	\$874
Turnover Impact Areas	Elementary School	\$5,396	\$5,982	\$2,422
	Middle School	\$3,237	\$3,589	\$1,453
	High School	\$4,316	\$4,786	\$1,938
Greenfield Impact Areas	Elementary School	\$8,452	\$7,173	\$6,225
	Middle School	\$5,071	\$4,304	\$3,735
	High School	\$6,762	\$5,738	\$4,980

# MONTGOMERY PLANNING VISION ZERO



**WORK PLAN**

Planning Board Recommendations

## Transportation Element



## Key Transportation Element Recommendations

- 5.2 Prioritize motor vehicle **mitigation strategies designed to improve travel safety.**
- 5.4 Introduce a **Vision Zero Impact Statement** for LATR studies.
- 5.5 Incorporate a safety analysis and Vision Zero tools into LATR, along with proportionally scoped **multimodal tests.**
- 5.6 Eliminate LATR motor vehicle adequacy tests in **Red Policy Areas.**
- 5.7 Expand **Critical Lane Volume (CLV) screening** to determine need for Highway Capacity Manual (HCM) motor vehicle delay analysis.
- 5.8 Increase the intersection delay standards for **transit corridor roadways** in Orange and Yellow policy areas.
- 5.9 Designate all **Purple Line Station policy areas** as Red policy areas.
- 5.11 Develop **policy area metrics** for master plan review related to auto and transit accessibility to jobs, travel times, vehicle miles traveled per capita, non-auto driver mode share, and bicycle accessibility.
- 5.15

# Vision Zero Integration

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## R5.1

**Design roads immediately adjacent to new development to account for all identified recommendations from applicable planning documents including Functional Plans, Master Plans and Area Plans.**

- Adopted - Bicycle Master Plan
- Completed – High Injury Network, Bicycle Level of Traffic Stress Map
- Ongoing - Pedestrian Master Plan, Predictive Safety Analysis, Pedestrian Level of Comfort Map, Predictive Safety Analysis, Pedestrian Level of Comfort Map, Vision Zero Toolkit and Complete Streets Design Guide

# Vision Zero Integration

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## R5.2

### **Prioritize motor vehicle mitigation strategies designed to improve travel safety.**

The developer must mitigate all failing LATR tests (safety, transit, bicycle, pedestrian and motor vehicle). Motor vehicle mitigation will be prioritized as follows:

1. transportation demand management (TDM) approaches to reduce vehicular demand
2. payment in lieu of mitigation
3. intersection operational improvements
4. roadway capacity improvements

*In the event that intersection operational improvements (#3 above) or roadway capacity improvements (#4) proposed by the developer run counter to the county's Vision Zero goals or directly detriment safety, transit or non-motorized improvements required by the other LATR tests, the Board may alternatively require the developer to make payments to MCDOT in lieu of motor vehicle mitigation.*



## Vision Zero Integration

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### R5.3

**Given the additional focus on Vision Zero principles in the development review process, designate a Vision Zero representative to the Development Review Committee (DRC) to review the development application and Vision Zero elements of LATR transportation impact studies and to make recommendations regarding how to incorporate the conclusions and safety recommendations of LATR transportation impact studies.**

The DRC plays an important role in the development review process and should be used as a platform to elevate travel safety principles. An appropriate individual with a focus on Vision Zero, representing a public agency or Vision Zero advocacy group, should be incorporated into the committee.

# Vision Zero Integration

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## R5.4

### **Introduce a Vision Zero Impact Statement for all LATR studies pertaining to subdivisions that will generate 50 or more peak-hour person trips.**

To ensure development is executed to better align with Vision Zero principles, all LATR studies must include a Vision Zero Impact Statement that describes:

- any segment of the high injury network located on the development frontage.
- crash analysis for the development frontage.
- an evaluation of the required sight distance for all development access points.
- identification of conflict points for drivers, bicyclists and pedestrians and a qualitative assessment of the safety of the conflict.
- a speed study including posted, operating, design and target speeds.
- any capital or operational modifications required to maximize safe access to the site and surrounding area, particularly from the Vision Zero Toolkit.

## Vision Zero Integration

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### R5.5

**For LATR studies of new development generating 50 or more peak-hour weekday person trips, couple current multi-modal transportation adequacy tests with options that can be implemented over time utilizing Vision Zero-related tools and resources currently available and under development. When the appropriate set of tools are operational, the current multi-modal transportation adequacy tests should be updated as follows.**

- A series of proportional tests that expand the scope of each LATR test based on the size and impact of the development project.

# Vision Zero Integration

## R5.5

### Vision Zero-enhanced revisions to the multi-modal transportation adequacy tests.

If an LATR study is required (50 peak-hour person trips generated) then:

	Current LATR	Recommended LATR	
		Red Policy Areas	Everywhere Else
<b>Motor Vehicle System Adequacy</b>	Scope of analysis proportional based on trips generated: <ul style="list-style-type: none"> <li>• HCM delay-based analysis for Red and Orange Policy Areas</li> <li>• CLV analysis in Yellow and Green Policy Areas, unless CLV&gt;1350, in which case the HCM analysis is required</li> </ul>	<b>Not Required</b>	Scope of analysis proportional based on trips generated: <ul style="list-style-type: none"> <li>• CLV screening analysis – if CLV exceeds the policy area standard, an HCM analysis is required</li> <li>• If HCM analysis shows a failing intersection, the applicant must mitigate its impact or down to the policy area standard, whichever is less</li> </ul>

# Vision Zero Integration

## R5.5

Each LATR study must examine, at a minimum, the number of signalized intersections in the following table, unless the Planning Board affirmatively finds that special circumstances warrant a more limited study.

Maximum Peak-Hour Vehicle Trips Generated	Minimum Signalized Intersections in Each Direction
< 250	1
250 – 749	2
750 – 1,249	3
1,250 – 1,749	4
1,750 – 2,249	5
2,250 – 2,749	6
> 2,750	7

# Vision Zero Integration

## R5.5

### Vision Zero-enhanced revisions to the multi-modal transportation adequacy tests.

If an LATR study is required (50 peak-hour person trips generated) then:

	Current LATR	Recommended LATR
<b>Safety System Adequacy</b>	Does not exist in the current LATR.	<p>Scope of analysis based on trips generated using the same proportionality used for the motor vehicle test <b>or within one mile of the site frontage (network distance, network includes roadways where vehicle trips are assigned), whichever is less:</b></p> <ul style="list-style-type: none"><li>• Conduct new test requiring a reduction in the overall estimated number of crashes at all intersections and street segments based on predictive safety performance functions</li></ul> <p><i>Safety System Adequacy test will take effect upon Planning Board approval following completion of the predictive safety analysis.</i></p>

# Vision Zero Integration

## R5.5

### Vision Zero-enhanced revisions to the multi-modal transportation adequacy tests.

If an LATR study is required (50 peak-hour person trips generated) then:

	Current LATR	Recommended LATR
<b>Transit System Adequacy</b>	<p>If 50 peak-hour <b>transit</b> trips:</p> <ul style="list-style-type: none"><li>• Inventory bus routes at stations/stops and coordinate with the transit service provider to identify and implement (or fund) improvements that would be needed to address conditions worse than LOS D within 1,000 feet of the site</li></ul>	<p>If 50 peak-hour <b>person</b> trips:</p> <ul style="list-style-type: none"><li>• Conduct existing adequacy test to ensure LOS D <i>within 500 feet of the site</i></li></ul> <p>If 100 peak-hour <b>person</b> trips:</p> <ul style="list-style-type: none"><li>• Conduct existing adequacy test to ensure LOS D <i>within 1,000 feet of the site</i></li></ul>

# Vision Zero Integration

## R5.5

### Vision Zero-enhanced revisions to the multi-modal transportation adequacy tests.

If an LATR study is required (50 peak-hour person trips generated) then:

	Current LATR	Recommended LATR
<b>Bicycle System Adequacy</b>	<p>If 50 peak-hour <b>non-motorized</b> trips:</p> <ul style="list-style-type: none"><li>Conduct adequacy test to ensure low Level of Traffic Stress conditions within 750 feet of the site frontage</li></ul>	<p>If 50 peak-hour <b>person</b> trips:</p> <ul style="list-style-type: none"><li>Conduct existing adequacy test to ensure low Level of Traffic Stress conditions <i>within 375 feet of the site frontage</i></li></ul> <p>If 100 peak-hour <b>person</b> trips:</p> <ul style="list-style-type: none"><li>Conduct existing adequacy test to ensure low Level of Traffic Stress conditions <i>within 750 feet of the site frontage</i></li></ul>



# Vision Zero Integration

## R5.5

### Vision Zero-enhanced revisions to the multi-modal transportation adequacy tests.

If an LATR study is required (50 peak-hour person trips generated) then:

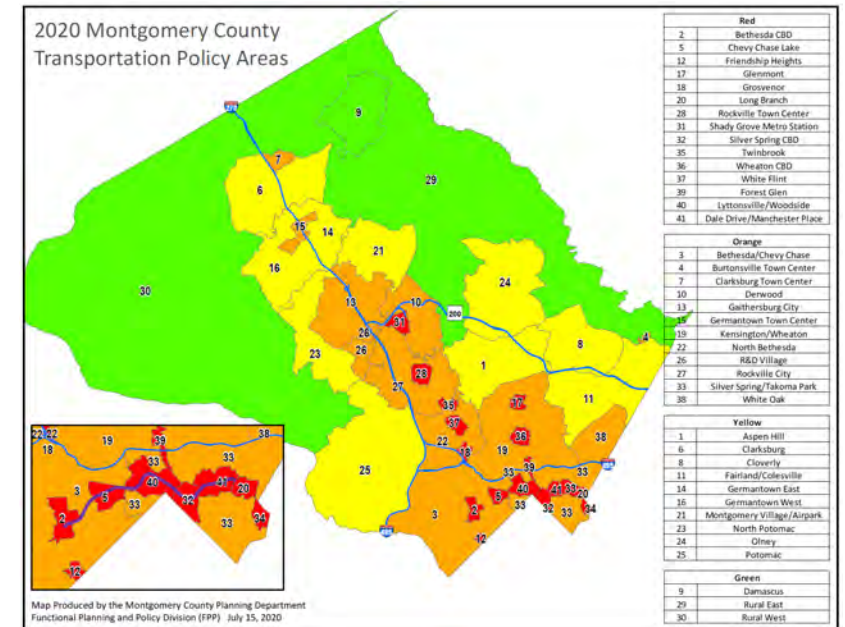
	Current LATR	Recommended LATR
<b>Pedestrian System Adequacy</b>	<p>If 50 peak-hour <b>pedestrian</b> trips:</p> <ul style="list-style-type: none"><li>• Require LOS D at any applicable crosswalk</li><li>• Require ADA compliance within 500 feet</li></ul>	<p>If 50 peak-hour <b>person</b> trips:</p> <ul style="list-style-type: none"><li>• Require new lighting review and a “very comfortable” or “somewhat comfortable” Pedestrian Level of Comfort score <i>within 250 feet of the site boundary, or to transit stops within 500 feet</i></li></ul> <p>If 100 peak-hour <b>person</b> trips:</p> <ul style="list-style-type: none"><li>• Require new lighting review and a “very comfortable” or “somewhat comfortable” Pedestrian Level of Comfort score <i>within 500 feet of the site boundary, or to transit stops within 1,000 feet</i></li></ul> <p>If 50 peak-hour <b>pedestrian</b> trips:</p> <ul style="list-style-type: none"><li>• Require ADA compliance within 500 feet</li></ul> <p><i>Updated Pedestrian System Adequacy test will take effect upon Planning Board approval of Pedestrian Level of Comfort map completion.</i></p>

# Motor Vehicle Congestion Standards

## R5.6

### Eliminate the LATR study requirement for motor vehicle adequacy in **Red Policy Areas (Metro Station Policy Areas and Purple Line Station Areas).**

- Why do this?
  - Capacity-based measures often result in mitigation requirements in conflict with Vision Zero
  - Leverage significant Metrorail investment to support desired development
  - Multi-modal environment provides alternative travel mode opportunities
  - Robust street grid disperses traffic
- Retain adequacy tests for non-auto modes (i.e., ped, bike and transit)



# Motor Vehicle Congestion Standards

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R5.7

**Expand the application of the Critical Lane Volume (CLV) analysis methodology as a screening tool to determine the necessity for the application of the more robust Highway Capacity Manual (HCM) analysis methodology for the motor vehicle transportation adequacy analysis.**

- This was a suggestion offered in Work Session #4 by Chair Anderson.

# Motor Vehicle Congestion Standards

## R5.7

	Recommended Motor Vehicle System Analysis
<b>Red Policy Areas</b>	No vehicle adequacy test
<b>Orange Policy Areas</b>	<ul style="list-style-type: none"><li>• If <math>CLV \leq</math> applicable Policy Area or BRT corridor standard, then intersection passes.</li><li>• If <math>CLV &gt;</math> applicable Policy Area or BRT corridor standard, then HCM analysis required.<ul style="list-style-type: none"><li>• If HCM delay <math>\leq</math> applicable Policy Area or BRT corridor standard, then intersection passes.</li><li>• If HCM delay <math>&gt;</math> applicable Policy Area or BRT corridor standard, then mitigation required down to the standard or the application's impact on delay (whichever is less)</li></ul></li></ul>
<b>Yellow Policy Areas</b>	
<b>Green Policy Areas</b>	

# Motor Vehicle Congestion Standards

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R5.8

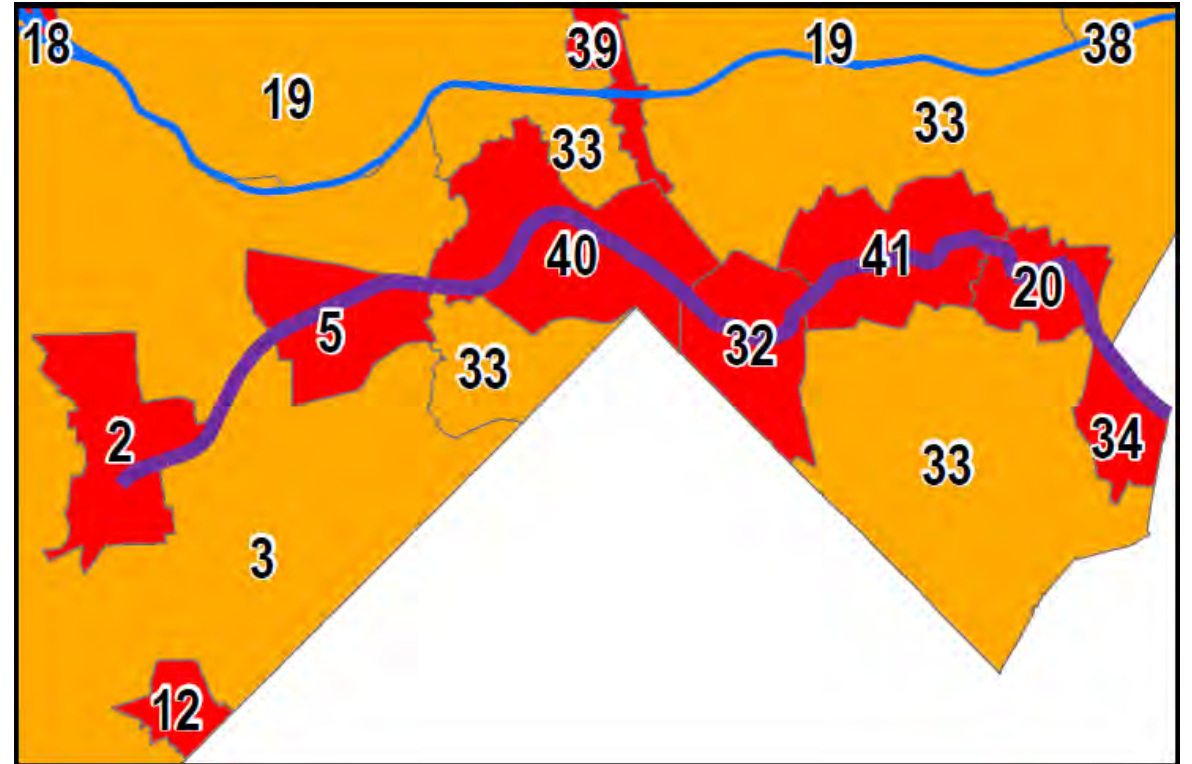
**Increase the intersection delay standards to 1,700 CLV and 100 seconds/vehicle for transit corridor roadways in Orange and Yellow policy areas to promote multi-modal access to planned Bus Rapid Transit service in transit corridors.**

# Motor Vehicle Congestion Standards

## R5.9

**Place all Purple Line Station policy areas (existing and proposed) in the Red policy area category.**

- Existing Purple Line Station policy areas:
  - Chevy Chase Lake (5)
  - Long Branch (20)
  - Takoma/Langley (34)
- Recommended Purple Line Station policy areas:
  - Lyttonsville/Woodside (40)
  - Dale Drive/Manchester Place (41)



# Transportation Monitoring

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## R5.10

**Continue producing the Travel Monitoring Report (formerly the Mobility Assessment Report) on a biennial schedule as a key travel monitoring element of the County Growth Policy.**

- The report summarizes the trends, data, and analysis results used to track and measure multi-modal transportation mobility conditions in Montgomery County.
- Provides information to residents and public officials regarding the state of the county's transportation system, showing not only how the system is performing, but also how it is changing and evolving.
- Given the desire to combine the MAR with the biennial monitoring element of the Bicycle Master Plan, change the name of the report to Travel Monitoring Report.

# Policy Area Review for Master Plans

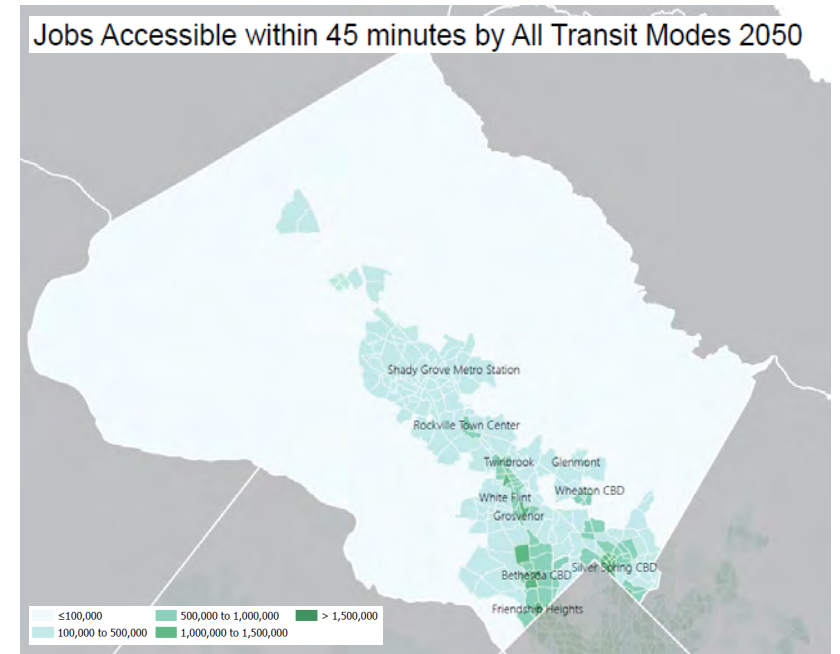
## R5.11

**The proposed auto and transit accessibility metric is the average number of jobs that can be reached within a 45-minute travel time by automobile or walk access transit.**

Number of jobs accessible within 45 minutes greater than future baseline conditions

Auto: 1,159,950 jobs on average

Transit: 134,160 jobs on average





# Policy Area Review for Master Plans

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## R5.12

**The proposed metric for auto and transit travel times is average time per trip, considering all trip purposes.**

Average travel time per trip (all trips) less than future baseline  
19 minutes for Auto (vs. 16 minutes existing)  
52 minutes for Transit (vs. 50 minutes existing)

## Policy Area Review for Master Plans

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### R5.13

**The proposed metric for vehicle miles traveled per capita is daily miles traveled per “service population,” where “service population” is the sum of population and total employment for a particular TAZ.**

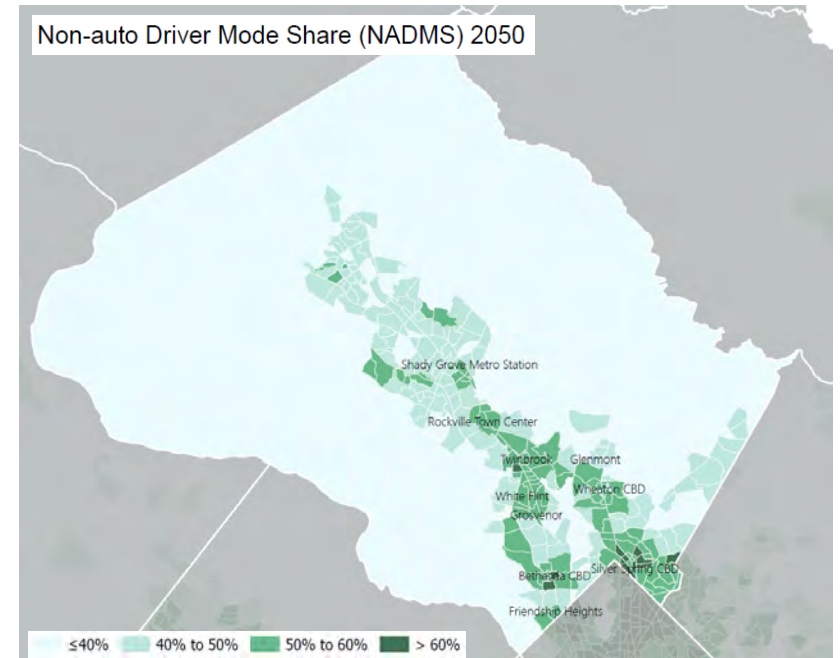
Daily vehicle miles traveled per “service population” less than future baseline  
service population = population + total employment  
12.4 VMT per capita (vs. 13.0 existing)

# Policy Area Review for Master Plans

## R5.14

**The proposed metric for non-auto driver mode share is the percentage of non-auto driver trips (i.e., HOV, transit and nonmotorized trips) for trips of all purposes.**

% of non-auto driver trips greater than future baseline  
46% NADMS for all trip purposes



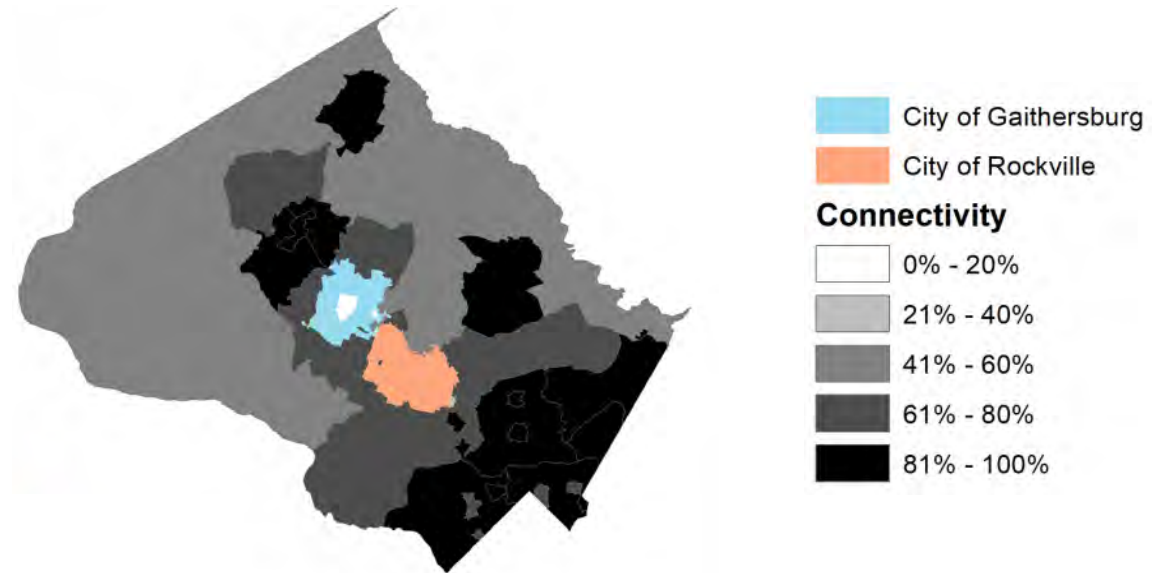
# Policy Area Review for Master Plans

## R5.15

The proposed metric for bicycle accessibility is the **Countywide Connectivity metric documented in the 2018 Montgomery County Bicycle Master Plan (page 200).**

Percentage of potential bicycle trips able to be made on a low-stress bicycling network (“appropriate for most adults” or “appropriate for most children”).

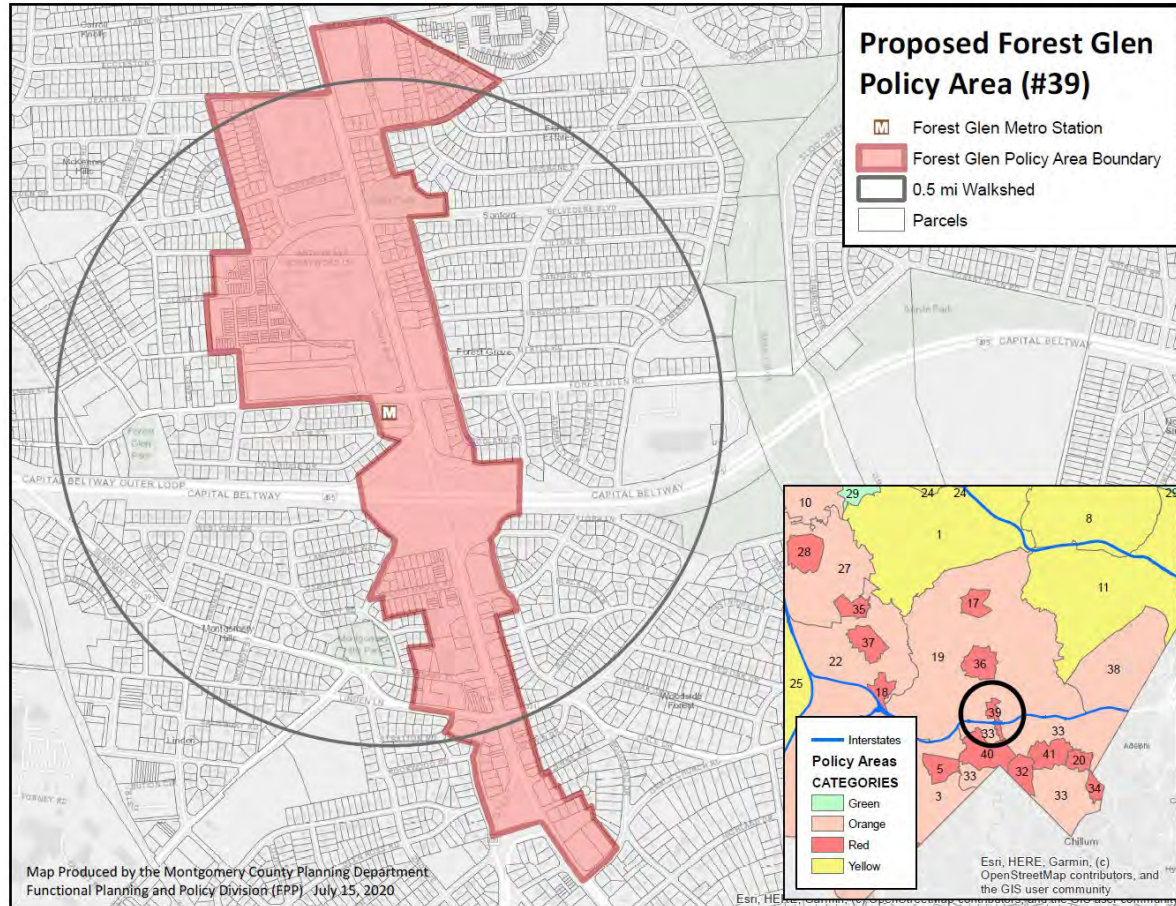
Consistent with approach for Objective 2.1 of Bicycle Master Plan – “Countywide Connectivity”



# Policy Area Designations

## R5.16

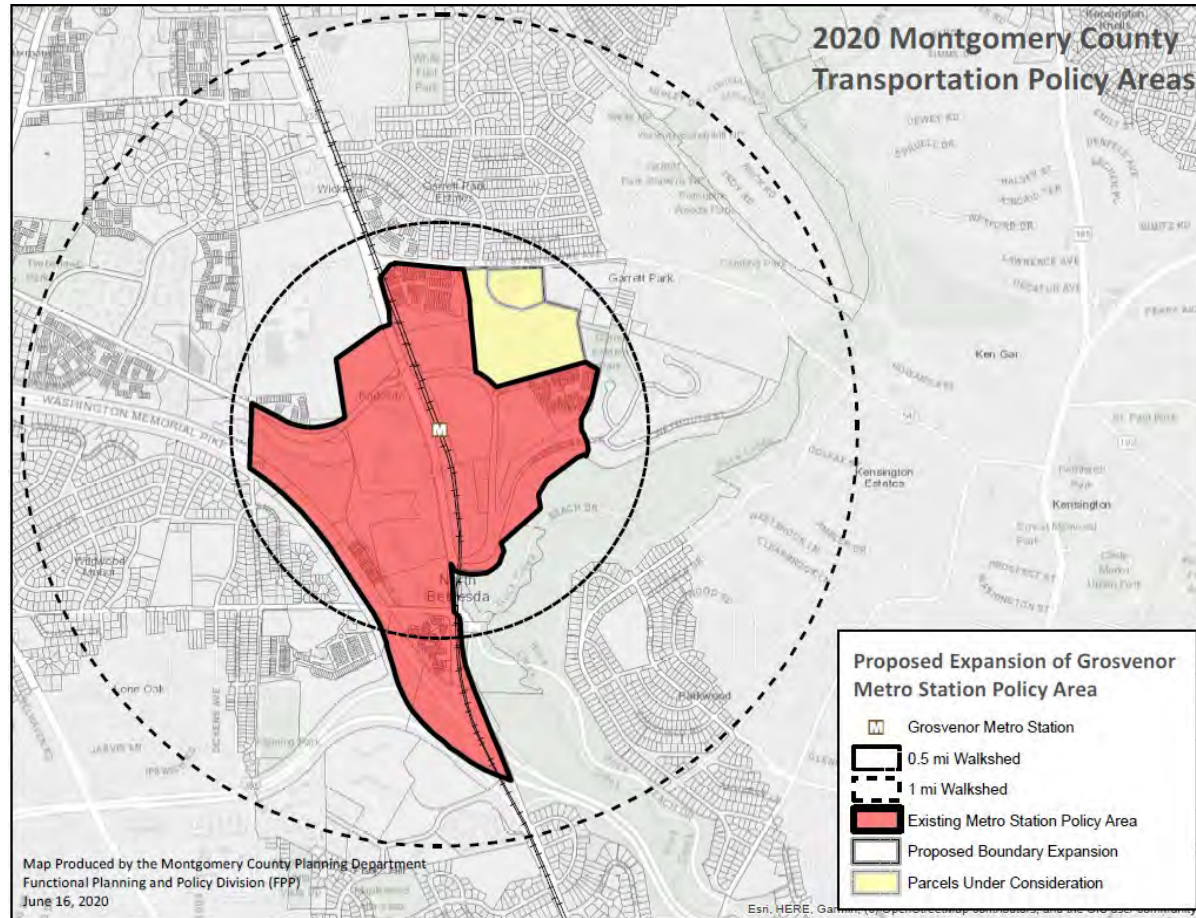
Define the boundary of the Forest Glen Metro Station Policy Area.



# Policy Area Designations

R5.17

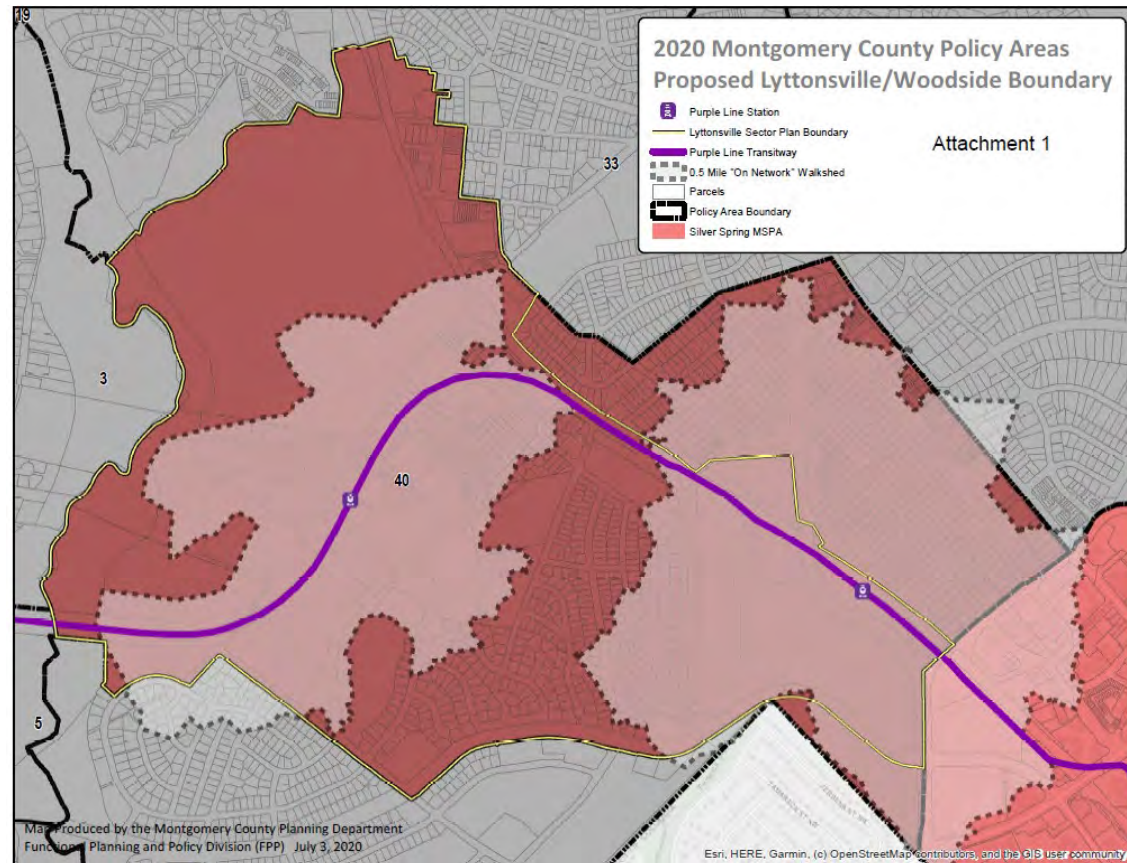
Expand the boundary of the Grosvenor Metro Station Policy Area.



# Policy Area Designations

## R5.18

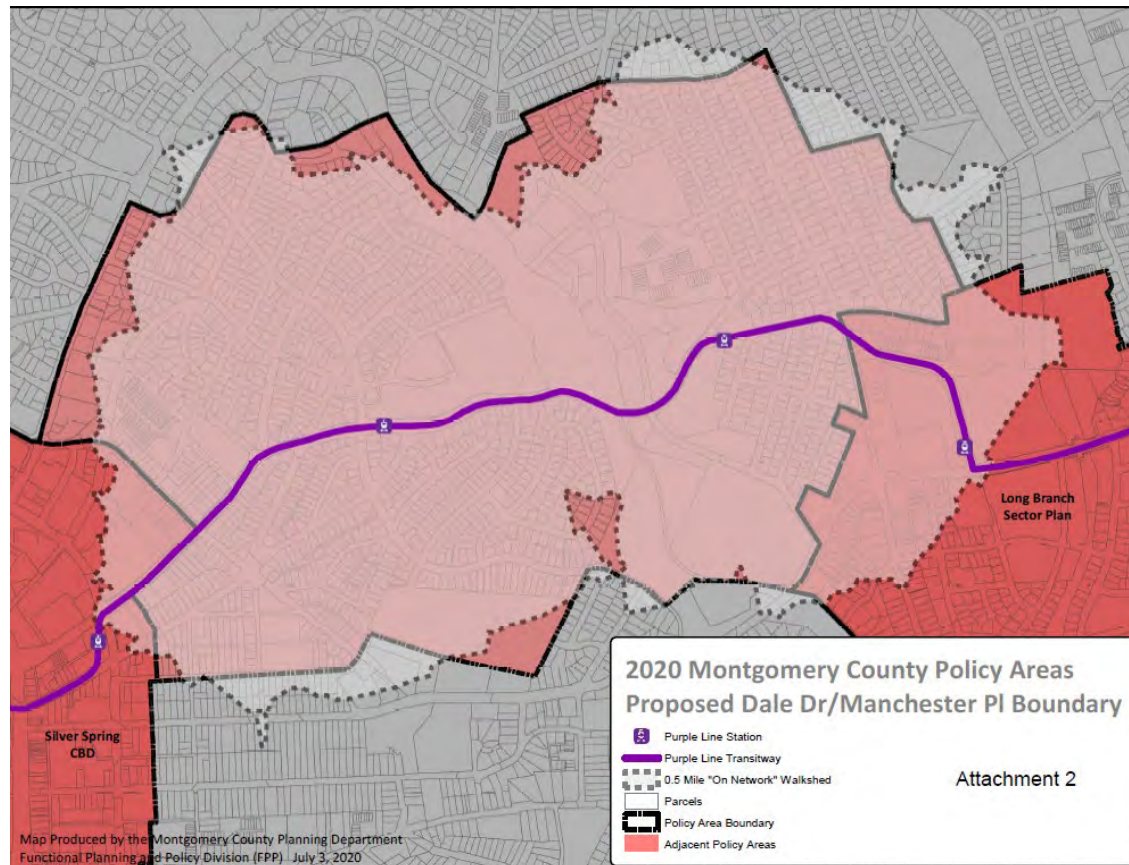
Establish the proposed Lyttonsville/Woodside Purple Line Station policy area as a Red policy area.



# Policy Area Designations

## R5.19

Establish the proposed Dale Drive/Manchester Place Purple Line Station policy area as a Red policy area.





Planning Board Recommendations  
Related Tax Policy





## Key Tax Recommendations

- 6.2 Calculate standard school impact taxes at **100% of the cost** of a student seat using School Impact Area student generation rates. Apply discount factors to single family attached and multifamily units to incentivize growth in certain **desired growth and investment areas**. Maintain the current 120% factor within the **Agricultural Reserve Zone**.
- 6.3 Allow school impact tax credits for **school facility improvements** constructed or funded by a developer.
- 6.5 Eliminate the current impact tax exemptions for development in **former Enterprise Zones**.
- 6.6 Exempt any development located in a **Qualified Opportunity Zone** from all development impact taxes.
- 6.7 Modify the current impact tax exemptions applied to all housing units when a project includes **25% affordable units**.
- 6.9 Incorporate progressive modifications into calculation of the **Recordation Tax** to provide additional funding for school construction and the county's Housing Initiative Fund.

# School Impact Taxes

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## R6.1

**Change the calculation of school impact taxes to include one tax rate for all multifamily units, in both low-rise and high-rise buildings, based on the student generation rate for multifamily units built since 1990.**

- This recommendation is consistent with the Recommendation 4.11 pertaining to updated student generation rates.

# School Impact Taxes

## R6.2

Calculate standard school impact taxes at 100% of the cost of a student seat using School Impact Area student generation rates. Apply discount factors to single family attached and multifamily units to incentivize growth in certain desired growth and investment areas. Maintain the current 120% factor within the Agricultural Reserve Zone.

	Current Factors	Proposed School Impact Tax Factors		
		Standard	Desired Growth Areas	AR Zone
Greenfield Impact Areas	120%	100%	N/A	120%
Turnover Impact Areas	120%	100%	60%	120%
Infill Impact Areas	120%	100%	60%	N/A

# School Impact Taxes

## Recommended New School Impact Tax Rates

		Single-family Detached	Single-family Attached	Multifamily
Infill Impact Areas	Standard	\$19,707	\$17,311	\$4,370
	Desired Growth	\$19,707	\$10,387	\$2,622
Turnover Impact Areas	Standard	\$21,582	\$23,928	\$9,688
	Desired Growth	\$21,582	\$14,357	\$5,813
	AR Zone	\$25,898	\$28,714	\$11,626
Greenfield Impact Areas	Standard	\$33,809	\$28,691	\$24,898
	AR Zone	\$40,571	\$34,429	\$29,878

	Single-family Detached	Single-family Attached	Multifamily	
			Low-Rise	High-Rise
Current Countywide Rates	\$26,207	\$27,598	\$21,961	\$6,113

## School Impact Taxes

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### R6.3

**Allow a school impact tax credit for any school facility improvement constructed or funded by a property owner with MCPS's agreement.**

- Credits are currently available for the value of dedicated land and improvements that add classroom capacity.
- This would allow a credit for improvements to facility conditions (roof replacements, HVAC system upgrades, etc.).

# School Impact Taxes

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## R6.4

### **Eliminate the current impact tax surcharge on units larger than 3,500 square feet.**

- Developers currently charged a premium surcharge of \$2.00 for each square foot exceeding 3,500 square feet, to a maximum of 8,500 square feet.
- No relationship between the size of a single-family unit and the number of public school students generated.

# Impact Tax Exemptions

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## R6.5

### **Eliminate the current impact tax exemptions for development in former Enterprise Zones.**

- Currently, all units built in Enterprise Zones or former Enterprise Zones are exempt from all impact taxes.
- Enterprise Zones are identified by the state and provide tax incentives for employers to create jobs.
- Former Enterprise Zones: Silver Spring CBD and Wheaton



# Impact Tax Exemptions

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## R6.6

**Any development located in a Qualified Opportunity Zone certified by the United States Treasury Department is exempt from development impact taxes.**

- Economically distressed community
- Nominated by state, certified by Secretary of US Treasury via delegation of authority to IRS
- Purpose of the Opportunity Zone program is to spur economic development and job creation in distressed communities by providing tax incentives for investors who invest new capital in businesses operating in one or more Qualified Opportunity Zones

# Impact Tax Exemptions

## R6.7

**Modify the current impact tax exemptions applied to all housing units when a project includes 25% affordable units to:**

1. Require the affordable units be placed in the county's or a municipality's MPDU program, and
2. Limit the exemption amount to the lowest standard impact tax in the county for the applicable dwelling type.

**Transition Clause:** This Act takes effect on March 1, 2021. The amendments to the development impact taxes added by Section 1 of this Act must apply to any application for a building permit filed on or after March 1, 2021. The amendments to the development impact taxes added by Section 2 of this Act must apply to any development for which a preliminary plan application is filed and accepted on or after March 1, 2021.

# Impact Tax Exemptions

## 25% MPDU Impact Tax Exemption Application - School Impact Tax

		Single-family Detached			Single-family Attached			Multifamily		
		Impact Tax	Exemption	To Pay	Impact Tax	Exemption	To Pay	Impact Tax	Exemption	To Pay
Infill Impact Areas	Standard	\$19,707	\$19,707	\$0	\$17,311	\$17,311	\$0	\$4,370	\$4,370	\$0
	Desired Growth	\$19,707	\$19,707	\$0	\$10,387	\$17,311	\$0	\$2,622	\$4,370	\$0
Turnover Impact Areas	Standard	\$21,582	\$19,707	\$1,875	\$23,928	\$17,311	\$6,617	\$9,688	\$4,370	\$5,318
	Desired Growth	\$21,582	\$19,707	\$1,875	\$14,357	\$17,311	\$0	\$5,813	\$4,370	\$1,443
	AR Zone	\$25,898	\$19,707	\$6,191	\$28,714	\$17,311	\$11,403	\$11,626	\$4,370	\$7,256
Greenfield Impact Areas	Standard	\$33,809	\$19,707	\$14,102	\$28,691	\$17,311	\$11,380	\$24,898	\$4,370	\$20,528
	AR Zone	\$40,571	\$19,707	\$20,864	\$34,429	\$17,311	\$17,118	\$29,878	\$4,370	\$25,508

## 25% MPDU Impact Tax Exemption Application - Transportation Impact Tax

	Single-family Detached			Single-family Attached			Multifamily Low-rise			Multifamily High-rise			Multifamily Senior		
	Impact Tax	Exemption	To Pay	Impact Tax	Exemption	To Pay	Impact Tax	Exemption	To Pay	Impact Tax	Exemption	To Pay	Impact Tax	Exemption	To Pay
Red Policy Area	\$7,838	\$7,838	\$0	\$6,413	\$6,413	\$0	\$4,986	\$4,986	\$0	\$3,561	\$3,561	\$0	\$1,424	\$1,424	\$0
Orange Policy Area	\$19,591	\$7,838	\$11,753	\$16,030	\$6,413	\$9,617	\$12,465	\$4,986	\$7,479	\$8,904	\$3,561	\$5,343	\$3,562	\$1,424	\$2,138
Yellow Policy Area	\$24,490	\$7,838	\$16,652	\$20,038	\$6,413	\$13,625	\$15,582	\$4,986	\$10,596	\$11,130	\$3,561	\$7,569	\$4,452	\$1,424	\$3,028
Green Policy Area	\$24,490	\$7,838	\$16,652	\$20,038	\$6,413	\$13,625	\$15,582	\$4,986	\$10,596	\$11,130	\$3,561	\$7,569	\$4,452	\$1,424	\$3,028

# Impact Tax Exemptions

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R6.8

**Continue to apply impact taxes on a net impact basis, providing a credit for any residential units demolished.**

- Maintains current policy.

# Recordation Tax

## R6.9

### **Incorporate progressive modifications into calculation of the Recordation Tax to provide additional funding for school construction and the county's Housing Initiative Fund.**

- The tax is progressive – the amount paid is based on the sales price and the rate paid increases at higher prices.
  - Given the increasing role that single-family turnover plays in enrollment growth, the Planning Board recommends a modification to the calculation of the recordation tax to contribute more funding to the MCPS capital budget.
- Exemptions
    - First \$100,000 if principal residence
    - First \$500,000 if first-time homebuyer
  - For each \$500 that the price exceeds \$100,000:
    - \$2.08 to the county's general fund
    - \$2.87 ~~\$2.37~~ to the MCPS CIP
  - For each \$500 that the price exceeds \$500,000:
    - \$1.15 to the CIP in general
    - \$0.50 to the MCPS CIP
    - \$1.15 to rental assistance
  - For each \$500 that the price exceeds \$1,000,000:
    - \$1.00 to the Housing Initiative Fund

# 2020 Update Schedule

July 2019	Staff kick-off
September 2019	Scope to the Planning Board
October 2019	Community Workshop
October 2019- February 2020	Advisory Group Engagement and Community Outreach
January-March 2020	Roundtable Discussions
May 28, 2020	Public Hearing Draft released
June 11, 2020	Public Hearing
June-July 2020	Planning Board Work Sessions
<b>Tomorrow</b>	<b>Final Approval of Planning Board Draft</b>
September 15, 2020	Council Public Hearing
September-October 2020	Council Committee and Full Council Work Sessions
November 10, 2020	Anticipated Council Adoption



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