



2020



Montgomery Planning | Functional Planning & Policy Division

2020 County Growth Policy

Planning Board Work Session #6

July 21, 2020

Upcoming Schedule

Today	Extra work session, 7:00 PM
July 30	Final Approval of Planning Board Draft to transmit to the County Council and County Executive
September	Council Public Hearing
September and October	Council Committee and Full Council Work Sessions
November 15	Deadline to adopt the new policy



Index of Recommendations

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
- ✓4.1.1 Treatment of Red Policy Areas

Annual School Test and Utilization Report

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

Residential Development Moratorium

- ✓4.8 Moratorium applicability
- ✓4.9 Moratorium exceptions – no student impacts
- ✓4.9.1 Moratorium exceptions – nearby capacity
- ✓4.10 Moratorium exceptions – affordable housing and condemned structures

Student Generation Rate Calculation

- ✓4.11 Calculation of student generation rates

Development Application Review

- ✗4.12 Planning Board review of school adequacy
- ✓4.13 APF extension requests – retesting for school adequacy
- ✗4.14 APF extension requests – set validity period limits
- ✓4.15 MCPS representation on the Development Review Committee

Utilization Premium Payments

- 4.16 Establishing and requiring Utilization Premium Payments



Index of Recommendations

CHAPTER 5. TRANSPORTATION ELEMENT RECOMMENDATIONS

Vision Zero Integration Into Local Area Transportation Review

- ✓ 5.1 Vision Zero Resources
- 5.2 Mitigation Prioritization
- 5.3 Development Review Committee
- ✓ 5.4 Vision Zero Impact Statement
- 5.5 Vision Zero Resources – Informed LATR

Motor Vehicle Congestion Standards

- ✓ 5.6 Application of LATR in Red Policy Areas
- 5.6.1 Motor Vehicle Adequacy Approach
- ✓ 5.7 Transit Corridor Congestion Standards
- ✓ 5.8 Purple Line Station Area Policy Area Categorization

Transportation Monitoring

- 5.9 Mobility Assessment Reporting Requirements

Policy Area Review for Master Plans

- ✓ 5.10 Auto and Transit Accessibility
- ✓ 5.11 Auto and Transit Travel Times
- ✓ 5.12 Vehicle Miles Traveled per Capita
- ✓ 5.13 Non-Auto Driver Mode Share
- ✓ 5.14 Low-Stress Bicycle Accessibility

Policy Area Designations

- ✓ 5.15 Forest Glen MSPA Boundary Establishment
- ✓ 5.16 Grosvenor MSPA Boundary Change
- ✓ 5.17 Lyttonsville/Woodside Red Policy Area Establishment
- ✓ 5.18 Dale Drive/Manchester Place Red Policy Area Establishment

CHAPTER 6. TAX RECOMMENDATIONS

School Impact Taxes

- ✓ 6.1 Calculating multifamily school impact taxes
- 6.2 School impact tax calculation factors
- ✓ 6.3 School impact tax credits
- ✓ 6.4 School impact tax surcharge on large units

Impact Tax Exemptions on Residential Uses

- 6.5 Enterprise Zone impact tax exemption
- 6.6 25% affordable impact tax exemption
- ✓ 6.7 Applying impact taxes on a net impact basis

Recordation Tax

- 6.8 Modifications to the Recordation Tax



Chapter 4. Schools Element Recommendations

Utilization Premium Payments



Utilization Premium Payments

R4.16

Require applicants to pay Utilization Premium Payments ~~in-Turnover and Infill Impact Areas~~ when a school's projected utilization three years in the future exceeds ~~120% established adequacy standards~~.

- 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 Board Decision

Require applicants to pay Utilization Premium Payments ~~in Turnover and Infill Impact Areas~~ when a school's projected utilization three years in the future exceeds ~~120% established adequacy standards~~.

		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

Chapter 6. Tax Recommendations

School Impact Taxes



School Impact Taxes

R6.1 Board Decision



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.

Recommendation was generally supported by the Board.

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 incentivize growth in certain **activity centers desired growth and investment areas**. Maintain the current 120% factor within the **Agricultural Reserve Zone**, ~~except for projects with a net increase of only one housing unit, in which case a 60% factor would be applied.~~

	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

Proposed New School Impact Tax Rates

		Calculation Factor	Single-family Detached	Single-family Attached	Multifamily Low-Rise	Multifamily High-Rise
Current Countywide Rates		120%	\$26,207	\$27,598	\$21,961	\$6,113
Infill Impact Areas	Standard	100%	\$19,707	\$17,311	\$4,370	
	Desired Growth	60%	\$11,824	\$10,387	\$2,622	
Turnover Impact Areas	Standard	100%	\$21,582	\$23,928	\$9,688	
	Desired Growth	60%	\$12,949	\$14,357	\$5,813	
	AR Zone	120%	\$25,898	\$28,714	\$11,626	
Greenfield Impact Areas	Standard	100%	\$33,809	\$28,691	\$24,898	
	AR Zone	120%	\$40,571	\$34,429	\$29,878	

School Impact Taxes

Impact Tax Comparison to Current Rates

		Single-family Detached	Single-family Attached	Multifamily	
				Low-Rise	High-Rise
Infill Impact Areas	Standard	-25%	-37%	-80%	-29%
	Desired Growth	-55%	-62%	-88%	-57%
Turnover Impact Areas	Standard	-18%	-13%	-56%	+58%
	Desired Growth	-51%	-48%	-74%	-5%
	AR Zone	-1%	+4%	-47%	+90%
Greenfield Impact Areas	Standard	+29%	+4%	+13%	+307%
	AR Zone	+55%	+25%	+36%	+389%

School Impact Taxes

Proposed New School Impact Tax Rates

R6.2 Board Decision

OPTION A: SFD Discount, Yes		Single-family Detached	Single-family Attached	Multifamily
Infill Impact Areas	Standard	\$19,707	\$17,311	\$4,370
	Desired Growth	\$11,824	\$10,387	\$2,622
Turnover Impact Areas	Standard	\$21,582	\$23,928	\$9,688
	Desired Growth	\$12,949	\$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

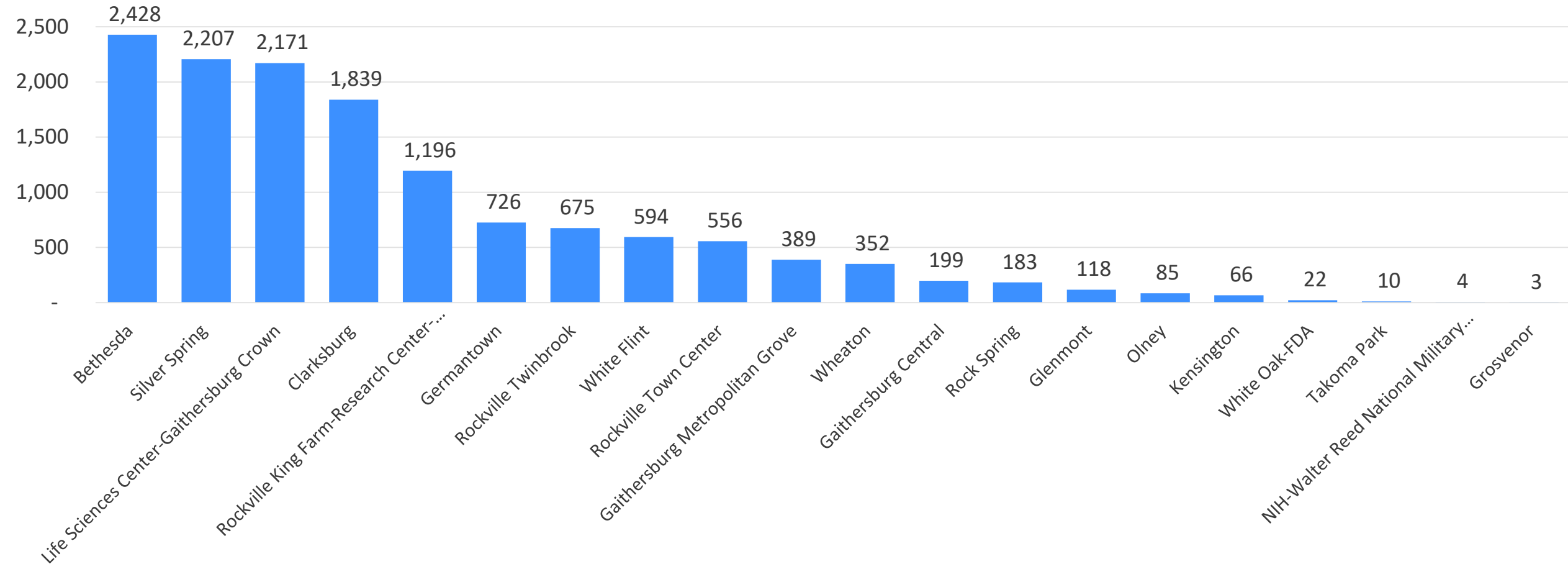
OPTION B: SFD Discount, No		Single-family Detached	Single-family Attached	Multifamily
Infill Impact Areas	Standard	\$19,707	\$17,311	\$4,370
	Desired Growth	N/A	\$10,387	\$2,622
Turnover Impact Areas	Standard	\$21,582	\$23,928	\$9,688
	Desired Growth	N/A	\$14,357	\$5,813
	AR Zone	\$25,898	\$28,714	\$11,626
Greenfield Impact Areas	Standard	\$33,809	\$28,691	\$24,898
	AR Zone	\$40,571	\$34,429	\$29,878

School Impact Taxes

Designation Type	Criteria	Agency	Purpose
Equity Emphasis Area	Census tracts with significant concentrations of low-income or minority population groups	Adopted by National Capital Region Transportation Planning Board (TPB)	Primary purpose is to identify regional impacts of planned transportation projects as whole by comparing accessibility and mobility measures for the Equity Emphasis Areas compared to the rest of the region. Additionally, can be used to assist with considering equity in initiatives such as education, health, and green space.
Opportunity Zone	Economically distressed community	Nominated by state, certified by Secretary of US Treasury via delegation of authority to IRS	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 (QOZ).
Activity Center	Include existing urban centers, priority growth areas, traditional towns, and transit hubs	Developed with local planning officials and the Region Forward Coalition and approved by the COG Board	To help guide land use and transportation planning decisions to concentrate growth.

School Impact Taxes

Units Built by Activity Center (2015 - 2019)



School Impact Taxes

R6.2

Montgomery Planning staff recommends including:

1. All portions of COG Activity Centers located in Infill and Turnover Impact Areas, except for:
 - **Large Activity Centers Not Projected for Growth:**
Olney and Kensington
 - **Other Activity Centers Not Projected for Growth:**
NIH Walter Reed
 - **Activity Centers Already Experiencing High Levels of Growth:**
Bethesda and Clarksburg
2. For now, include all Activity Centers located within the Cities of Gaithersburg and Rockville (Gaithersburg Kentlands, Gaithersburg Central, Gaithersburg Metropolitan Grove, Rockville Tower Oaks, Rockville Town Center), but defer to municipal leaders on whether to apply the discount to each Activity Center.
3. Planned and existing BRT corridors:
 - All parcels with centroids falling within a 500-foot buffer of the BRT line

School Impact Taxes

R6.2

Other potential considerations:

1. Adding all Opportunity Zones to the Desired Growth discount areas. There has also been a push to completely exempt all Opportunity Zones from all impact taxes, just as we have done with the Enterprise Zones.
2. Consider applying this same discount to the transportation impact taxes.

School Impact Taxes

Proposed New School Impact Tax Rates

OPTION A: Greenfield Impact Areas Rates		Single-family Detached	Single-family Attached	Multifamily
Infill Impact Areas	Standard	\$19,707	\$17,311	\$4,370
	Desired Growth	\$11,824	\$10,387	\$2,622
Turnover Impact Areas	Standard	\$21,582	\$23,928	\$9,688
	Desired Growth	\$12,949	\$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

OPTION B: County SGRs Used for Greenfield Impact Areas		Single-family Detached	Single-family Attached	Multifamily
Infill Impact Areas	Standard	\$19,707	\$17,311	\$4,370
	Desired Growth	\$11,824	\$10,387	\$2,622
Turnover Impact Areas	Standard	\$21,582	\$23,928	\$9,688
	Desired Growth	\$12,949	\$14,357	\$5,813
	AR Zone	\$25,898	\$28,714	\$11,626
Greenfield Impact Areas	Standard	\$21,893	\$22,920	\$6,157
	AR Zone	\$26,272	\$27,504	\$7,388

School Impact Taxes

R6.3 Board Decision



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

Recommendation was generally supported by the Board.

School Impact Taxes

R6.4 Board Decision



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.

Recommendation was generally supported by the Board.

Chapter 6. Tax Recommendations

Impact Tax Exemptions on Residential Uses





Impact Tax Exemptions on Residential Uses Recommendations

- 6.5 Eliminate the current impact tax exemptions for development in former Enterprise Zones.
- 6.6 Modify the current impact tax exemptions applied to all housing units when a project includes 25% affordable units to:
 - 1. not apply the exemption to school impact taxes in the Greenfield Impact Areas,
 - 2. require the affordable units be placed in the county's MPDU program, and
 - 3. require the project to include two times the standard share of MPDUs applicable to the project location.
- 6.7 Continue to apply impact taxes on a net impact basis, providing a credit for any residential units demolished.

Impact Tax Exemptions on Residential Uses

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
- Alternatively, we recommend applying an impact tax discount to development within identified Activity Centers, as discussed in Recommendation 6.2.

/ Chapter 6. Tax Recommendations /

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 incentivize growth in certain activity centers desired growth and investment areas. Maintain the current 120% factor within the Agricultural Reserve Zone, except for projects with a net increase of only one housing unit, in which case a 60% factor would be applied.

	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

2020 County Growth Policy Work Session #6 07/21/2020 10

Impact Tax Exemptions on Residential Uses

R6.5 Board Decision

CURRENT POLICY	OPTION A Public Hearing Draft	OPTION B Alternate Suggestion	OPTION C Alternate Suggestion
Development in all current and former state-designated Enterprise Zones is 100% exempt from paying impact taxes.	Maintain the exemption for current Enterprise Zones but eliminate the exemption for former Enterprise Zones.	Transition former Enterprise Zones over a four year period: <ul style="list-style-type: none">• Year 1 – pay 0%• Year 2 – pay 25%• Year 3 – pay 50%• Year 4 – pay 75%• Year 5 – pay 100%	Maintain the impact tax exemptions for a period of five years from the date the Enterprise Zone designation ends.

Impact Tax Exemptions on Residential Uses

R6.6

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

1. not apply the exemption to school impact taxes in the Greenfield Impact Areas,
 2. require the affordable units be placed in the county's **or a municipality's** MPDU program, and
 3. require the project to include two times the standard share of MPDUs applicable to the project location.
- **Greenfield Impact Areas.** These areas are experiencing high amounts of residential development generating large numbers of students.
 - Do not want to incentivize growth through impact tax policy in these areas.
 - Schools struggling to keep pace, should be a priority to ensure impact taxes are paid when residential development occurs.

Impact Tax Exemptions on Residential Uses

R6.6

- **MPDU Program.** Require MPDUs not just “affordable units.”
 - Ensures the control period on the units is maximized – 99 years.
 - Other affordable housing programs have shorter control periods.
- **Share of MPDUs.** requirement used to be 12.5%, now 15% in some areas.
 - Lost impact tax revenue per each additional MPDU, can be quite hefty.
 - Recommend doubling the MPDU share required to receive this exemption.

Impact Tax Exemptions on Residential Uses

R6.6 Board Decision

	CURRENT POLICY	OPTION A Public Hearing Draft	OPTION B1 Chair's Suggestion	OPTION B2 Chair's Suggestion
Applicability	Exemption allowed everywhere	Exemption not allowed in Greenfield Impact Areas	Exemption allowed everywhere	Exemption allowed everywhere
Eligibility Requirements	25% affordable units	Double the otherwise required number of MPDUs	25% MPDUs	25% MPDUs
Exemption Offered	Full exemption on all market rate units	Full exemption on all market rate units	Exemption only equal to the lowest possible standard impact tax rate	Exemption only equal to the lowest standard impact tax rate for unit type

Impact Tax Exemptions on Residential Uses

OPTION B1 (Lowest Overall)		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	\$4,370	\$15,337	\$17,311	\$4,370	\$12,941	\$4,370	\$4,370	\$0
	Activity Center	\$11,824	\$4,370	\$7,454	\$10,387	\$4,370	\$6,017	\$2,622	\$4,370	\$0
Turnover Impact Areas	Standard	\$21,582	\$4,370	\$17,212	\$23,928	\$4,370	\$19,558	\$9,688	\$4,370	\$5,318
	Activity Center	\$12,949	\$4,370	\$8,579	\$14,357	\$4,370	\$9,987	\$5,813	\$4,370	\$1,443
	AR Zone	\$25,898	\$4,370	\$21,528	\$28,714	\$4,370	\$24,344	\$11,626	\$4,370	\$7,256
Greenfield Impact Areas	Standard	\$33,809	\$4,370	\$29,439	\$28,691	\$4,370	\$24,321	\$24,898	\$4,370	\$20,528
	AR Zone	\$40,571	\$4,370	\$36,201	\$34,429	\$4,370	\$30,059	\$29,878	\$4,370	\$25,508

OPTION B2 (Lowest of Same Type)		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
	Activity Center	\$11,824	\$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
	Activity Center	\$12,949	\$19,707	\$0	\$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

Impact Tax Exemptions on Residential Uses

OPTION B1 (Lowest Overall)	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	\$3,561	\$4,277	\$6,413	\$3,561	\$2,852	\$4,986	\$3,561	\$1,425	\$3,561	\$3,561	\$0	\$1,424	\$3,561	\$0
Orange Policy Area	\$19,591	\$3,561	\$16,030	\$16,030	\$3,561	\$12,469	\$12,465	\$3,561	\$8,904	\$8,904	\$3,561	\$5,343	\$3,562	\$3,561	\$1
Yellow Policy Area	\$24,490	\$3,561	\$20,929	\$20,038	\$3,561	\$16,477	\$15,582	\$3,561	\$12,021	\$11,130	\$3,561	\$7,569	\$4,452	\$3,561	\$891
Green Policy Area	\$24,490	\$3,561	\$20,929	\$20,038	\$3,561	\$16,477	\$15,582	\$3,561	\$12,021	\$11,130	\$3,561	\$7,569	\$4,452	\$3,561	\$891

OPTION B2 (Lowest of Same Type)	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 on Residential Uses

R6.6 Board Decision

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

Transition Clause: There is concern that the draft transition clause (at the end of the draft Impact Tax Bill in Appendix N) places an unfair burden on applicants that have been moving through the entitlement process with the expectation of getting the exemption as it exists today.

OPTION A Public Hearing Draft	OPTION B 2016 Impact Tax Amendment	OPTION C Alternate Suggestion
The amendments made in Section 1 must apply to any development that receives site plan approval from the Planning Board after this Act takes effect.	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, 2017.	The amendments made in Section 1 must apply to any development for which a preliminary plan application is filed and accepted after this Act takes effect.

Impact Tax Exemptions on Residential Uses

R6.7 Board Decision



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

- Maintains current policy.

Recommendation was generally supported by the Board.

A photograph of a classroom with several rows of blue plastic chairs and wooden desks. The chairs have a modern, angular design. The desks are attached to the chairs. The background is slightly blurred, showing more of the classroom. A large blue shape with a white border is overlaid on the left side of the image, containing the text.

Chapter 6. Tax Recommendations

Recordation Tax

Recordation Tax

R6.8

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

- All of the funding options considered thus far are developer paid.
- The recordation tax is paid on the sale of a property by the purchaser.
- 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, staff recommends a modification to the calculation of the recordation tax to contribute more funding to the MCPS capital budget.

Recordation Tax

Current Recordation Tax

- Exemption
 - First \$100,000 if principal residence
- For each \$500 that the price exceeds \$100,000:
 - \$2.08 to the county's general fund
 - \$2.37 to the MCPS CIP
- For each \$500 that the price exceeds \$500,000:
 - \$1.15 to the CIP in general
 - \$1.15 to rental assistance



Recordation Tax

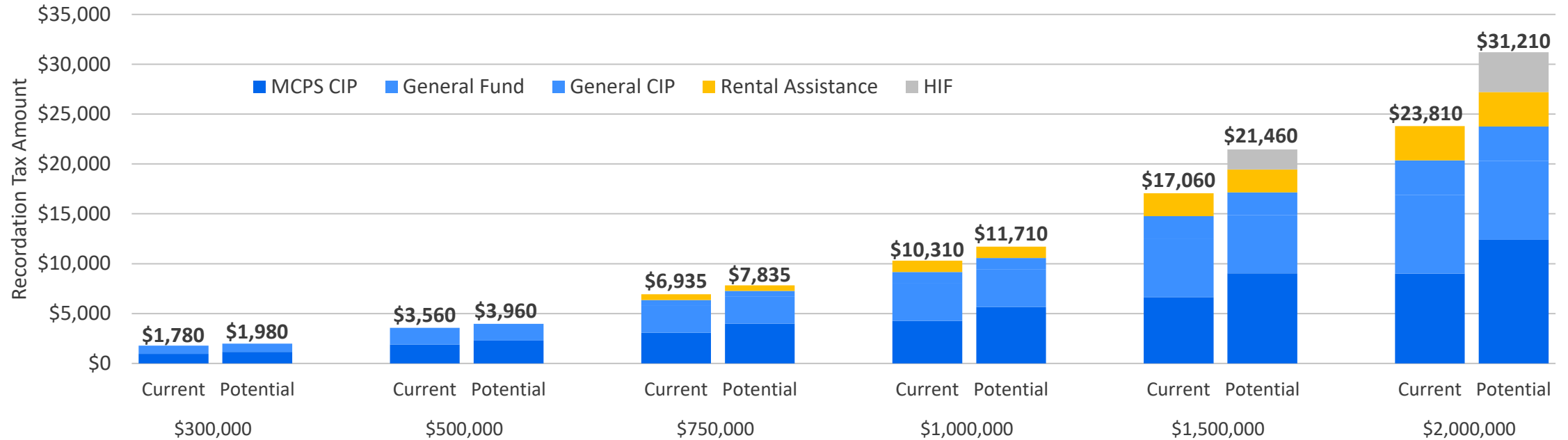
Proposed Recordation Tax

- 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



Recordation Tax

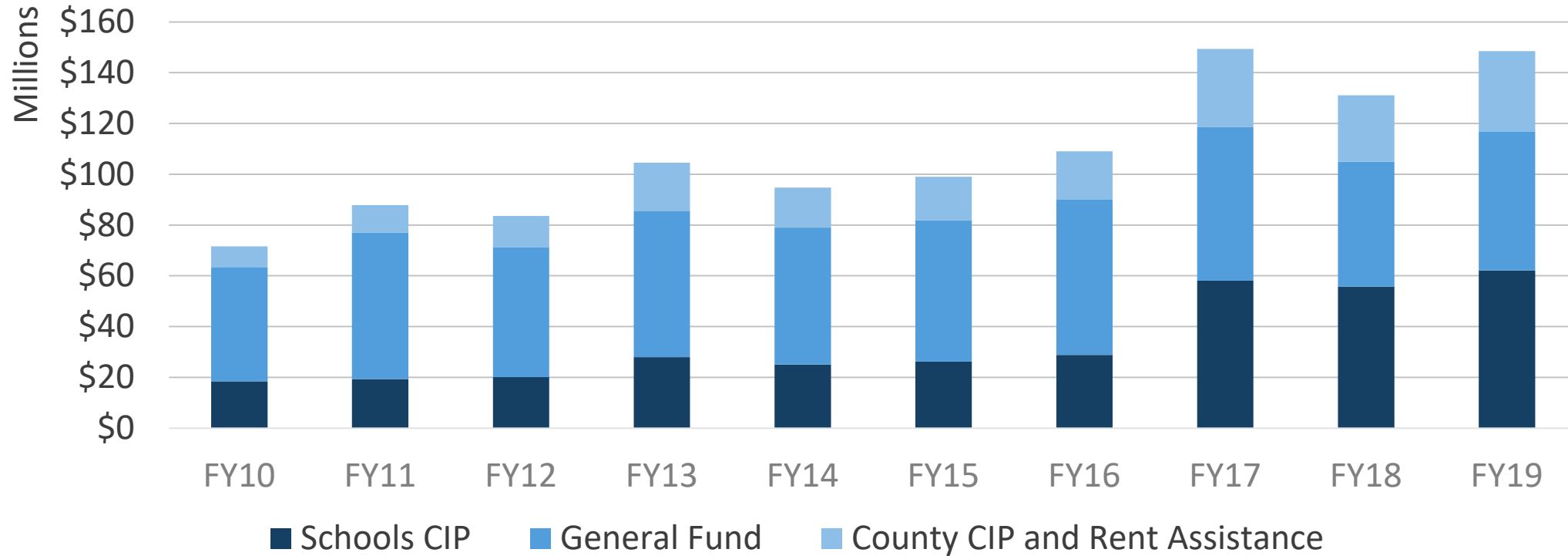
Potential Change to Recordation Tax and Components by Home Sales Price



	\$300,000	\$500,000	\$750,000	\$1,000,000	\$1,500,000	\$2,000,000
Tax Increase	11%	11%	13%	14%	26%	31%
Tax Increase Amount	\$200	\$400	\$900	\$1,400	\$4,400	\$7,400
Increase as Share of Price	0.07%	0.13%	0.12%	0.14%	0.29%	0.37%
MCPS Funding Increase	21%	21%	29%	33%	36%	38%

Recordation Tax

Historical Recordation Tax Revenue



- Estimated that the proposed change would have generated approximately \$20 million more in revenue for school construction in FY19 (this does not account for the proposed first-time homebuyer exemption).

MONTGOMERY PLANNING VISION ZERO

Chapter 5. Transportation Element Recommendations

Vision Zero Integration Into Local Area Transportation Review

WORK PLAN



Vision Zero Integration

R5.1 Board Decision



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

Recommendation was generally supported by the Board.

Vision Zero Integration

R5.3 Board Decision

Given the additional focus on Vision Zero principles in the development review process, ~~add a specific 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

R5.4 Board Decision



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

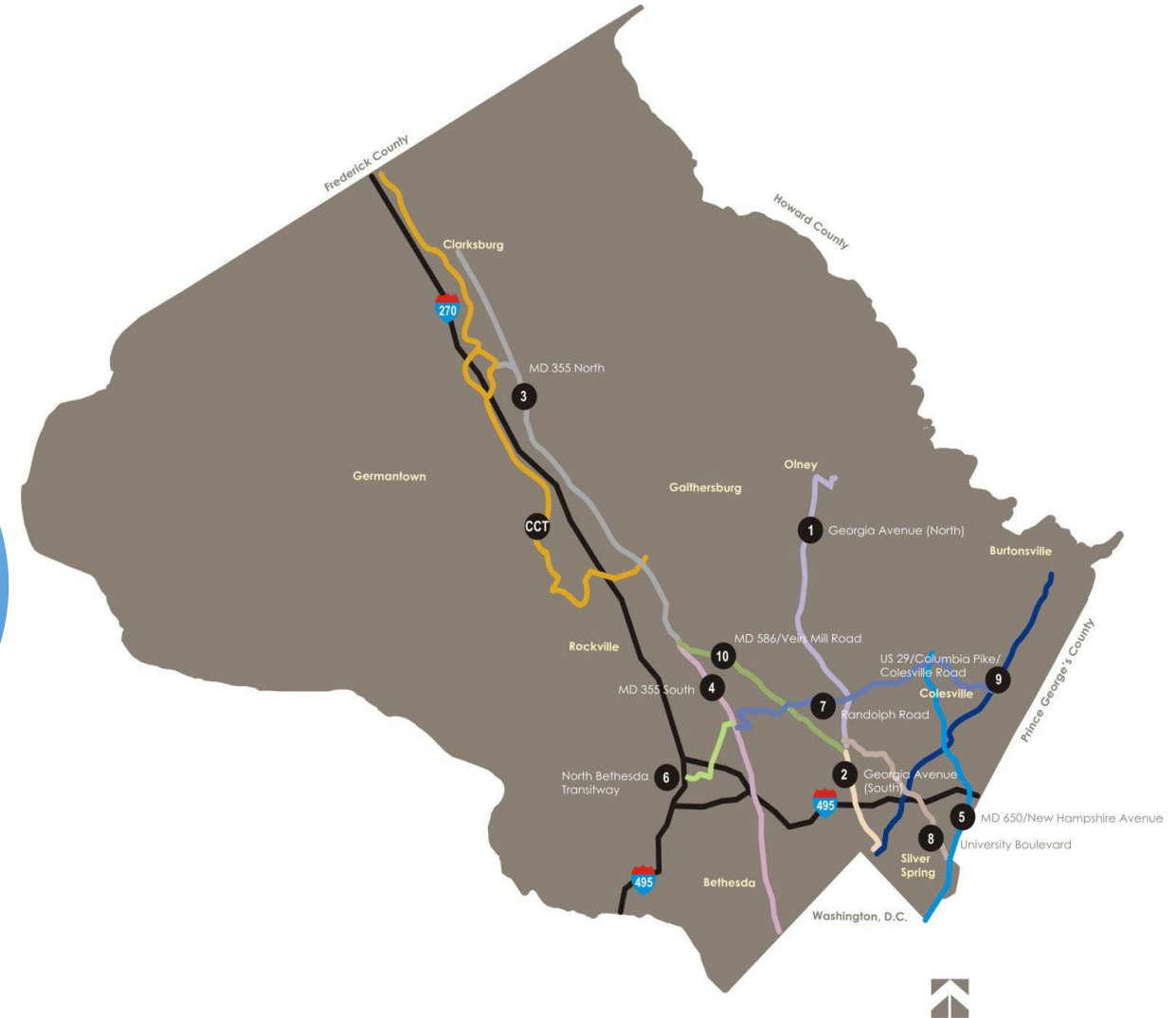
To ensure development is executed to better align with Vision Zero principles, all LATR studies must include a Vision Zero Impact Statement that describes:

- 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.

Recommendation was generally supported by the Board.

Chapter 5. Transportation Element Recommendations

Motor Vehicle Congestion Standards



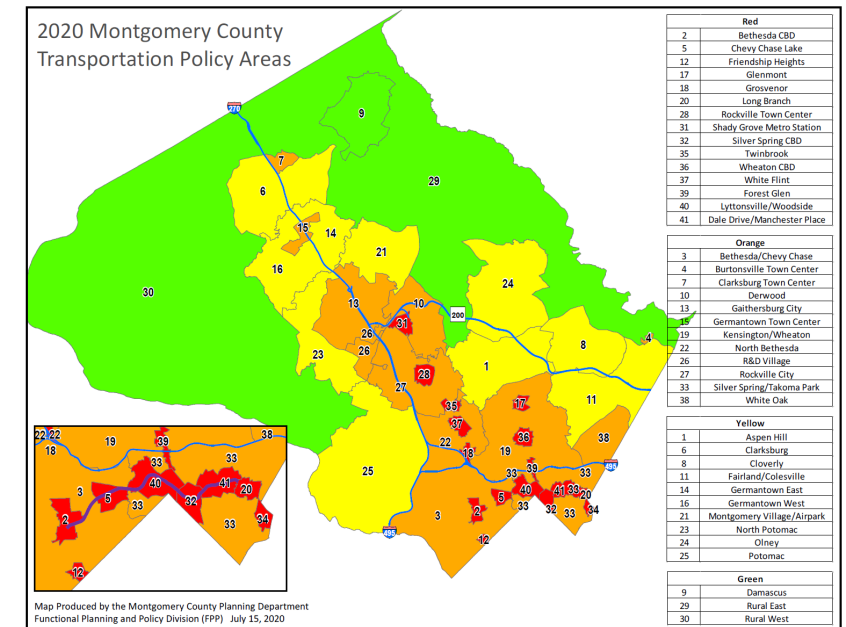
Motor Vehicle Congestion Standards

R5.6 Board Decision



Eliminate the LATR study requirement for motor vehicle adequacy in **Red Policy Areas (MSPAs 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

R5.7 Board Decision



Increase the intersection delay standard to 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.

Recommendation was generally supported by the Board.

Motor Vehicle Congestion Standards

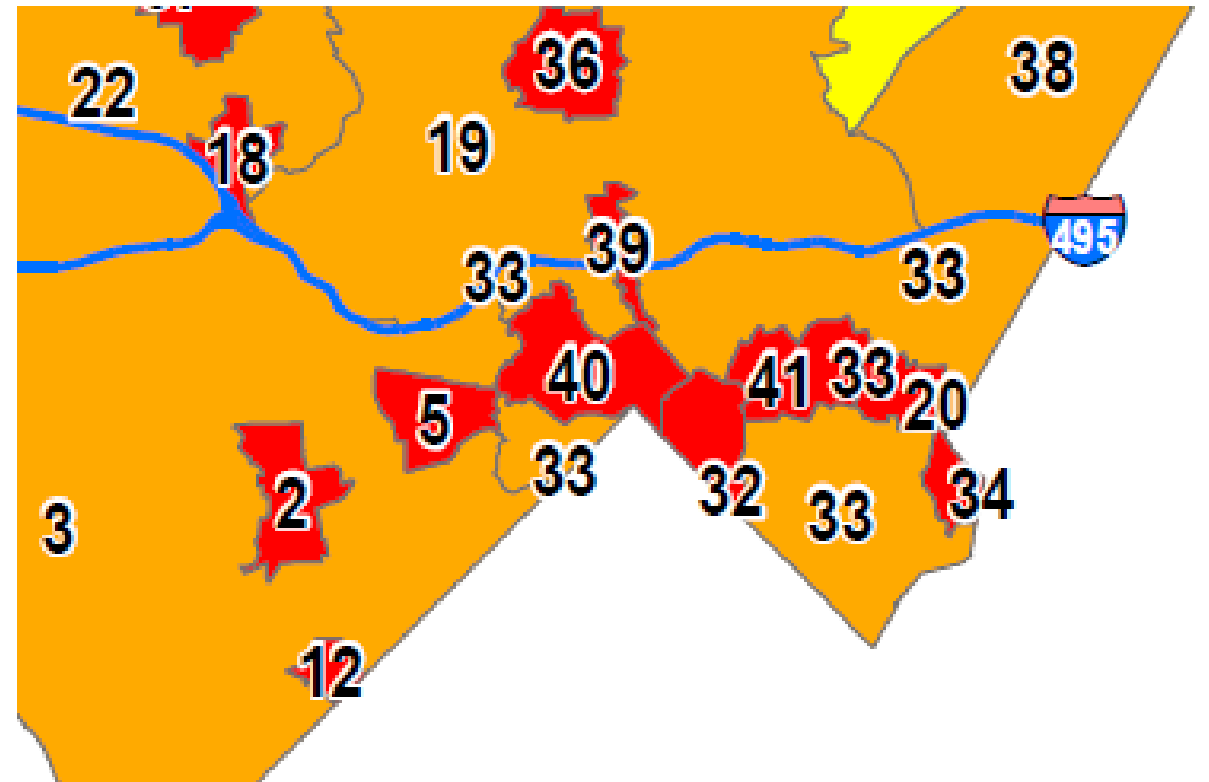
R5.8 Board Decision



Place all Purple Line Station policy areas in the Red policy area category.

- Existing Purple Line Station policy areas:
 - Chevy Chase Lake
 - Long Branch
 - Takoma/Langley
- Recommended Purple Line Station policy areas:
 - Lyttonsville/Woodside
 - Dale Drive/Manchester Place

Recommendation was generally supported by the Board.



Chapter 5. Transportation Recommendations

Transportation Monitoring



Transportation Monitoring

R5.9 Board Decision

Continue producing the Travel Monitoring Report (formerly the Mobility Assessment Report) (MAR) 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.

Recommendation (regarding the production and timing of the report) was generally supported by the Board.

Staff is asking the Board to approve the marked modifications to change the name of the report.

Chapter 5. Transportation Element Recommendations

Policy Area Review for Master Plans



VEIRS MILL CORRIDOR MASTER PLAN



CONNECTING COMMUNITIES

PLANNING BOARD DRAFT
December 2018

Policy Area Review for Master Plans

R5.10 Board Decision



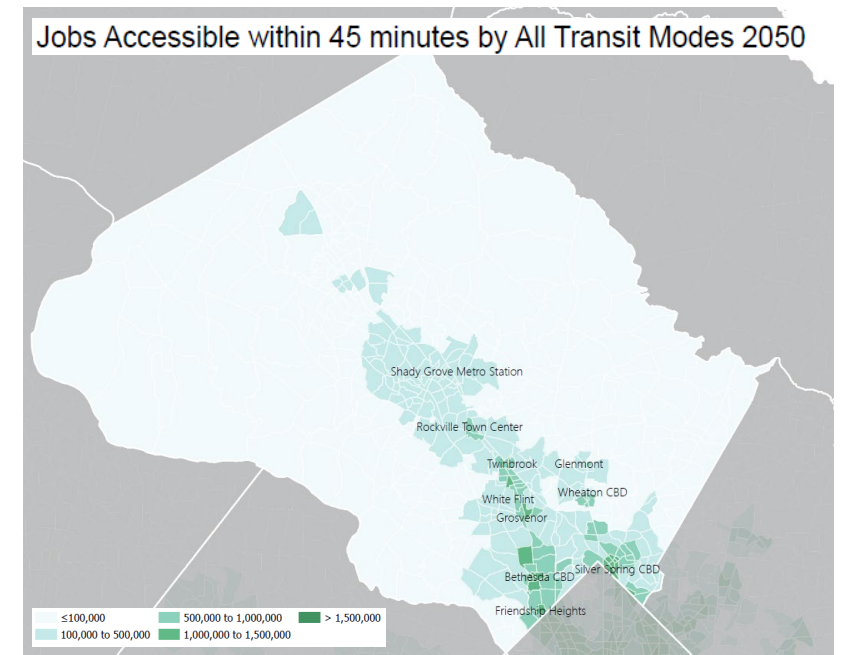
The proposed auto and transit accessibility metric is the average number of jobs that can be reached within a 45-minute travel time by automobile or walk access transit.

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

Recommendation was generally supported by the Board.



Policy Area Review for Master Plans

R5.11 Board Decision



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)

Recommendation was generally supported by the Board.

Policy Area Review for Master Plans

R5.12 Board Decision



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)

Recommendation was generally supported by the Board.

Policy Area Review for Master Plans

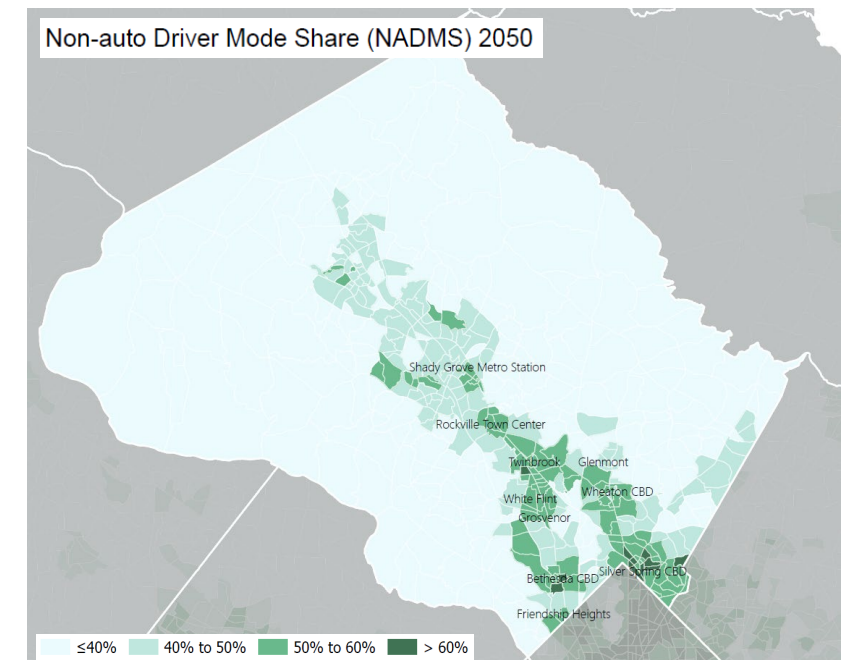
R5.13 Board Decision



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

Recommendation was generally supported by the Board.



Policy Area Review for Master Plans

R5.14 Board Decision

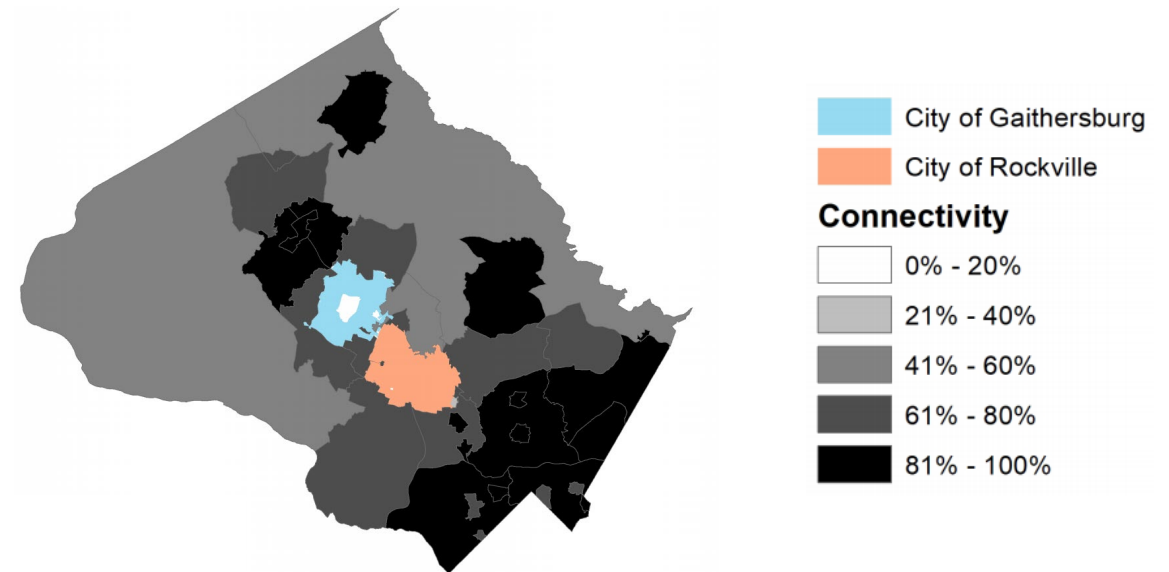


The proposed metric for bicycle accessibility is the Countywide Connectivity metric documented in the 2018 Montgomery County Bicycle Master Plan (page 200).

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”

Recommendation was generally supported by the Board.



Chapter 5. Transportation Element Recommendations

Policy Area Designations



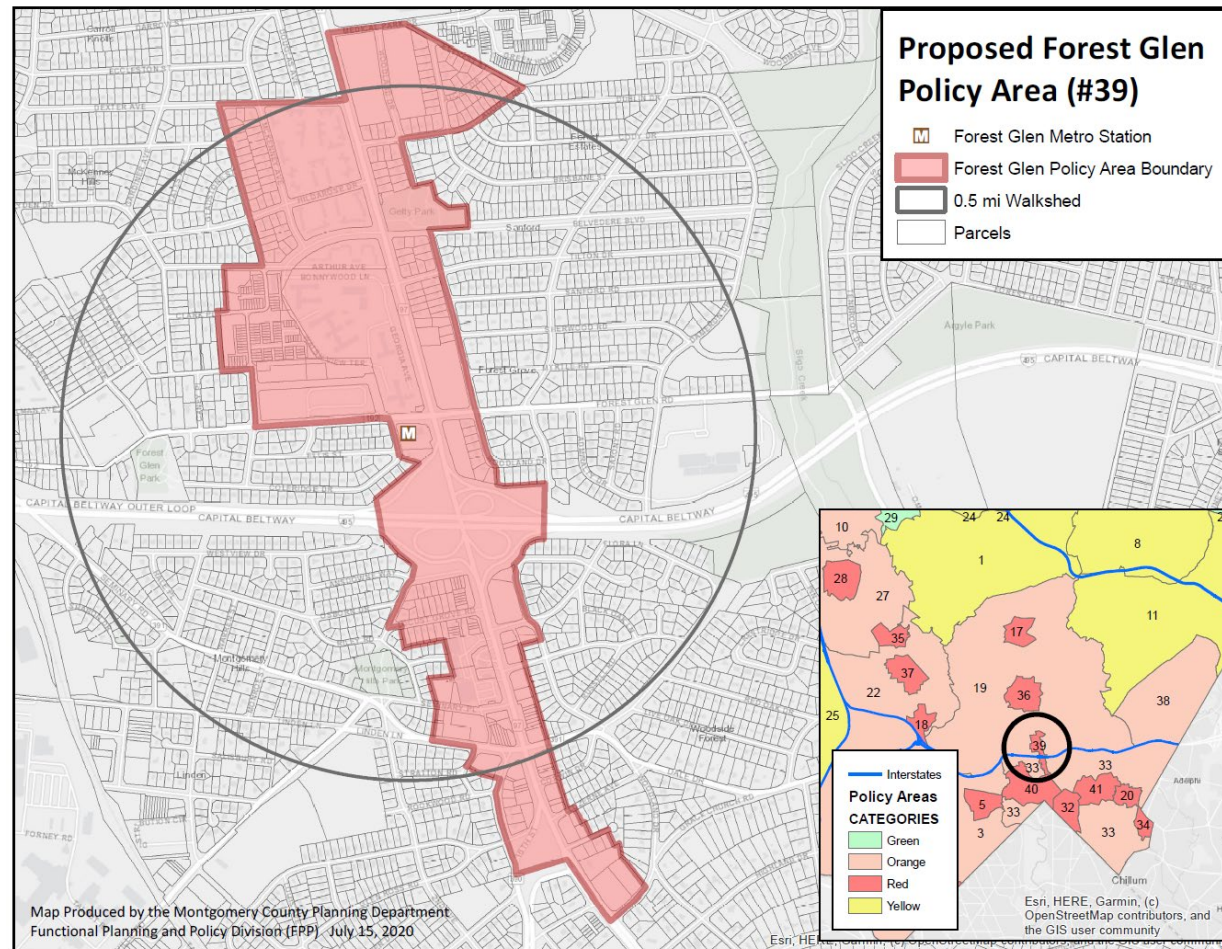
Policy Area Designations

Create the Forest Glen MSPA

R5.15
Board
Decision



Recommended boundary was generally supported by the Board.



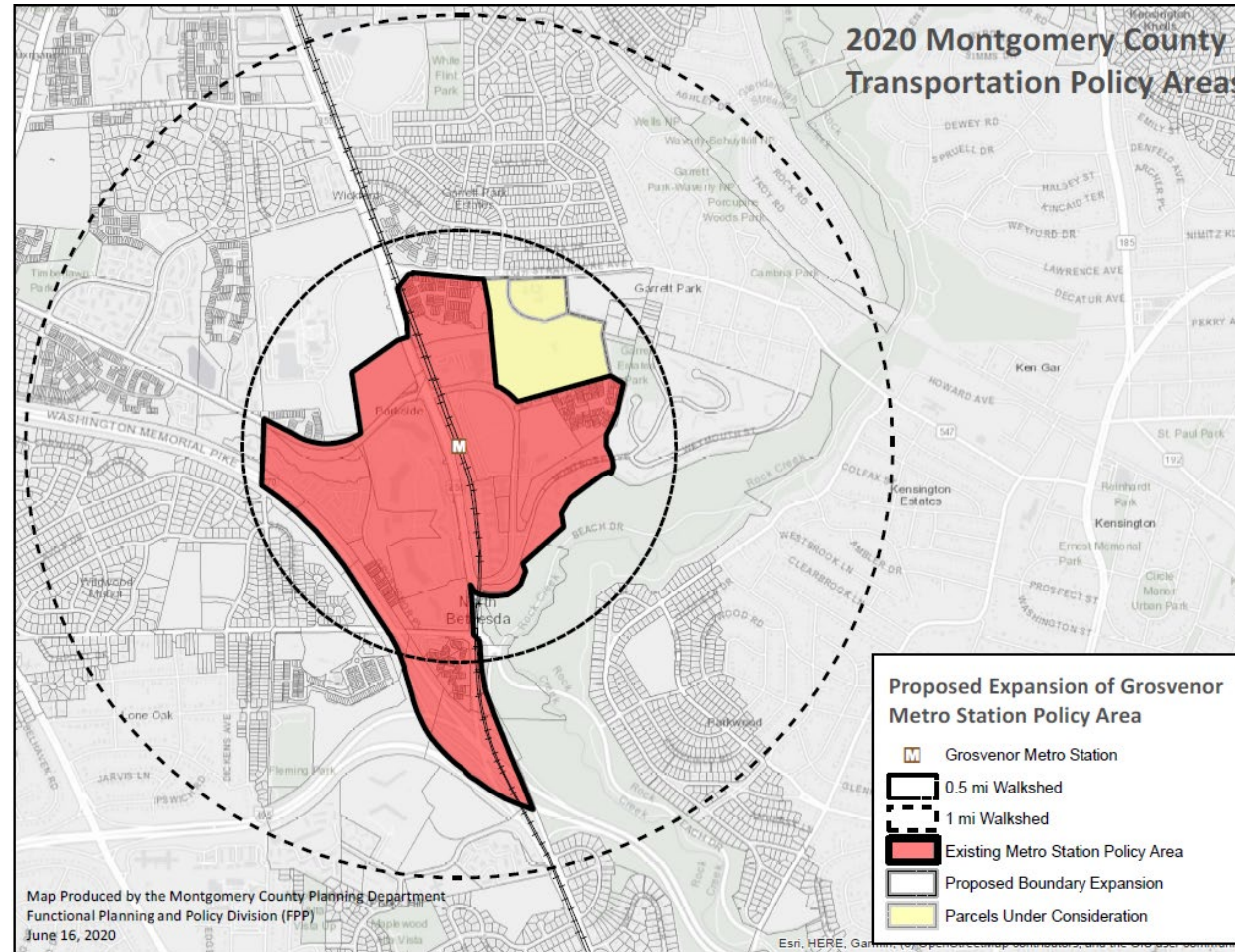
Policy Area Designations

Revise the Grosvenor MSPA

R5.16
Board
Decision



Recommended boundary change was generally supported by the Board.



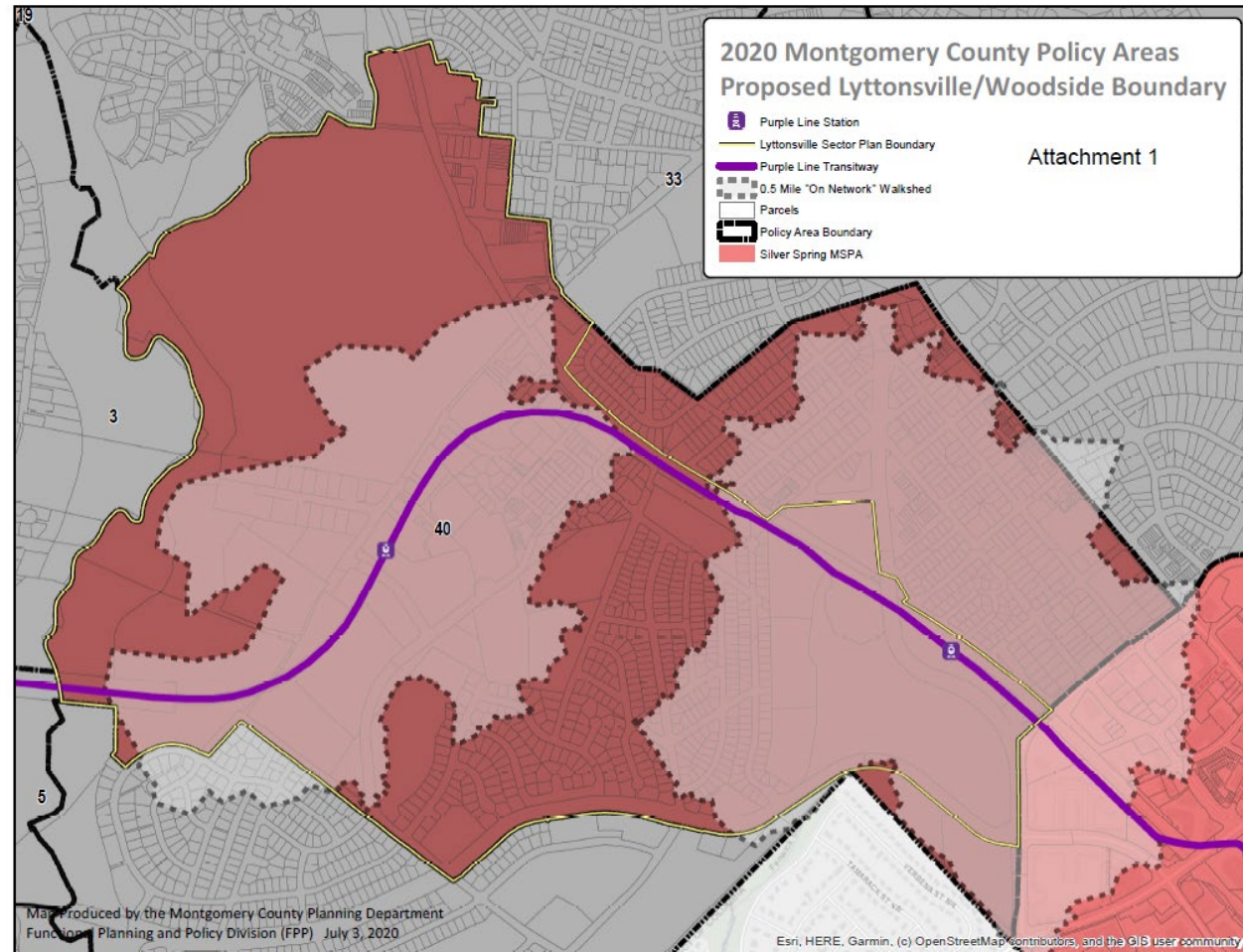
Policy Area Designations

Create the Lyttonsville/Woodside Policy Area

R5.17
Board
Decision



Recommended boundary was generally supported by the Board.



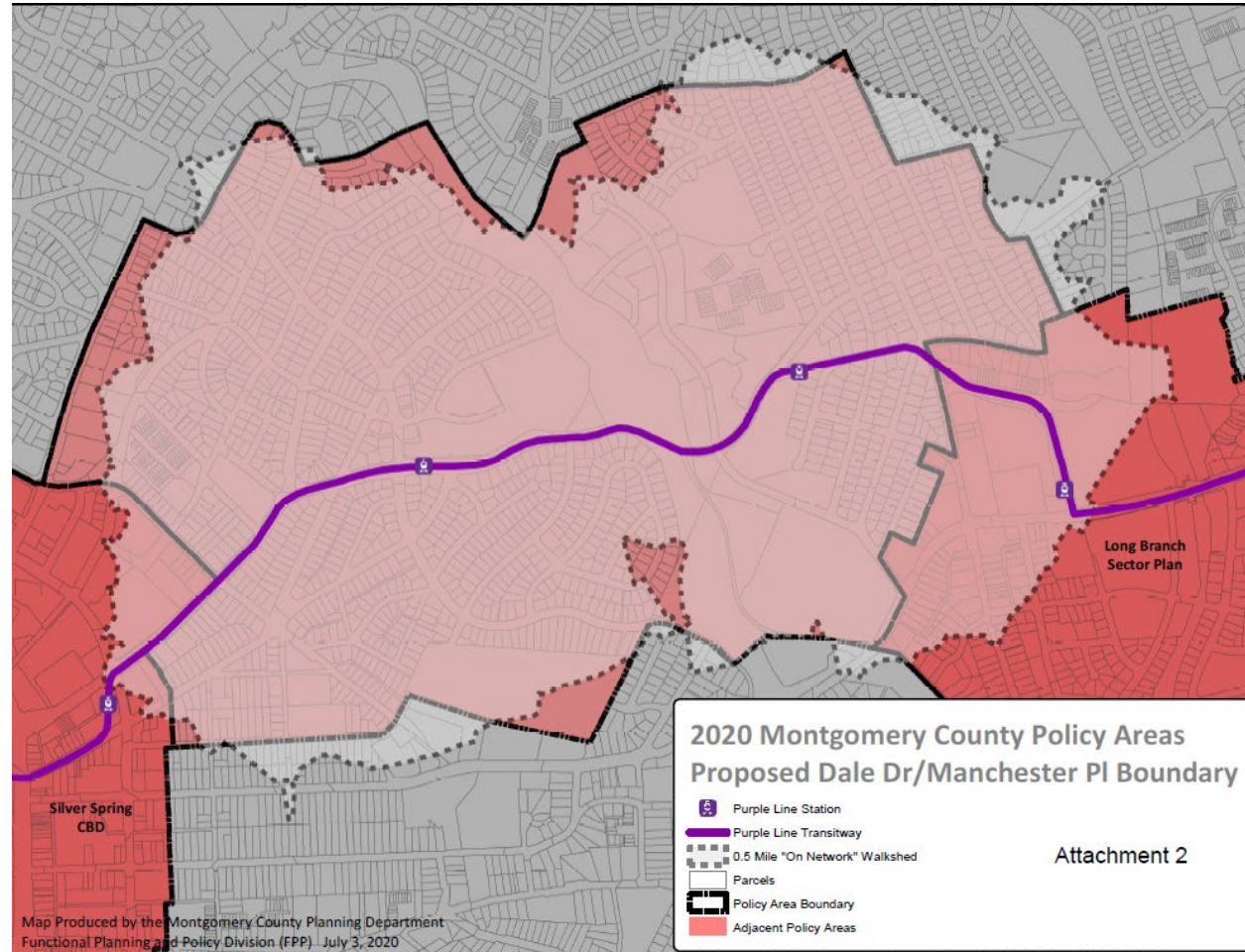
Policy Area Designations

R5.18
Board
Decision



Recommended boundary was generally supported by the Board.

Create the Dale Drive/Manchester Place Policy Area



Chapter 5. Transportation Element Recommendations

Final Recommendations



Vision Zero Integration

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.**

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	Proposed LATR	
		Red Policy Areas	Everywhere Else
Motor Vehicle System Adequacy	Scope of analysis proportional based on trips generated: <ul style="list-style-type: none">• HCM delay-based analysis for Red and Orange Policy Areas• CLV analysis in Yellow and Green Policy Areas, unless CLV>1350, in which case the HCM analysis is required	Not Required	Scope of analysis proportional based on trips generated: <ul style="list-style-type: none">• Conduct motor vehicle adequacy test (to be discussed in R5.6.1)

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	Proposed LATR
Safety System Adequacy	Does not exist in the current LATR.	Scope of analysis based on trips generated using the same proportionality used for the motor vehicle test: <ul style="list-style-type: none">• Conduct new test requiring a reduction in the overall estimated number of crashes at tested intersections and street segments to those intersections based on predictive safety performance functions or number of conflict points

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	Proposed LATR
Transit System Adequacy	<p>If 50 peak-hour transit trips:</p> <ul style="list-style-type: none">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	<p>If 50 peak-hour person trips <u>and</u> 5 peak-hour transit trips:</p> <ul style="list-style-type: none">Conduct existing adequacy test to ensure LOS D <i>within 500 feet of the site</i> <p>If 100 peak-hour person trips <u>and</u> 5 peak-hour transit trips:</p> <ul style="list-style-type: none">Conduct existing adequacy test to ensure LOS D <i>within 1,000 feet of the site</i>

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	Proposed LATR
Bicycle System Adequacy	<p>If 50 peak-hour non-motorized trips:</p> <ul style="list-style-type: none">Conduct adequacy test to ensure low Level of Traffic Stress conditions within 750 feet of the site frontage	<p>If 50 peak-hour person trips <u>and</u> 5 peak-hour bicycle trips:</p> <ul style="list-style-type: none">Conduct existing adequacy test to ensure low Level of Traffic Stress conditions <i>within 375 feet of the site frontage</i> <p>If 100 peak-hour person trips <u>and</u> 5 peak-hour bicycle trips:</p> <ul style="list-style-type: none">Conduct existing adequacy test to ensure low Level of Traffic Stress conditions <i>within 750 feet of the site frontage</i>

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	Proposed LATR
Pedestrian System Adequacy	<p>If 50 peak-hour pedestrian trips:</p> <ul style="list-style-type: none">• Require LOS D at any applicable crosswalk• Require ADA compliance within 500 feet	<p>If 50 peak-hour person trips <u>and</u> 5 pedestrian trips:</p> <ul style="list-style-type: none">• 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> <p>If 100 peak-hour person trips <u>and</u> 5 pedestrian trips:</p> <ul style="list-style-type: none">• 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> <p>If 50 peak-hour pedestrian trips:</p> <ul style="list-style-type: none">• Require ADA compliance within 500 feet

Vision Zero Integration

R5.5 Board Decision

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.
- Establishes a de minimis threshold as well for the multi-modal tests.

Vision Zero Integration

R5.2

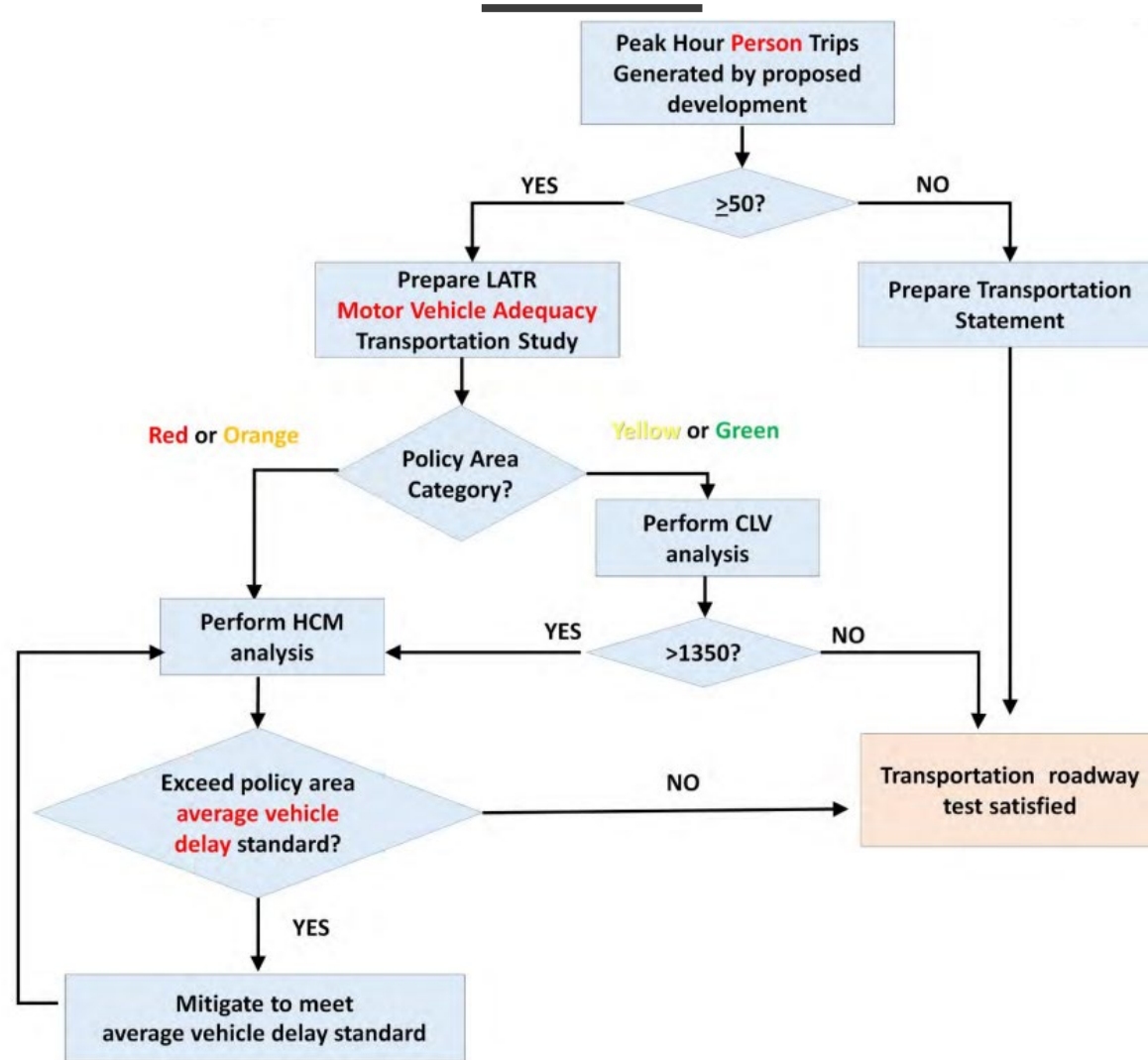
Prioritize mitigation strategies designed to improve travel safety.

Prioritize the application of modal mitigation approaches as follows when projected **motor vehicle** traffic generated from proposed projects exceeds the applicable policy area congestion standard:

1. crash mitigation strategies to achieve Vision Zero, such as those identified in the Vision Zero Toolkit
2. transportation demand management (TDM) approaches to reduce vehicular demand
3. pedestrian or bicycle improvements beyond the development site frontage including those identified in the Pedestrian Master Plan and Bicycle Master Plan
4. transit facility or service improvements
5. intersection operational improvements
6. roadway capacity improvements

Vision Zero Integration

R5.2



Vision Zero Integration

R5.2

Mitigate to meet policy area standard?

- Consider the case of the intersection of Colesville Road and Dale Drive under the current situation.

	Vehicle Delay
Background (Existing) Condition	164.8 seconds at peak
Project Impact	2.8 seconds at peak
Future Condition	167.6 seconds at peak
Policy Area Standard	80 seconds at peak
Mitigation to Policy Area Standard	87.6 seconds to mitigate

Vision Zero Integration

R5.2

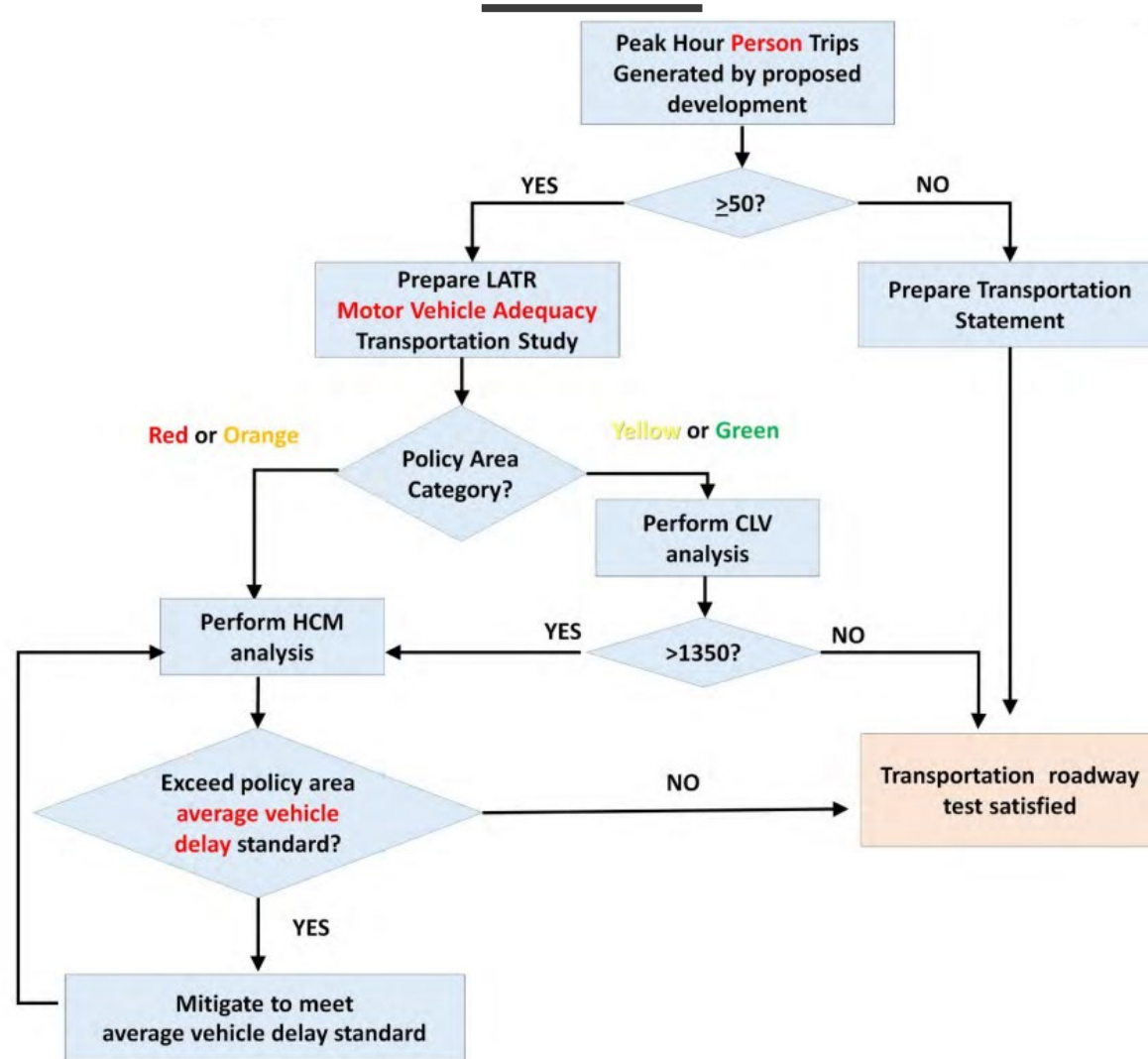
Mitigate to meet policy area standard?

- Consider
 - Continuing to use the policy area standard to determine if mitigation is required.
 - Requiring the developer to mitigate its impact (or down to the policy area standard, whichever is less).
- This is more consistent with the Unified Mobility Program (UMP) approach.

Hypotheticals	Intersection 1	Intersection 2
Background (Existing) Condition	79 seconds at peak	88 seconds at peak
Project Impact	5 seconds at peak	5 seconds at peak
Future Condition	84 seconds at peak	93 seconds at peak
Policy Area Standard	80 seconds at peak	80 seconds at peak
Mitigation	4 seconds to standard	5 seconds to eliminate impact

Vision Zero Integration

R5.2



Vision Zero Integration

R5.2 Board Decision

Prioritize 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

R5.2

	Hypothetical 1	Hypothetical 2
Mitigation Requirement	10 seconds of delay	10 seconds of delay
TDM Strategies	-3 seconds of delay	-3 seconds of delay
Operational Improvements	-2 seconds of delay	N/A
Payment	-5 seconds of delay	-7 seconds of delay

Motor Vehicle Congestion Standards

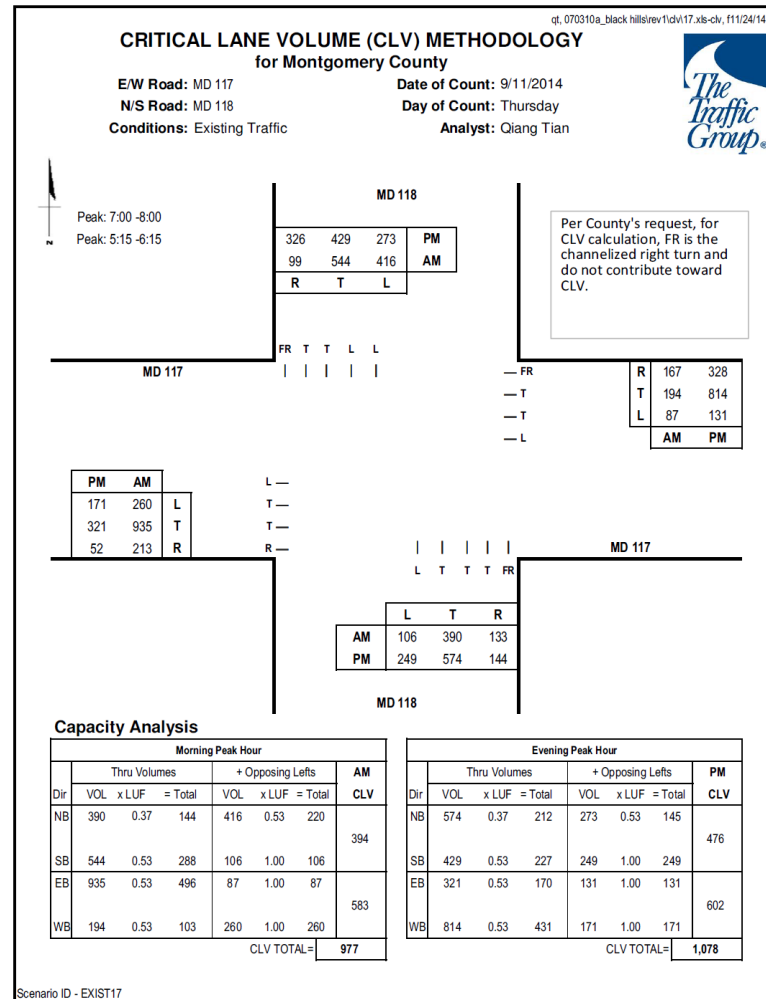
R5.6.1

Replace the Highway Capacity Manual (HCM) analysis with a Critical Lane Volume (CLV) analysis for the LATR motor vehicle adequacy test.

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

Motor Vehicle Congestion Standards

R5.6.1



Lanes, Volumes, Timings
10: MD 118 & MD 117

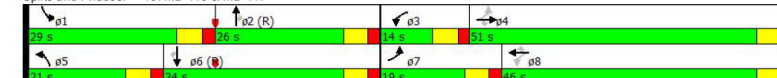
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12/1/2014

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔	↔
Volume (vph)	260	935	213	87	194	167	106	390	133	416	544	99
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	220		450	250		900	300		900	730		420
Storage Lanes	1		1	1		1	1		1	1		1
Taper Length (ft)	100			100			100			100		
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	1770	5085	1583	3433	3539	1583
Fit Permitted	0.540			0.110			0.950			0.950		
Satd. Flow (perm)	1006	3539	1583	205	3539	1583	1770	5085	1583	3433	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)			234			191			191			136
Link Speed (mph)		40			40			45			45	
Link Distance (ft)		2439			2452			2701			1756	
Travel Time (s)		41.6			41.8			40.9			26.6	
Peak Hour Factor	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Shared Lane Traffic (%)												
Lane Group Flow (vph)	286	1027	234	96	213	184	116	429	146	457	598	109
Turn Type	pm+pt	NA	Perm	pm+pt	NA	Perm	Prot	NA	Perm	Prot	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4		4	8		8			2			6
Total Split (s)	19.0	51.0	51.0	14.0	46.0	46.0	21.0	26.0	29.0	34.0	34.0	
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	
Act Effct Green (s)	54.7	41.8	41.8	44.3	36.5	36.5	12.5	26.0	20.4	34.0	34.0	
Actuated g/C Ratio	0.46	0.35	0.35	0.37	0.30	0.30	0.10	0.22	0.22	0.17	0.28	
v/c Ratio	0.53	0.83	0.33	0.55	0.20	0.30	0.63	0.39	0.30	0.78	0.60	
Control Delay	24.2	42.4	4.5	30.9	30.6	4.9	66.7	43.0	3.9	47.2	36.8	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	24.2	42.4	4.5	30.9	30.6	4.9	66.7	43.0	3.9	47.2	36.8	
LOS	C	D	A	C	C	A	E	D	A	D	D	A
Approach Delay		33.3			21.1			38.7			38.2	
Approach LOS		C			C			D			D	

Intersection Summary

Area Type:	Other
Cycle Length: 120	
Actuated Cycle Length: 120	
Offset: 64 (53%), Referenced to phase 2:NBT and 6:SBT, Start of Green	
Control Type: Actuated-Coordinated	
Maximum v/c Ratio: 0.83	
Intersection Signal Delay: 34.2	Intersection LOS: C
Intersection Capacity Utilization 71.6%	ICU Level of Service C
Analysis Period (min) 15	

Splits and Phases: 10: MD 118 & MD 117



Chapter 3. Policy Recommendation

Policy Name



Policy Name

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.



Policy Name

R3.1 Board Decision

OPTION A Draft Recommendation	OPTION B Chair's Suggestion	OPTION C Potential Hybrid
County Growth Policy (CGP)	Developer Contribution to Infrastructure Policy (DCI)	Growth and Infrastructure Policy (GIP)

Upcoming Schedule

July 30	Final Approval of Planning Board Draft to transmit to the County Council and County Executive
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September	Council Public Hearing
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September and October	Council Committee and Full Council Work Sessions
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November 15	Deadline to adopt the new policy
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