



Planning Board Draft Plan- MDP Local Jurisdiction Annual Report

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Completed: 6-1-2017

Staff Recommendation:

Approve the attached 2016 Annual Land Use Report for Montgomery County for transmittal to the County Council President, and to the Maryland State Department of Planning.

Summary:

As per the requirements established recently by SB 280/HB 295, SB 276/HB 295, SB 273/HB 294, this is the sixth such annual report prepared for approval by the Montgomery County Planning Board. The objective for this request is monitor growth statewide and to determine if State Smart Growth policies are having beneficial or unanticipated effects.

This year the State has refined and clarified the metrics desired of the planning jurisdictions by providing a new report submittal template. The requested data was compiled using various sources to include zoning and subdivision approval data from the department's Hansen plan tracking system, permitting records from our digital links to DPS systems, school CIP and APFO information from MCPS, and from other County GIS data layers.

The State requires this report to be filed with local jurisdiction's legislative body. With Board approval, the document will be transmitted to the County Council President and to the Maryland State Department of Planning.

2016 ANNUAL LAND USE REPORT FOR MONTGOMERY COUNTY TO THE MARYLAND STATE DEPARTMENT OF PLANNING

Report was compiled and prepared by the Montgomery County Planning Department and submitted to the Maryland Department of Planning as required by State of Maryland legislation. Results presented within the report are part of the State of Maryland's ongoing effort to monitor growth statewide and to determine the effectiveness of smart growth policies.

**Montgomery County Planning Department
Information, Technology & Innovation (ITI)**

June 8, 2017



ACKNOWLEDGEMENTS

The Information, Technology & Innovation (ITI) division would like to thank the following people for their contributions to this report:

Montgomery County Planning Department

Steve Cary

Pamela Dunn

Eric Graye

Rose Krasnow

Greg Russ

Jason Sartori

Montgomery County Public Schools

John Salamon

Adrienne L. Karamihas

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Annual Report Worksheet Reporting (Calendar) Year 2016

Jurisdiction Name: Montgomery County

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Section I: Amendments and Growth Related Changes in Development Patterns

(A) Were any new comprehensive plan or plan elements adopted? Y ☒ N ☐

1. If no, go to (B).
2. If yes, briefly summarize what was adopted.

Completed Master Plans 2016:

Area Plans

Montgomery Village Master Plan (1)
Westbard Sector Plan 2016 (2)

In-Progress Master Plans 2016:

Area Plans

Bethesda Downtown Plan (3)
Greater Lyttonsville Sector Plan (4)
Grosvenor Minor Master Plan Amendment (5)
MARC Rail Communities Plan (6)
Rock Spring Master Plan (7)
White Flint 2 Master Plan (8)

Functional Plans

Bicycle Master Plan (in-progress)

Adequate Public Facility Ordinance

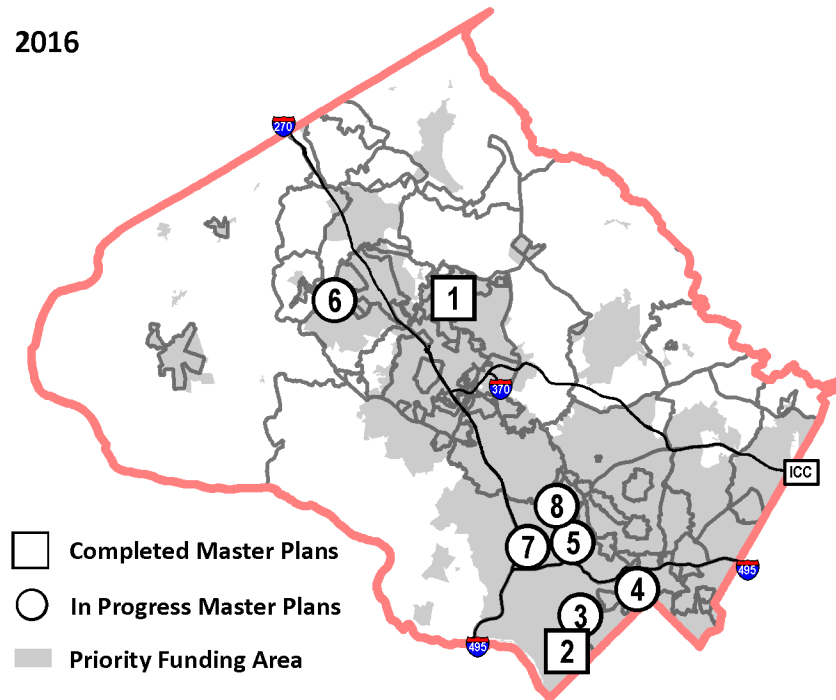
Subdivision Staging Policy

Note: Numbers in parenthesis above correspond to numbers on map below

Source: Montgomery County Planning Department, 2016

Annual Report Worksheet Reporting (Calendar) Year 2016

2016



(B) Were there any growth related changes in development patterns?

Y ☒ N ☐

(Note: Growth related changes in development patterns are changes in land use, zoning, transportation capacity improvements, new subdivisions, new schools or school additions, or changes to water and sewer service areas.)

1. If no, go to (C).
2. If yes, briefly summarize each growth related change(s).

As in 2015, Montgomery County, like many jurisdictions, continued to work on strategies to deal with the persistent slowdown in demand for new office space. The data show that the Montgomery County office centers located in mixed-use developments with quality amenities, a sense of place and good transit connectivity are best positioned to compete. Single-use office developments without convenient transit or highway access are attracting fewer tenants. We expect that future office development is going to occur at a slower pace and be concentrated in prime locations. Less attractive locations may not attain the level of office development and occupancy they experienced in the past, and may need to be repurposed or evolve into more mixed-use environments.

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Transportation Capital Improvement Projects:

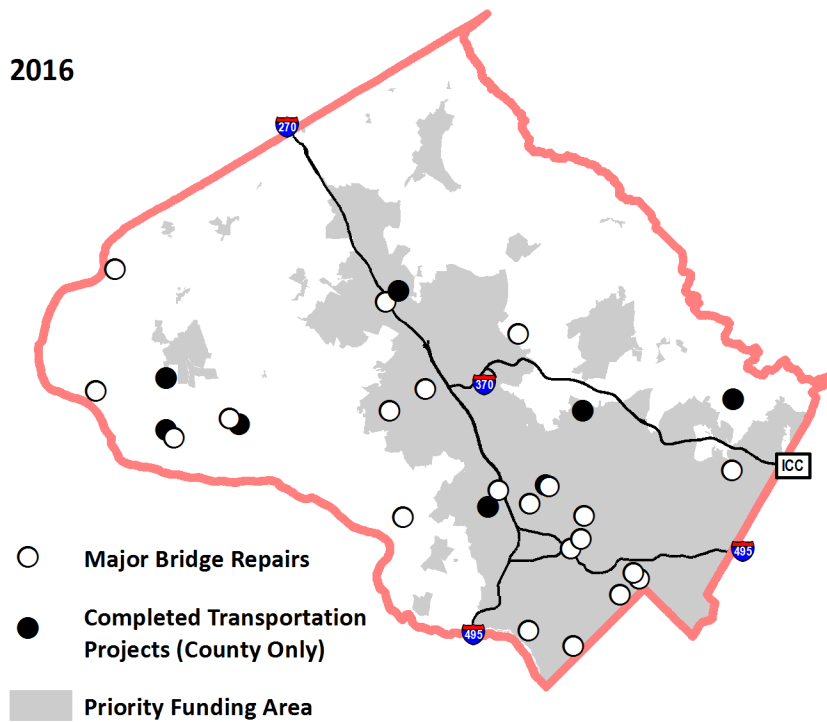
Project Name	Month Completed
Middlebrook Road - Culvert	February 2016
Meadowbrook Lane - Repair	March 2016
Greenway Drive #116 - Repair	April 2016
Izaak Walton - Culvert	April 2016
Sugarland Road Bridge	May 2016
Talbot Avenue - Repair	May 2016
Sugarland Road - Repair	May 2016
Gainsborough Road - Paving	July 2016
Gainsborough Road - Culvert	July 2016
Garrett Park Road - Repair	July 2016
Chapman Avenue	June 2016
River Road - Repair	June 2016
Brookville Road - Repair	June 2016
Beach Drive - Repair	June 2016
Massachusetts Ave - Repair	June 2016
Piney Meetinghouse Road - Repair	August 2016
Montrose Parkway - Sidewalk Repair	August 2016
Airpark Road - Repair	August 2016
Bunchberry Lane - Repair	August 2016
Goldsboro Road - Repair	September 2016
Martinsburg Road - Repair	September 2016
Beach Drive - Repair	September 2016
West Willard	October 2016
Serpentine Way - Paving	November 2016
West Willard - Culvert	November 2016
Sunflower Drive - Culvert	November 2016
Thompson Road Phase 2	November 2016
Twinbrook Parkway - Repair	November 2016
Middlebrook Road	December 2016
Danville Drive - Paving	December 2016

Source: Montgomery County Department of Transportation, Division of Transportation Engineering, Completed Project List for FY17

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CIP Projects by PFA			
Type	PFA	Number of Projects	Percent
Major Bridge Repairs	IN	16	73%
	OUT	6	27%
Transportation Projects	IN	4	50%
	OUT	4	50%
TOTAL	IN	20	67%
	OUT	10	33%

2016



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New Schools, Revitalization/Expansion and/or Additions to Schools

New Schools:

Hallie Wells Middle School (1)

Revitalization/Expansions:

William Farquhar MS (2)

Wheaton HS - Shell only, classrooms come in 2018 (3)

Additions:

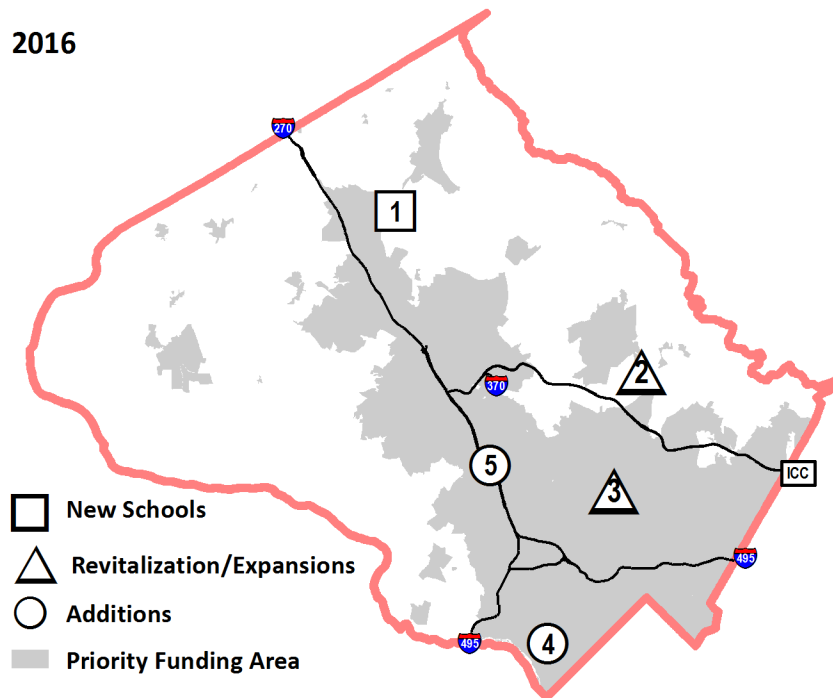
Wood Acres ES (4)

Julius West MS (5)

Note: Numbers in parenthesis above correspond to the numbers on map below

Source: Montgomery County Public Schools (MCPS, 2016)

2016

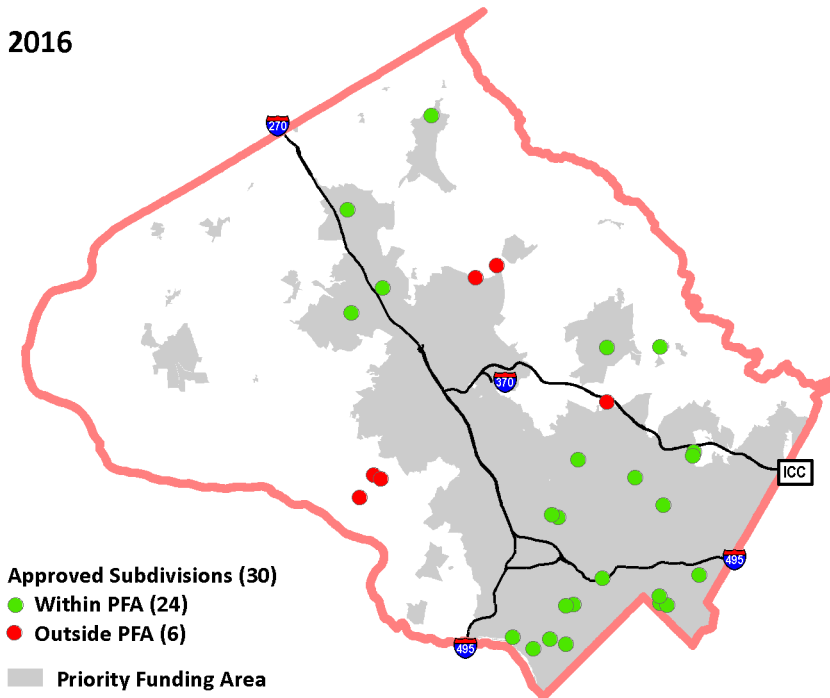


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New Subdivisions

30 new subdivisions were approved in 2016; 24 located within the PFA, while 6 were located outside.

2016



Source: Montgomery County Planning Department

(C) Were any amendments made to the zoning regulations?

Y ☒ N ☐

1. If no, go to (D).
2. If yes, briefly summarize each amendment(s) that resulted in changes in development patterns.

One zoning text amendment having the potential to change development patterns, passed in 2016. Zoning Text Amendment 16-08, Commercial/Residential "T" Zones – Workforce Housing, allows for additional building density and height in certain Commercial/Residential "T" zones when workforce housing is provided. The purpose of the amendment is to support the provision of workforce housing – rental or ownership housing units that are affordable to households with incomes ranging from the Moderately Priced Dwelling Unit (MPDU) income limit up to 120% AMI (average median income).

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Most of the other ZTAs introduced in 2016 involve changes to development standards or requirements for approval; modifications to allowable land uses; and clarifications or corrections to the new zoning ordinance adopted in October 2014.

The only SRA enacted in 2016 was SRA 16-01. This replaced all of Chapter 50, Subdivision of Land, replacing it with a revised version.

The following are ZTAs and SRAs reviewed in 2016:

Zoning Text Amendment No.: 16-01: Ripley/Silver Spring South Overlay Zone – Standards

An Amendment to the Montgomery County Zoning Ordinance to:
Amend the development standards for the Ripley/Silver Spring South Overlay Zone

Zoning Text Amendment No.: 16-02: Agricultural Zone – Transfer of Development Rights Requirements

An Amendment to the Montgomery County Zoning Ordinance to:
Exempt certain dwellings in the Agricultural Zone from the calculation of density under certain circumstances.

Zoning Text Amendment No.: 16-03: Land Use – Bed and Breakfast

An Amendment to the Montgomery County Zoning Ordinance to:
Allow a Bed and Breakfast as a limited use in all Residential and all Commercial/Residential zones;
Revise the definition and requirements for a Bed and Breakfast; and
Delete the requirements for a Bed and Breakfast as a conditional use.
The purpose of ZTA 16-03 was to acknowledge and regulate new shared housing platforms such as Airbnb, VROB, and others.

Zoning Text Amendment No.: 16-04: Agricultural Reserve (AR) Zone – Transitory Uses

An Amendment to the Montgomery County Zoning Ordinance to:
Allow transitory uses in the Agricultural Reserve Zone on property with a recorded transferable development rights easement.

Zoning Text Amendment No.: 16-05: Telecommunications Towers – Limited Use

An Amendment to the Montgomery County Zoning Ordinance to:
Allow short telecommunications towers as a limited use under certain circumstance;
Revise the use standards for small cell antennas; and
Allow short telecommunications towers in public rights-of-way in the RNC, TS, and residential detached zones as a limited use.

Zoning Text Amendment No.: 16-06: Prohibited Signs – Public Rights-of-Way

An Amendment to the Montgomery County Zoning Ordinance to:
Delete provisions for limited duration signs;

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Revise the provisions concerning temporary signs and prohibited signs; and
Add provisions concerning the treatment of prohibited signs in the right of way.

Zoning Text Amendment No.: 16-07: Exemptions – Pre-1958 Lots

An Amendment to the Montgomery County Zoning Ordinance to:
Allow the consolidation of lots, parts of lots, and parcels created before 1958

Zoning Text Amendment No.: 16-08: Commercial/Residential “T” Zones – Workforce Housing

An Amendment to the Montgomery County Zoning Ordinance to:
Allow additional building density in certain Commercial/Residential T Zones under when workforce housing is provided; and
Allow additional building height in certain Commercial/Residential T Zones under when workforce housing and public facilities are provided.

Zoning Text Amendment No.: 16-09: Commercial/Residential Zones – Location Signs

An Amendment to the Montgomery County Zoning Ordinance to:
Revise the number and the placement of location signs on buildings located in Commercial/Residential, Employment, and Industrial zones.

Zoning Text Amendment No.: 16-10: Transferable Development Rights Overlay Zone – Optional Method Standards

An Amendment to the Montgomery County Zoning Ordinance that is effective October 30, 2014 to:
Modify the Transferable Development Rights (TDR) Overlay zone to clarify when the requirements under optional method MPDU development must be followed; and
Correct the minimum common open space requirements for optional method development using Transferable Development Rights.

Zoning Text Amendment No.: 16-11: Rural and Residential Zones – Road Setback

An Amendment to the Montgomery County Zoning Ordinance to:
Revise the building setback requirements from streets in rural residential and residential zones.

Zoning Text Amendment No.: 16-12: Building Permits

An Amendment to the Montgomery County Zoning Ordinance to:
Delete building permit directions and procedures from various sections of the code.

Zoning Text Amendment No.: 16-13: Conditional Use – Screening

An Amendment to the Montgomery County Zoning Ordinance to:
Amend the provisions for exempted parking design requirements for residential buildings; and
The applicability of landscaping, lighting and screening requirements for parking associated with residential zones and uses.

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Zoning Text Amendment No.: 16-14: Special Exception - Amendments

An Amendment to the Montgomery County Zoning Ordinance to:
Clarify that a special exception approved under the prior zoning code may be expanded under the procedures and substantive provisions of the prior zoning code.

Zoning Text Amendment No.: 16-15: Facility for Senior and Disabled - Standards

An Amendment to the Montgomery County Zoning Ordinance to:
Separate the standards for senior and disabled independent living facilities;
Revised the standards for senior and disabled independent living facilities.

Zoning Text Amendment No.: 16-16: Conditional Use Decisions

An Amendment to the Montgomery County Zoning Ordinance to:
Amend provisions governing OZAH's decisions in conditional use cases;
Amend provisions governing requests for oral argument before the Board of Appeals in conditional use cases;
Permit applicants for conditional uses approved by the Hearing Examiner to implement a conditional use while a request for oral argument before the Board of Appeals is pending;
Authorize the Board of Appeals to stay the Hearing Examiner's decision upon motion of any party; and
Authorize the Board of Appeals to place conditions on the approval or denial of requests for a stay.

Zoning Text Amendment No.: 16-17: Height Encroachments – Townhouses

An Amendment to the Montgomery County Zoning Ordinance to:
Revise the allowable height encroachments for townhouses.

Zoning Text Amendment No.: 16-18: Sandy Spring/Ashton Rural Village Overlay Zone – Standards

An Amendment to the Montgomery County Zoning Ordinance to:
Amend the development standards for the Sandy Spring/Ashton Rural Village Overlay zone.

Zoning Text Amendment No.: 16-19: Gross Floor Area – Mechanical Equipment

An Amendment to the Montgomery County Zoning Ordinance to:
Exclude from the calculation of gross floor area floor space exclusively used for mechanical equipment for any Medical/Scientific Manufacturing and Production use.

Zoning Text Amendment No.: 16-20: Overlay Zone – Bethesda

An Amendment to the Montgomery County Zoning Ordinance to:
Establish the Bethesda Overlay zone with defined terms, development and land use standards, and procedures for development approvals.

Zoning Text Amendment No.: 16-21: Exemptions – Public Historic Buildings

An Amendment to the Montgomery County Zoning Ordinance to:
Exempt County-owned historic buildings from use and development standards.

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Subdivision Regulation Amendment No.: 16-01: Subdivision Regulations Rewrite

An Amendment to the Montgomery County Subdivision Regulations to:
Delete all of Chapter 50, Subdivision of Land; and replace with a new Chapter 50,
Subdivision of Land.

(D) Were any amendments made to the zoning map?

Y ☒ N ☐

1. If no, go to Section II: *Mapping and GIS Shapefiles*.
2. If yes, briefly summarize each amendment(s).

The following are the Sectional, Local Map & Development Plan Amendments reviewed in 2016:

Sectional Map Amendment H-112

Montgomery Village Master Plan

Approved per CC Resolution 18-398

On February 9, 2016, the District Council approved the Montgomery Village Master Plan, by Resolution 18-398. On March 16, 2016, the Maryland-National Capital Park and Planning Commission adopted the approved plan, by Resolution 16-01. In addition to approving the Master Plan, on February 9, 2016, the County Council approved zoning text amendment 15-12, (Council Ordinance 18-10) creating the Montgomery Village Overlay zone.

Sectional Map Amendment H-116

Westbard Sector Plan

Approved per CC Resolution 18-471

On May 3, 2016, the District Council approved the Westbard Sector Plan, by Resolution 18-471. On June 15, 2016, the Maryland-National Capital Park and Planning Commission adopted the approved plan, by Resolution 16-07. The Westbard Sector Plan area encompasses approximately 181 acres and is bounded by Massachusetts Avenue to the south, Little Falls Parkway to the east, Dorset Avenue to the north and the residential neighborhood of Springfield to the west.

Local Map Amendment G-964

Montrose Baptist Church

Approved per CC Resolution 18-392

Local Map Amendment (LMA) G-964, filed on April 29, 2014 by Applicant Montrose Baptist Church requests reclassification from the existing R-60 and R-90 Residential Zones to the RT-15 or RT-12.5 Zones of 8.7617 acres, identified as Lots 4, 5 and 32 in Block 2 of the Randolph Farms Subdivision, located at 5020, 5010 and 5100 Randolph Road in Rockville. The subject site is in the 4th Election District and bears the Tax Account Numbers 00116231, 00116845 and 02894342. It is owned by the Applicant, Montrose Baptist Church, and it will be developed by the Optionee, RRC/S Montrose, LLC (Exhibits 41(a), 42(a) and 43(a)). The site is subject to the 1992 North Bethesda/Garrett Park Master Plan. Currently located on the

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property are the Montrose Baptist Church, the Montrose Christian School and the Montrose Christian Child Development Center. The proposed development would contain replace the existing development with 109 townhouses.

Local Map Amendment H-110

Art Space Projects, Inc.

Approved per CC Resolution 18-405

On September 10, 2015, Art Space Projects, Inc. (Applicant or Art Space) filed Local Map Amendment Application (LMA) No. H-110. The application requests a reclassification from the R-60 Zone to the Commercial Residential Neighborhood Floating Zone (CRNF) 1.25, C-0.25, R-1.0, H-65.' The property is located at 801 Sligo Avenue, Silver Spring, Maryland. It is described as Lots 5-1 1, Block J of the Easley Subdivision. Exhibit 1. Art Space seeks to develop up to 68 multi-family affordable units, 4 workforce townhouse units, 7 market rate townhouse units, 30 artist studios, and 1,500 square feet of retail.

Local Map Amendment H-113

Gude Drive Properties LLC IV

Approved per CC Resolution 18-664

Local Map Amendment (LMA) Application No. H-113, filed on May 24, 2016, by Applicant Investment Properties, Inc., requests reclassification from the existing IH 2.5, H 70 Heavy Industrial Zone to the IMF 2.5, H 70 - Moderate Industrial Floating Zone of Lot 3 (Parcel N775) and Lot 4 (Parcel N687), described in Plat No. 22432 of the Cotler Industrial Park Subdivision of Rockville from the existing IH 2.5, H 70 Heavy Industrial Zone to the IMF 2.5, H 70 - Moderate Industrial Floating Zone. The property is located in the 4th Election District at 800 and 850 East Gude Drive in Rockville and consists of 11.21 acres of land (488,520 square feet) situated on the east side of East Gude Drive, just north of Dover Road. Lot 3 contains approximately 4.56 acres (198,858 square feet) and Lot 4 contains approximately 6.65 acres (289,662 square feet).

Local Map Amendment H-114

Gude Drive Properties LLC IV

Approved per CC Resolution 18-665

Local Map Amendment (LMA) Application No. H-114, filed on May 24, 2016, by Applicant Investment Properties, Inc., requests reclassification from the existing IH 2.5, H 70 Heavy Industrial Zone to the IMF 2.5, H 70 - Moderate Industrial Floating Zone of Part of Parcel E (Parcel N766) and Parcel F (Parcel N851) of the Ensor Property, described in Plat No. 21528 in the Cotler Industrial Park Subdivision of Rockville. The property is located in the 4th Election District at 851 and 861 East Gude Drive in Rockville, and consists of 14.17 acres of land (617,265 square feet) situated on the west side of East Gude Drive, just north of Dover Road. Parcel E contains approximately 7.36 acres (320,606 square feet) and Parcel F contains approximately 6.81 acres (296,659 square feet).

Development Plan Amendment 17-01

Approved per CC Resolution: 18-687

For a Development Plan Amendment of the development plan approved by the Council in

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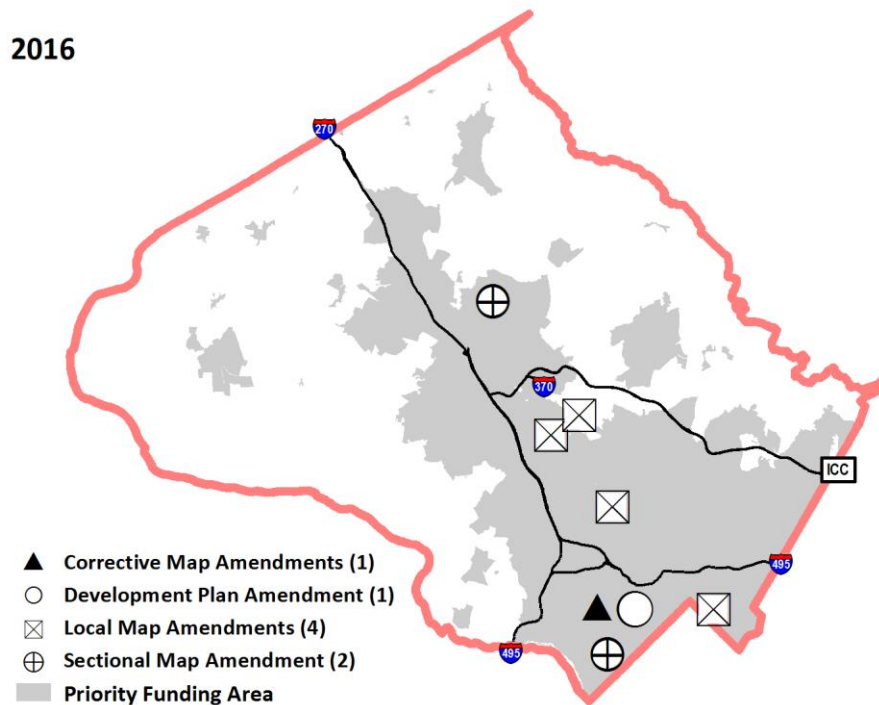
LMA G-808 on March 30, 2004, and amended on April 24, 2007, in DPA 06-1 and again on October 19, 2010, in DPA 10-02. The amendment allowed for the removal of a binding element of the original approval requiring a “quality restaurant” as part of the commercial space.

The following Corrective Map Amendments were reviewed in 2016:

Corrective Map Amendment H-111

Approved per CC Resolution: 18-535

A Corrective Map Amendment Application (H-1 1 1) was filed on April 12, 2016 by the Maryland-National Capital Park and Planning Commission to correct an error on the zoning map that occurred prior to the adoption of the District Map Amendment (DMA) and was carried forward through the DMA process in 2014. This property was subject to Local Map Amendment G-864 for approximately 1.87 acres of land located on property in Bethesda that was reclassified from the R-60 zone to the PD-44 zone. The zoning map incorrectly excluded 5017 Rugby Avenue, although it was clearly identified in the map amendment application.



Source: Montgomery County Planning Department
Montgomery County Board of Appeals

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Section II: Mapping and GIS Shapefiles

(A) Does your jurisdiction utilize GIS to prepare planning related maps? Y ☒ N ☐

1. If no, include an address, parcel identification number or other means to identify the type and location of all new growth related changes or zoning map amendments listed in *Sections I(B)* and *I(D)*. Provide a paper map(s) that indexes the general location(s) of the growth related changes or zoning map amendment(s). *Contact Planning for mapping assistance.*

Maps and GIS data transmitted to MDP

2. If yes, include a map(s) of the location(s) of the amendment(s) and submit applicable GIS shapefiles for all new growth related changes and zoning map amendments listed in *Sections I(B)* and *I(D)*. GIS shapefiles may be submitted via email or CD/DVD disc.

Maps and GIS data transmitted to MDP

(B) Were there any growth related changes identified in *Sections I(B)*? Y ☒ N ☐

1. If no, go to (C).
2. If yes, then include GIS shapefiles and map(s), that identify the location of each growth related change identified in *Section I(B)*. If your jurisdiction does not utilize GIS, then clearly identify the growth related changes on a map(s).

Maps and GIS data transmitted to MDP

(C) Were there any zoning map amendments identified in *Section I(D)*. Y ☒ N ☐

1. If no to (A) and (B), skip to *Section III: Consistency of Development Changes.*
2. If yes, then include GIS shapefiles and map(s), that identify the location of each zoning map amendment identified in *Section I(D)*. If your jurisdiction does not utilize GIS, then clearly identify the growth related changes on a map(s). *Contact Planning for mapping assistance.*

Maps and GIS data transmitted to MDP

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Section III: Consistency of Development Changes

(A) Were there any growth related changes identified in Sections I(B) through (D)? Y ☒ N ☐

1. If no, skip to Section IV: Planning and Development Process.
2. If yes, go to (B).

(B) For each growth related change listed in in Sections I(B) through (D), please state how the development changes were determined by the Planning Commission to be consistent with:

1. Each other;

The changes in development patterns for Montgomery County in 2016 are consistent with one another since regulated land uses and zoning are guided by the General Plan, area master plans, and functional plans adopted by the County Council. Subdivision approvals, septic tiers, and any zoning changes all support the preservation of agricultural land and open space, the protection of established neighborhoods, and the promotion of development/redevelopment in our priority funding areas.

2. Any recommendations of the last annual report;

N/A

3. The adopted plans of the local jurisdiction;

Each legislative change referenced in Sections 1(C), 1(D), and 1(E) in this report is made under the procedural standards required for review of master plans, ZTAs, SRAs, and any other land use policies in conformance with the General Plan.

4. The adopted plans of all adjoining jurisdictions;

As part of the Maryland National Capital Park and Planning Commission (M-NCPPC), Montgomery County coordinates its planning initiatives with Prince George's County via regular meetings of the M-NCPPC. The Commission consists of ten members, five from Montgomery County, and five from Prince George's County. The Commission acts on matters of interest to both counties, and meets at least once a month. The members of the full Commission also serve on their respective Planning Board to facilitate, review, and administer matters affecting their respective communities. The Montgomery County Planning Department actively participates in the Patuxent Reservoir watershed protection efforts with Howard and Prince George's Counties. This rural watershed, which drains to one of the county's drinking water reservoirs, is protected by low mandated densities, special environmental guidelines, and efforts to enlarge the areas of public parkland.

Montgomery and Prince George's County are the second and third largest counties in the State. Planning decisions by the Commission affect approximately 32% of Maryland's population.

Montgomery County works collaboratively with the Metropolitan Washington

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Council of Governments (MWCOC) on several regional planning analyses. A primary work effort is the development of the region's demographic forecast of housing, jobs, and population. This process provides valuable information that helps member jurisdictions anticipate the collective impacts of local land use change on the metro region's economy and population. This forecasting effort also serves as a key input into the regional transportation modeling process.

5. Any adopted plans of the State and local jurisdictions that have responsibility for financing or constructing improvements necessary to implement the jurisdiction's plan.

N/A

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Section IV: Plan Implementation and Development Process

(5-Year Mid-Cycle Review/5-Year Report)

- (A) Has your jurisdiction completed a 5-Year Mid-Cycle comprehensive plan implementation review and submitted to Planning a 5-Year Report, as required under §1-207(c)(6) of the Land Use Article? Y ☐ N ☒

1. If yes, skip to (B). Please identify 5 Year Mid-Cycle Report month and year:
2. If no, please include a summary of the following, which will be considered the submission of your jurisdiction's 5-Year Report: Y ☐ N ☒
 - (i). Development trends contained in the previous annual reports filed during the period covered by the narrative;
 - (ii). The status of comprehensive plan implementation tools such as comprehensive rezoning to carry out the provisions of the comprehensive plan;
 - (iii). Identification of any significant changes to existing programs, zoning ordinances, regulations, financing programs, or State requirements necessary to achieve the visions and goals of the comprehensive plan during the remaining planning timeframe;
 - (iv). Identification of any State or federal laws, regulations, or requirements that have impeded local implementation of the comprehensive plan and recommendations to remove any impediments;
 - (v). Future land use challenges and issues; and
 - (vi). A summary of any potential updates to the comprehensive plan.

- (B) In the current reporting year, did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction?

1. If no, go to (C). Y ☒ N ☐

2. If yes, what were those recommendations?

The recently approved rewrite of Chapter 50, the Subdivision Regulations, of the County code provides for a clearer, more up to date set of rules to guide the process of subdividing land.

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(C) In the current reporting year, did your jurisdiction adopt any ordinances or regulations needed to implement the 12 planning visions under §1-201 of the Land Use Article?

Y ☐ N ☒

1. If no, go to *Section V: Measures and Indicators*.
2. If yes, what were those changes?

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Section V: Measures and Indicators

(Note: The Measures and Indicators Sections (D) – (G) are only required for jurisdictions issuing more than 50 new residential building permits in the reporting year).

(A) In the **Total** column in *Table 1, New Residential Permits Issued (Inside and Outside the PFA)* in (C) below, enter the total number of new residential building permits issued in calendar year (2016).

(Note: For annual reporting purposes, tabulate the amount of new residential building permits issued during the calendar year. It does not mean that the unit has been constructed, will be constructed, or is occupied. If your local definition of building permit varies, please indicate the definition used to tabulate new residential building permits. Reconstruction or replacement permits should be included as new residential permits. Additionally, tracking the amount of reconstruction, replacement or demolition of residential units in Table 2A may be beneficial when conducting the Development Capacity Analysis in Section VIII.)

(B) In the **PFA** column in *Table 1*, enter the total number of permits issued inside the Priority Funding Area (PFA).

(C) In the **Non-PFA** column in *Table 1*, enter the total number of permits issued outside the PFA.

Table 1: New Residential Permits Issued (Inside and Outside the PFA)

Residential	PFA	Non - PFA	Total
# New Residential Permits Issued	1,110	75	1,185

(Note: At a minimum, each jurisdiction should submit the information requested in Table 1: New Residential Permits Issued (Inside and Outside the PFA) as part of their Annual Report. If no residential permits were issued, then indicate 0 instead of leaving blank.)

(D) Use Tables 2A and 2B to Identify the amount of residential and commercial development approved, including number of minor and major subdivisions, subdivision area, lots approved and lot sizes, total commercial square feet approved and constructed. The amount of reconstruction, replacement or demolition of residential units rows listed in Table 2A, are not required but it may be beneficial for a jurisdiction to track when the Planning Commission completes its Development Capacity Analysis in Section VIII.

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Table 2A: Amount of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non - PFA	Total
# Units Approved	2,293	268	2,561
# Units Constructed	1,096	113	1,209
# Subdivisions Approved	24	6	30
Total Approved Subdivision Area (Gross Acres)	57.5	87.4	144.9
# Lots Approved	198	268	466
Total Approved Lot Size (Net Acres)	53.9	85.6	139.5
# Units Demolished*	NA	NA	NA
# Units Reconstructed/Replaced*	NA	NA	NA

*Not required.

Table 2B: Amount of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non - PFA	Total
# Permits Issued	54	10	64
# Lots Approved	26	0	26
Total Building Square Feet Approved (Gross)	1,095,912.5	95,933.2	1,191,845.7
Total Square Feet Constructed (Gross)	262,099.9	3,723.1	265,823

(E) Were more than **50** new residential building permits issued in 2016? Y ☒ N ☐

1. If no, then the remainder of this Section is optional. Skip to *Section VI: Locally Funded Agricultural Land Preservation*.
2. If yes, then complete *Tables 3 through 5* for Residential Growth and *Tables 6 through 8* for Commercial Growth in (F) and (G) below.

(F) Amount, Net Density and Share of Residential Growth:

(Note: To calculate the amount, net density and share of residential growth, jurisdictions must identify the total number of new residential building permits issued; the total number of new residential units approved; the total number of new residential lots approved; the total approved gross acreage of new residential

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subdivisions; and net lot area. A number of values are repeated in Tables 1 through 5. Be sure to enter consistent values for each similar category used in these tables.)

Table 3: Amount of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non - PFA	Total
# Permits Issued	1,110	85	1,185
# Units Approved	2,293	268	2,561
# Units Constructed	1,096	113	1,209
Total Approved Subdivision Area (Gross Acres)	57.5	87.4	144.9
# Lots Approved	198	268	466

Table 4: Net Density of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non – PFA	Total
# Units Approved	2,293	268	2,561
Total Approved Lot Size (Net Acres)	53.9	85.6	139.5

Table 5: Share of Residential Growth (Inside and Outside the PFA)

Residential	PFA	Non – PFA	Total
# Units Approved	2,293	268	2,561
% of Total Units (# Units/Total Units)	89.5%	10.5%	100%

(G) Amount, Net Density and Share of Commercial Growth:

(Note: To calculate the amount, net density and share of commercial growth, jurisdictions must identify the total number of new commercial permits issued; the total square footage of the commercial building approved; the total number of new commercial lots approved; the total new commercial subdivision area (gross acres); and the total approved subdivision net lot area, in acres for all new commercial subdivisions. The total building square footage (gross) and total lot size values (net acres) should be the same for Tables 6 through 8. For annual report purposes, all approved square footage (gross) should be tabulated, with the understanding that not all building square footage reported may be used for commercial or retail related activities. Commercial growth should include retail, office, hotel, industrial uses and may include other uses, such as, mixed-use, institutional and agricultural structures, if approved for commercial use.)

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Table 6: Amount of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non - PFA	Total
# Permits Issued	54	10	64
Building Square Feet Approved (Gross)	1,095,912.5	95,933.2	1,191,845.7
# Lots Approved	26	0	26
Total Subdivision Area (Gross Acres)	42.2	0	42.2

Table 7: Net Density of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non – PFA	Total
Building Square Feet (Gross)	1,095,912.5	95,933.2	1,191,845.7
Total Lot Size (Net Acres)	41.9	0	41.9

Table 8: Share of Commercial Growth (Inside and Outside the PFA)

Commercial	PFA	Non – PFA	Total
Building Square Feet (Gross)	1,095,912.5	95,933.2	1,191,845.7
% of Total Building Sq. Ft. (Bldg. Sq. Ft./Total Sq. Ft.)	92%	8%	100%

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Section VI: (Locally) Funded Agricultural Land Preservation

(A) How many acres were preserved using local agricultural land preservation funding? Enter 0 if no acres were preserved using local funds.

414.65 Acres, consisting of **53 Transferable Development Rights (TDR)**, preserved via the County's TDR program

Tax ID	Number of TDRs	Serial Numbers	Acres
00025966 (1)	4	01-9618 through 01-9621	25.2
00033682 (2)	17	03-9601 through 03-9617	93.6
00034004 (3)	1	17-9600	87.7
00706898 (4)	28	23-9569 through 23-9596	176.34
00712376 (5)	2	23-9597 through 23-9598	20.37
01874122 (6)	1	17-9599	11.44

Note: Numbers in parenthesis above correspond to the numbers on map on page 25

Source: Montgomery County Planning Department

264.04 Acres, consisting of **6 Building Lot Terminations (BLT)**, preserved via the County's BLT program

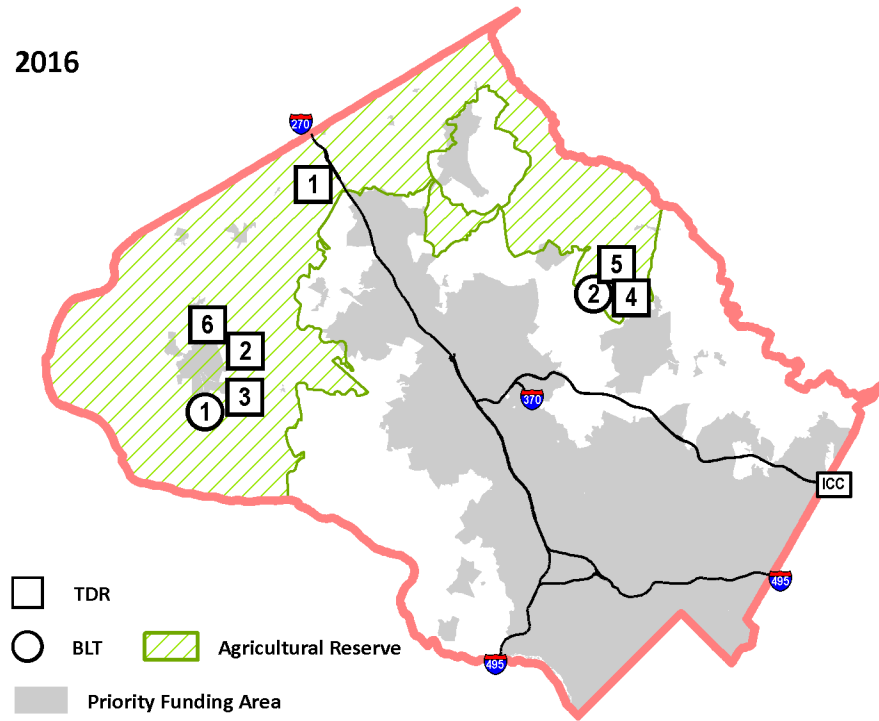
Tax ID	Number of BLTs	Serial Numbers	Acres
00034004 (1)	1	BLT-047	87.7
00706898 (2)	5	BLT-042 through BLT- 046	176.34

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Note: Numbers in parenthesis above correspond to the numbers on map below

Source: Montgomery County Planning Department

2016



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Section VII: Local Land Use Percentage Goal

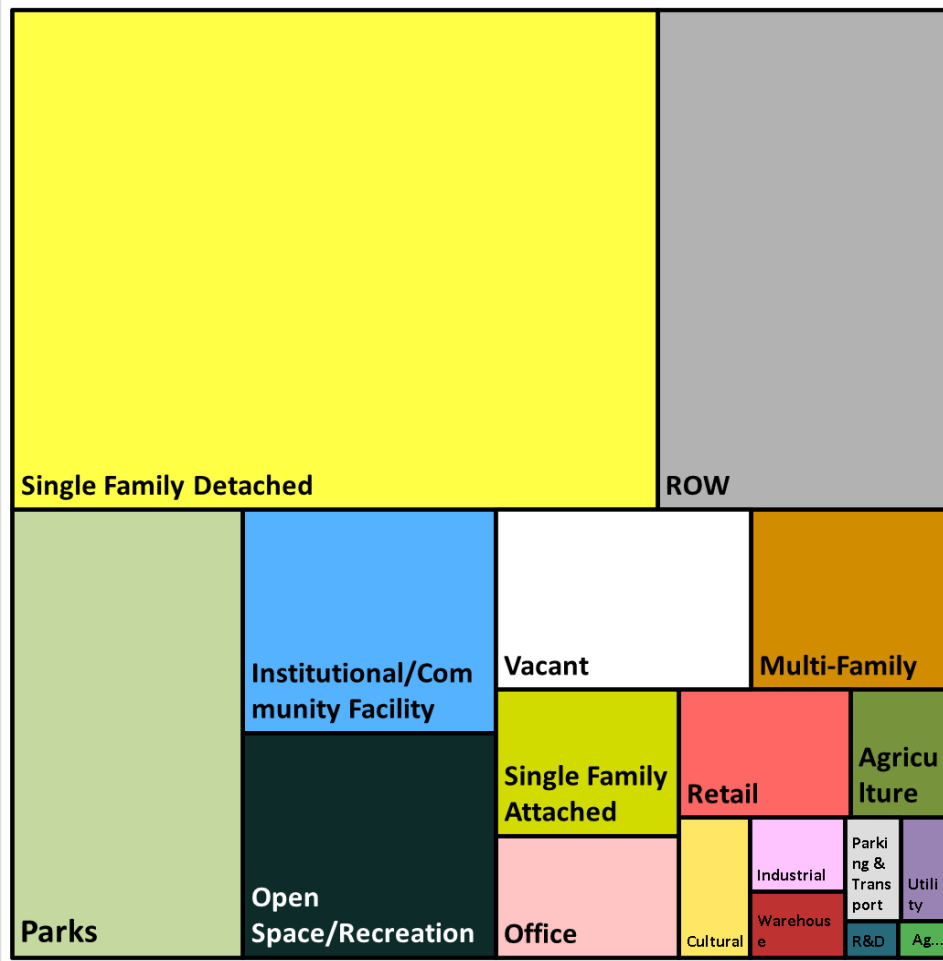
(A) Is all land within the boundaries of the jurisdiction in the PFA?

Y ☐

N ☒

Montgomery County PFA is 124,521 acres

Share of estimated land use percentages within PFA only:

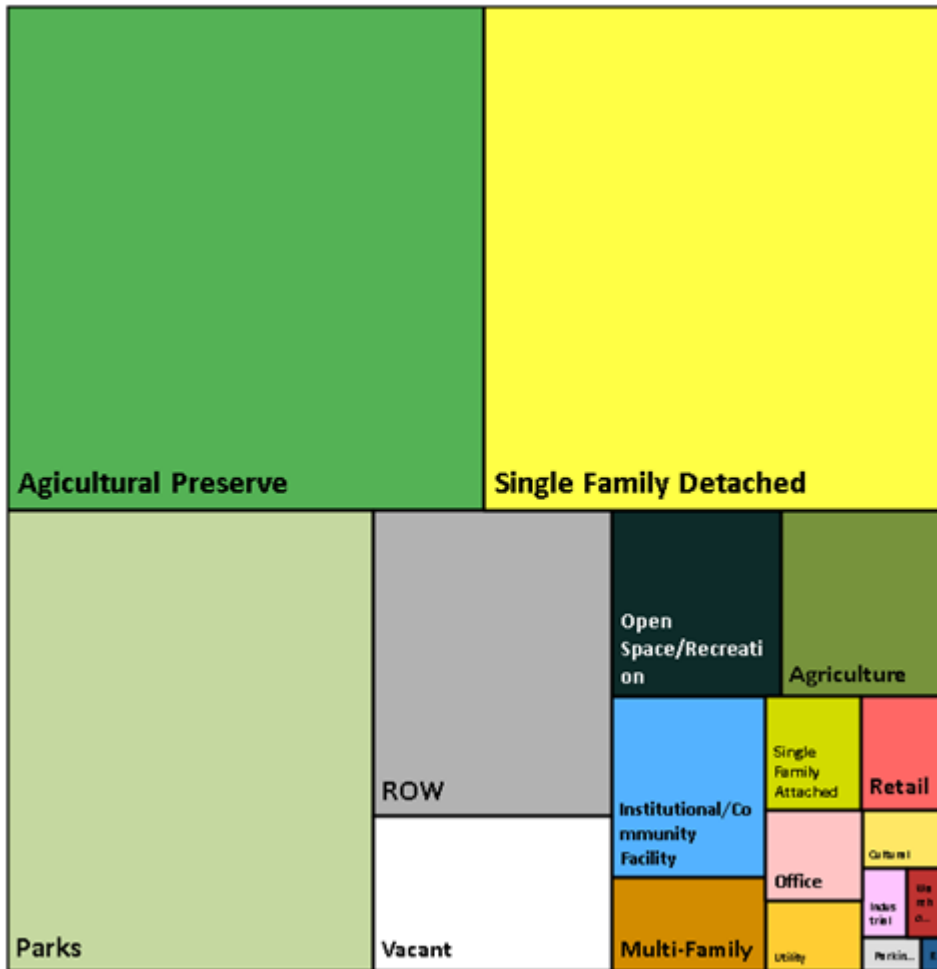


LAND USE	PERCENT	LAND USE	PERCENT
Single Family Detached	36.0%	Agriculture	1.4%
ROW	16.1%	Unknown	1.2%
Parks	11.5%	Cultural	1.1%
Institutional/Community Facility	6.3%	Industrial	0.8%
Open Space/Recreation	6.3%	Warehouse	0.7%
Vacant	5.1%	Parking & Transport	0.6%
Multi-Family	3.9%	Utility	0.5%
Single Family Attached	3.0%	R&D	0.2%
Office	2.5%	Agricultural Reserve	0.2%
Retail	2.5%		

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Montgomery County totals 318,325 acres

Share of current countywide (PFA + Non-PFA) estimated land use percentages:



LAND USE	PERCENT	LAND USE	PERCENT
Agricultural Reserve	26.3%	Retail	1.0%
Single Family Detached	25.4%	Office	1.0%
Parks	18.6%	Utility	0.8%
ROW	8.0%	Unknown	0.7%
Vacant	4.1%	Cultural	0.5%
Open Space/Recreation	3.4%	Industrial	0.3%
Agriculture	3.3%	Warehouse	0.3%
Institutional/Community Facility	3.1%	Parking & Transport	0.2%
Multi-Family	1.6%	R&D	0.1%
Single Family Attached	1.2%		

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1. If yes, then the local land use percentage goal does not need to be established. Skip to Section VIII: Development Capacity Analysis.
2. If no, then the jurisdiction must establish a local percentage goal to achieve the statewide land use goal, under §1-208(2) of the Land Use Article, to increase the current percentage of growth located inside the PFAs and decrease the percentage of growth (new lots and new residential units) located outside the PFAs. Go to (B).

(B) What is the jurisdiction's established local land use percentage goal? 80%

Montgomery County Planning has been encouraging and planning for predominantly infill and transit oriented development for a significant period. Our Agricultural Reserve and preservation programs reinforce this effort. As our previous land use reports have shown, most of the development approvals are for properties located almost entirely within the PFA of the county. Given restrictions that have been put in place, there is very little developable land outside the PFA. Almost all significant development in terms of new population and employment is within the PFA. On average, over the last 5 years, **88%** of the residential units and **87%** of the commercial square footage being constructed were within the PFA. Considering these percentages, we feel confident establishing a goal that calls for a minimum of 80% of our approved growth approved to be within the County's PFA.

(C) What is the timeframe for achieving the local land use percentage goal? Ongoing

Our local land use percentage goal has consistently been exceeded. Our preservation programs and planning principles ensure that we can remain compliant with this goal.

(D) What progress has the jurisdiction made in achieving the local land use percentage goal?

Except for the Ten Mile Creek Amendment to the Clarksburg Master Plan, all current planning has focused on growth in areas within the PFA. Moreover, the Ten Mile Creek Amendment called for significant reductions to potential density in that area, which lies outside the PFA.

(E) What resources are necessary for infrastructure upgrades inside the PFAs?

Significant investment is either planned or underway to serve growth within the PFA. Although some transportation projects are funded and built outside of the PFA, they serve to make the larger transportation network function better for development within the PFA. State assistance will be sought for many of these projects, consistent with state funding guidance.

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In the past, Capital Improvement Program (CIP) Project Status and Types have been submitted to highlight the locations of infrastructure investments in the county. Unfortunately, the data for FY 2017 had not been published by the date this report was submitted. Once the data becomes available, it will be submitted to MDP in both map and table format.

(F) What resources are necessary for land preservation outside the PFAs?

In addition to Transferable Development Rights (TDR) and Building Lot Terminations (BLT), the County relies on Program Open Space funding for land acquisition to preserve land outside the PFA. The Rural Legacy and Agricultural Easement programs are essential for land preservation in the Agricultural Reserve.

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Section VIII: Development Capacity Analysis (DCA)

- (A) Has an updated DCA been submitted with your Annual Report or to Planning within the last three years?

(Note: A DCA is required at least once every 3-years and whenever there is a significant change in zoning or land use pattern. See §1-208(c)(iii) of the Land Use Article. A DCA may be submitted independently from the Annual Report, such as, part of a comprehensive plan update. Please contact your Regional Planner if you require assistance.)

Y ☒ N ☐

1. If no, explain why an updated DCA has not been submitted, such as, no substantial growth changes, etc.
2. If yes, then skip to Section IX: Adequate Public Facility Ordinance (APFO) Restrictions.

(Note: MDP provides technical assistance to local governments in completing development capacity analyses. Please contact your regional planner at Planning for more information.)

- (B) If your DCA is not submitted this year, when was the last DCA submitted?

Identify Month and Year: June 2016

- (C) If your DCA is submitted this year, then provide the following data on capacity inside and outside the PFA in Table 9, Residential Development Capacity (Inside and Outside the PFA):

Table 9: Residential Development Capacity (Inside and Outside the PFA)

Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
Residentially Zoned Acres w/ Capacity	3,967	3,129	7,096
Residential Parcel & Lots w/Capacity	1,904	5,821	7,725
Residential Capacity (Units)	5,148	2,361	7,509

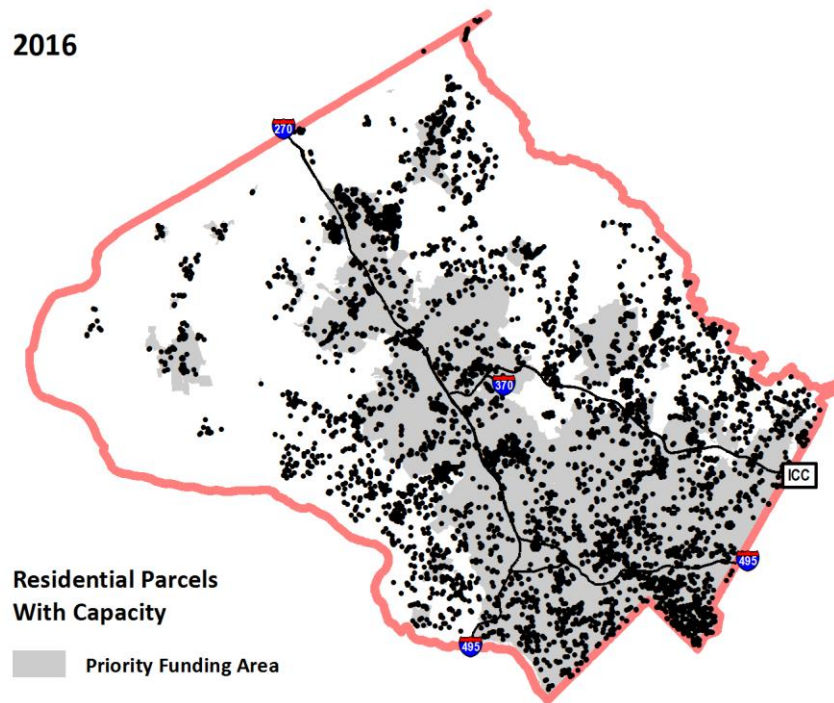
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PFA	Residential Capacity		
	Parcels	Acres	Units *
IN	5,821 (75%)	3,129 (44%)	5,148 (69%)
OUT	1,904 (25%)	3,967 (56%)	2,361 (31%)
TOTAL	7,725	7,096	7,509

* **Note:** Unit counts do not include independent zoning authority parcels or commercial/residential parcels (CR). CR zones are calculated by FAR, not density units per acre.

Source: Montgomery County Planning Department
Montgomery Department of Assessments and Taxation
Montgomery County Department of Environment

2016



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Section IX: Adequate Public Facility Ordinance (APFO) Restrictions (Section XI is only required by jurisdictions with adopted APFOs)

(A) Does your jurisdiction have any adopted APFOs?

Y ☒ N ☐

1. If no, skip to Section X.
2. If yes, go to (B).

(B) Has your jurisdiction submitted a Bi-Annual APFO Report under §7-104 of the Land Use Article?

Y ☐ N ☒

1. If yes, skip to Section X.
2. If no, then please complete (C) through (I) below for each restriction.

(Note: Jurisdictions with adopted APFOs must submit a biennial APFO report when a restriction within the PFA occurs within the reporting period. The APFO report is due by July 1 of each even year and covers the reporting period for the previous two calendar years. The last cycle included years 2014 and 2015 and the APFO report was due by July 1, 2016. APFO reports for 2016 and 2017 are due July 1, 2018.)

(C) What is the type of infrastructure affected? (List each for Schools, Roads, Water, Sewer, Stormwater, Health Care, Fire, Police or Solid Waste.)

Montgomery County's Subdivision Staging Policy is a growth management tool that helps guide the timing of development in concert with the provision of adequate public facilities. This policy implements a 1973 law, the Adequate Public Facilities Ordinance, which directs development to areas where public facilities are in place. The policy provides guidelines that govern when new development can be approved, matching growth to the availability of adequate transportation and schools. The current policy focuses on two types of restrictions on new development: restrictions based on school capacity, and restrictions based on transportation capacity. The 2016 update to the Subdivision Staging Policy was adopted by the County Council on November 15, 2016 and became effective on January 1, 2017.

(D) Where is each restriction located? (Identify on a map if possible).

Schools:

Through 2016, school adequacy was determined for each school level (elementary, middle, and high). At any level, if projected enrollment exceeded 105% of projected capacity then new residential development within the affected school cluster was required to make a School Facility Payment (SFP). The SFP is based on the number of students generated by the proposed development and the cost of additional infrastructure needed to support it, which varies by

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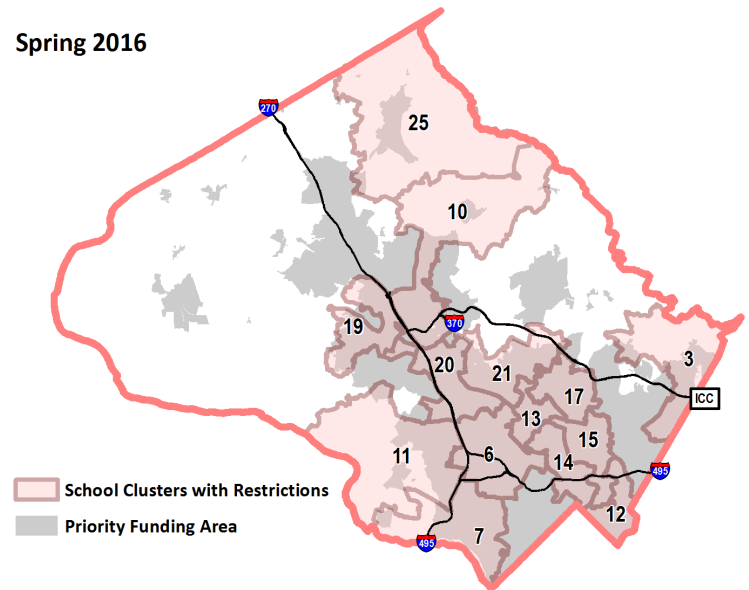
school type. If projected enrollment exceeded 120% of projected capacity, then the entire school cluster was placed in moratorium which prevents any residential development approvals. Under the FY16 and FY17 Annual School Tests, residential development projects in the following PFA restricted school districts required a School Facility Payment to proceed:

Spring 2016 Restrictions with School Level:

- 12 Blair MS, HS
- 11 Churchill HS
- 25 Damascus MS
- 14 Einstein HS
- 10 Gaithersburg ES, MS
- 17 Kennedy MS, HS
- 15 Northwood ES, MS, HS
- 3 Paint Branch HS
- 19 Quince Orchard ES, HS
- 20 Richard Montgomery HS
- 21 Rockville MS
- 6 Walter Johnson HS
- 13 Wheaton MS, HS
- 7 Whitman MS, HS

Restricted: 3 Elementary Schools, 8 Middle Schools and 11 High Schools
Moratorium: None

Spring 2016



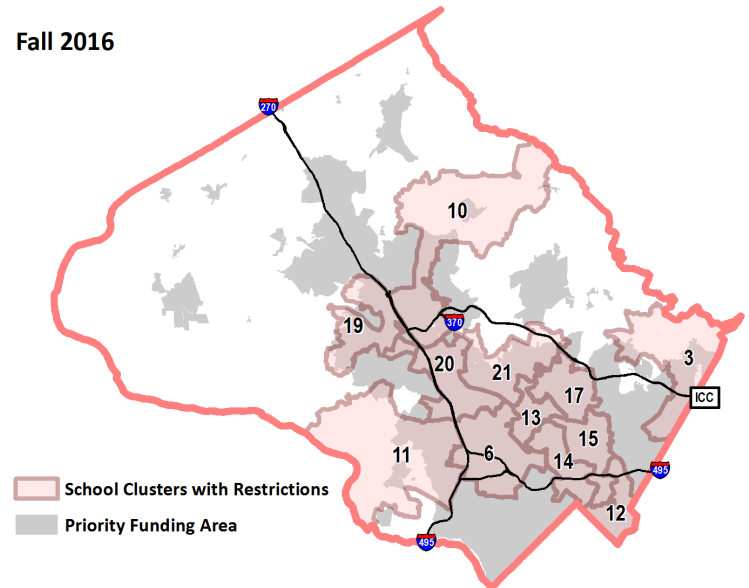
Fall 2016 Restrictions with School Level:

- 12 Blair HS
- 11 Churchill HS
- 14 Einstein ES, HS
- 10 Gaithersburg ES, MS, HS
- 17 Kennedy HS
- 15 Northwood ES HS
- 3 Paint Branch HS
- 19 Quince Orchard ES, HS
- 20 Richard Montgomery HS
- 21 Rockville MS
- 6 Walter Johnson HS
- 13 Wheaton MS

Restricted: 4 Elementary Schools, 3 Middle Schools and 10 High Schools
Moratorium: None

Source: FY16 Annual School test and FY17 Annual School Test

Fall 2016



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Following adoption of the 2016-2020 Subdivision Staging Policy, school adequacy is still determined for each school level (elementary, middle, and high) as described above, but an individual school adequacy test has been added for all elementary and middle schools. For each elementary school, if projected enrollment exceeds 120% of projected capacity, and the student seat deficit is greater than 110 student seats, then the elementary school enrollment area is placed in moratorium. And, for each middle school, if projected enrollment exceeds 120% of projected capacity, and the student seat deficit is greater than 180 student seats, then the middle school enrollment area is placed in moratorium.

In addition, the requirement to make a School Facility Payment when projected enrollment exceeded projected capacity by 105% was eliminated. In its place, the County Council raised the development impact tax for school infrastructure by 30%.

Transportation:

The 2012 Subdivision Staging Policy introduced a new area-wide transportation test to balance the estimated number of trips generated by new development against the transportation infrastructure – transit, roads, and pedestrian/cycling routes available within a specified period. This test, termed Transportation Policy Area Review (TPAR), measured the impact of development on traffic flow and transit capacity in each of the County's 31 policy areas. TPAR established standards for roadway and transit adequacy and determined which policy areas met those standards.

TPAR set different standards for transportation adequacy in urban, suburban, and rural areas. Development proposed in a policy area deemed inadequate for either roadway or transit service, would be required to provide the needed capacity or make a TPAR payment. The Metro Station Policy Areas were exempt from the transit test because these areas are with walking distance of a Metro station and the buses converging at these stations provide substantial coverage, frequency (i.e., peak headways) and span of service. The Rural Policy Areas were not subject to the policy area transportation adequacy test because of low traffic volume.

The information for TPAR inadequacies provided below is from 2014 and still holds for calendar year 2016. This information was required to be updated every two (2) years; however, like the decision to remove the School Facility Payment in lieu of higher impact taxes, the County Council also eliminated the policy area-based transportation adequacy test TPAR effective January 1, 2017.

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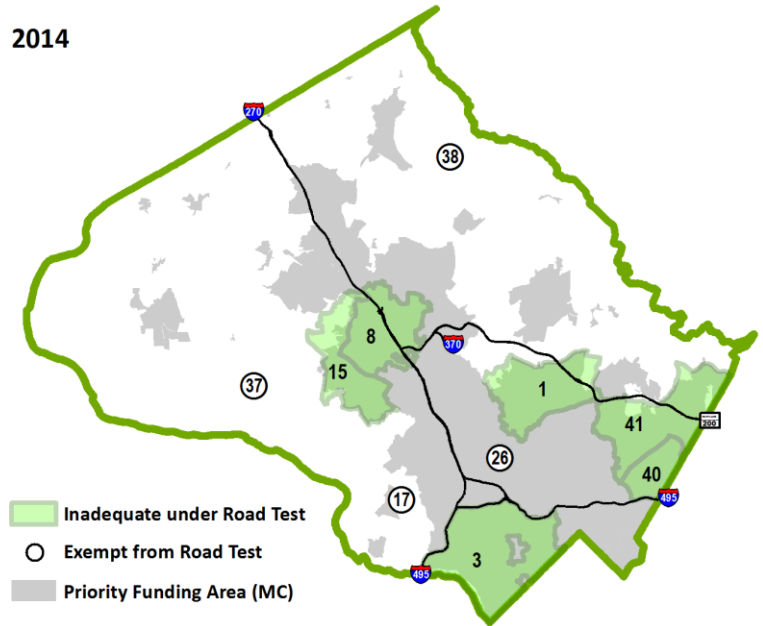
Policy Areas Inadequate Under Road Test

2014

- 1 Aspen Hill
- 3 Bethesda/Chevy Chase
- 41 Fairland/Colesville
- 8 Gaithersburg City
- 15 North Potomac
- 40 White Oak

Policy Areas EXEMPT from Road Test

- 17 Potomac
- 38 Rural East*
- 37 Rural West*
- 26 White Flint*



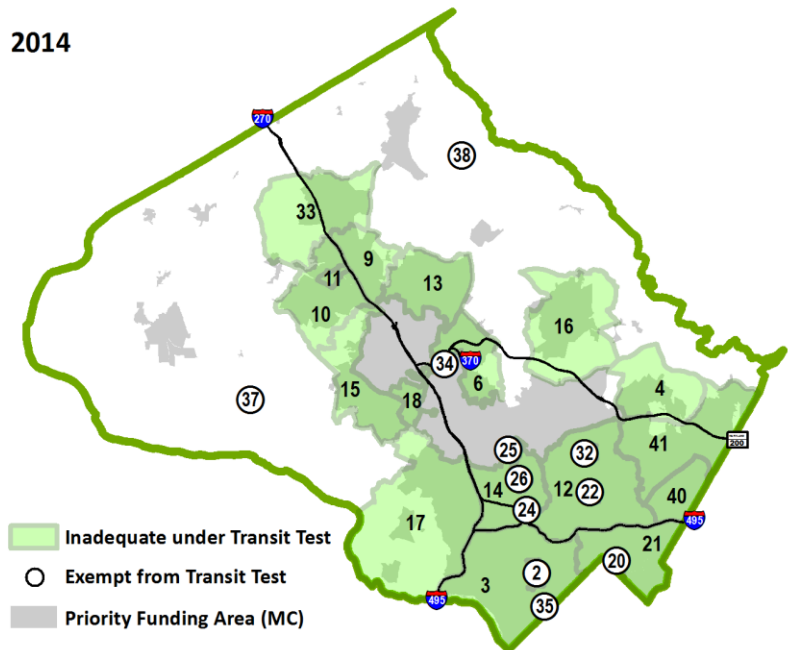
* Exempt from both Road and Transit Tests

The TPAR transit analysis considers three facets of existing local bus transit service: Service Coverage, Peak Headways, and Span of Service.

Policy Areas Inadequate Under Transit Test

2014

- 3 Bethesda/Chevy Chase
- 33 Clarksburg
- 4 Cloverly
- 6 Derwood
- 9 Germantown East
- 11 Germantown Town Center
- 10 Germantown West
- 12 Kensington/Wheaton
- 13 Montgomery Village/Airpark
- 14 North Bethesda
- 15 North Potomac
- 16 Olney
- 17 Potomac
- 18 R&D Village
- 19 Rockville City
- 21 Silver Spring/Takoma Park
- 40 White Oak
- 41 Fairland



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Policy Areas EXEMPT from Transit Test

2 Bethesda CBD
35 Friendship Heights
32 Glenmont
24 Grosvenor
38 Rural East*
37 Rural West*
34 Shady Grove
20 Silver Spring CBD
25 Twinbrook
22 Wheaton CBD
26 White Flint*

* Exempt from both Road and Transit Tests

Source: Biennial TPAR Monitoring Report, January 2015

(E) Describe the nature of what is causing each restriction.

School capacity needs are evaluated annually by Montgomery County Public Schools using estimated enrollment and capacity data for elementary, middle and high school levels for each school cluster as well as for individual elementary and middle schools starting in 2017. Funds for capital improvements are limited, therefore each year the school system requests money for capital programming to meet as much of the capacity need as possible. Funds are not available to construct enough capacity in any one year.

Similarly, through 2016 road and transit capacities were evaluated for county established policy areas. The test for these evaluations, the Transportation Policy Area Review test, was formulated as part of the Planning Department's quadrennial Subdivision Staging Policy. The most recent update to the Subdivision Staging Policy was adopted in 2016. Under this update the policy area test will no longer be evaluated.

(F) What is the proposed resolution of each restriction (if available)?

In the case of roads and transit, the restrictions result in mitigation fees that are to be collected prior either to the issuance of any building permits or use-and-occupancy permits for projects approved in any affected area. The fees go to the County Department of Transportation to be used as a funding source for the County Capital Improvements Program (CIP) for road and transit improvements. With respect to schools, the School Facility Payment is placed in an account to be used to fund capital improvements in the applicable school cluster and, where possible, at the school level deemed inadequate. Both the School Facility Payment and TPAR test were eliminated under the 2016 Subdivision Staging Policy, but impact

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taxes were raised considerably. The moratorium on residential development, a result of inadequate school capacity, remains.

(G) What is the estimated date for the resolution of each restriction (if available)?

The annual test of school adequacy is based on projected enrollment and projected capacity. Any school construction funds that are included in the six year CIP can be counted toward available capacity and can, therefore, result in a restriction being removed from a school cluster. Similarly, for transportation, mitigation fees are used to fund roadway or transit construction that will result in added capacity.

(H) What is the resolution that lifted each restriction (if applicable)?

In the case of schools, additional funding of capacity, or an estimated decrease in enrollment or a change to school boundaries can result in the removal of a restriction. In the case of transportation, additional funding in the six year CIP for construction of additional roadway or transit capacity, or a change in travel demand, can result in a restriction being removed.

(I) When was each restriction lifted (if applicable)?

Annually, the adequacy of each school level for each school cluster is evaluated. Starting in 2017 the adequacy of individual elementary and middle schools will also be evaluated on an annual basis. Any restriction imposed in one year could be removed the following year if the capacity issue has been addressed. Beginning in 2017 the adequacy of the transportation network will no longer be evaluated by policy area, instead capacity will be evaluated on a project by project approval basis. Thus, any restriction will be in the form of mitigation that will occur in conjunction with new development.

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Section X: Submitting Annual Reports and Technical Assistance

- (A) Annual Reports may be submitted via email to david.dahlstrom@maryland.gov or one copy may be mailed to:

Office of the Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Attn: David Dahlstrom, AICP

- (B) Annual Reports should include a cover letter indicating that the Planning Commission has approved the Annual Report and acknowledging that a copy of the Annual Report has been filed with the local legislative body. The cover letter should also indicate a point of contact(s) if there are technical questions about your Annual Report. Before emailing the Annual Report please ensure the following:

1. Was this Annual Report approved by the planning commission/board? Y ☒ N ☐
2. Was this Annual Report filed with the local legislative body? Y ☒ N ☐
3. Does the cover letter:
 - a. Acknowledge that the planning commission/board has approved the Annual Report. Y ☒ N ☐
 - b. Acknowledge that the Annual Report has been filed with the local legislative body? Y ☒ N ☐
 - c. Answer if all members of the Planning Commission/Board and Board of Appeals have completed an educational training course as required under §1-206(a)(2) of the Land Use Article? (See Planning.Maryland.gov/YourPart/MPCA/PCBZACompletedEd.shtml for a list having completed the course.) Y ☒ N ☐

- (C) You may wish to send an additional copy of your Annual Report directly to your Maryland Department of Planning Regional Office via email or hardcopy.

- (D) If you need any technical assistance in preparing or submitting your reports, our Regional Planners are available to assist you at: Planning.Maryland.gov/OurWork/local-planning-staff.shtml

- (E) Copies of this Annual Report worksheet and links to legislation creating these Annual Report requirements can be found on the Maryland Department of Planning website: Planning.Maryland.gov/YourPart/SGGAnnualReport.shtml

- (F) If you have any suggestions to improve this worksheet or any of the annual report materials, please list or contact David Dahlstrom at david.dahlstrom@maryland.gov.