



Planning Board Draft Plan - MDP Local Jurisdiction Annual Report; Measures and Indicators



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Completed: 05-24-2018

Staff Recommendation:

Approve the attached Annual Land Use Report for Montgomery County for Calendar Year 2017 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 eight 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.

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.

Attachment

2017 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)**

May 24, 2018



ACKNOWLEDGEMENTS

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

Montgomery County Planning Department

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Annual Report Worksheet Reporting (Calendar) Year 2017

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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 2017:

Area Plans

Bethesda Downtown Plan (2)
Greater Lyttonsville Sector Plan (1)

In-Progress Master Plans 2017:

Area Plans

Grosvenor Minor Master Plan Amendment (5)
MARC Rail Communities Plan (1)
Montgomery Hills & Forest Glen Sector Plan (3)
Rock Spring Sector Plan (4)
Veirs Mill Corridor Master Plan (2)
White Flint Sector Plan Phase 2 (6)

Functional Plans

Bicycle Master Plan
Master Plan of Highways and Transitways

Studies

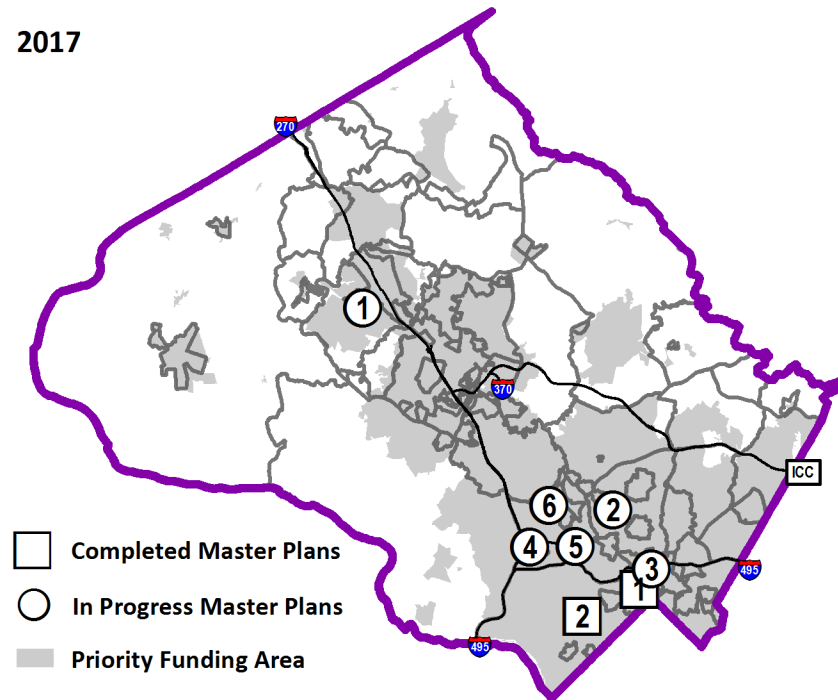
Co-location of Public Facilities Study-Retail Trends Study
Employment Trends Study

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

Source: Montgomery County Planning Department, 2017

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2017



(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).

Montgomery County, like many jurisdictions, continues 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. Our recent planning efforts have looked to provide the

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tools necessary to allow these areas to be repurposed or evolve into more mixed-use environments.

Transportation Capital Improvement Projects:

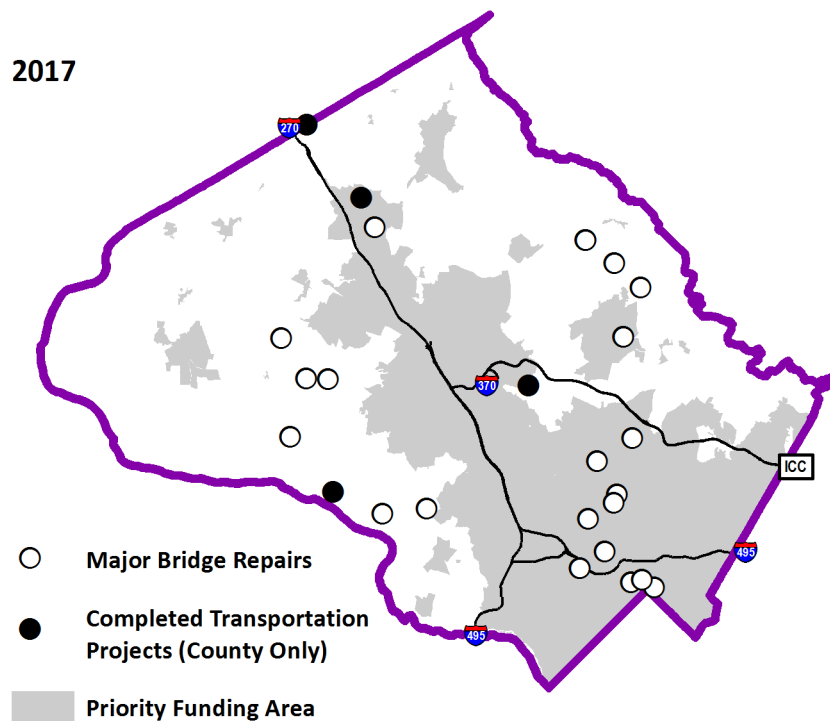
Project Name	Month Completed
Moline Road (invert paving)*	February 2017
Agricultural Farm Park (invert paving)*	March 2017
Zion Road (emergency repairs)*	March 2017
Talbot Avenue (deck repairs)*	April 2017
Germantown Road (pipe relining)*	April 2017
Glen Road (steel & abutment repairs)*	May 2017
Berryville Road (steel repairs)*	May 2017
Black Rock Road (steel & abutment repairs)*	May 2017
Newcut Road (guardrail repair)*	June 2017
Gregg Road (abutment repair)*	June 2017
Spartan Road (invert paving)*	June 2017
Schaeffer Road (deck spall repairs)*	July 2017
Kensington Parkway (debris removal)*	August 2017
Bel Pre Road (deck replacement)*	August 2017
Brighton Dam Road (debris removal)*	September 2017
Valleywood Drive (sidewalk repair)*	September 2017
Lyttonsville Place (deck spall repair)*	September 2017
Lake Potomac Drive (sidewalk repair)*	September 2017
MD 355 Sidewalk (Hyattstown)	September 2017
Stringtown Road	September 2017
Needwood Road Bike Path (Phase 1)	September 2017
Pennyfield Lock Road Bridge Replacement	September 2017
Randolph Road (debris removal)*	October 2017
Zion Road (parapet repair)*	October 2017
Connecticut Avenue (culvert replacement)*	November 2017
Beach Drive (railing repair)*	November 2017
Spartan Road (sidewalk & fill settlement repair)*	November 2017
Spring Street (install debris shield)*	November 2017
ICC Land Transfer	December 2017
Elmhirst Parkway Bridge	December 2017

* Bridge Repair and Renovation

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

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Type	CIP Projects by PFA		
	PFA	Number of Projects	Percent
Major Bridge Repairs	IN	13	54%
	OUT	11	46%
Transportation Projects	IN	3	60%
	OUT	2	40%
TOTAL	IN	16	55%
	OUT	13	45%



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

New Schools:

Silver Creek Middle School (1)

Revitalization/Expansions:

Brown Station Elementary School (2)

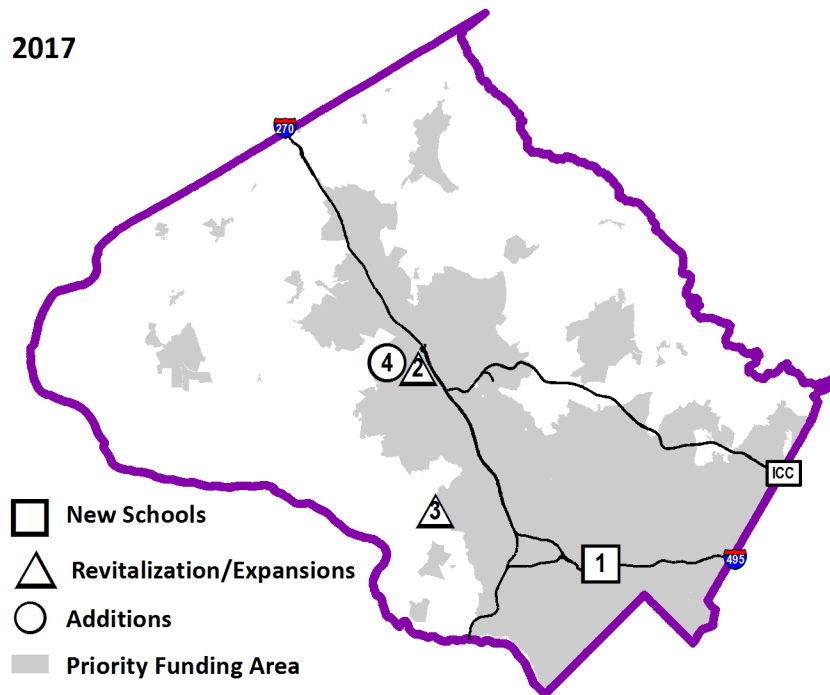
Wayside Elementary School (3)

Additions:

Diamond Elementary School (4)

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

Source: Montgomery County Public Schools (MCPS, 2017)

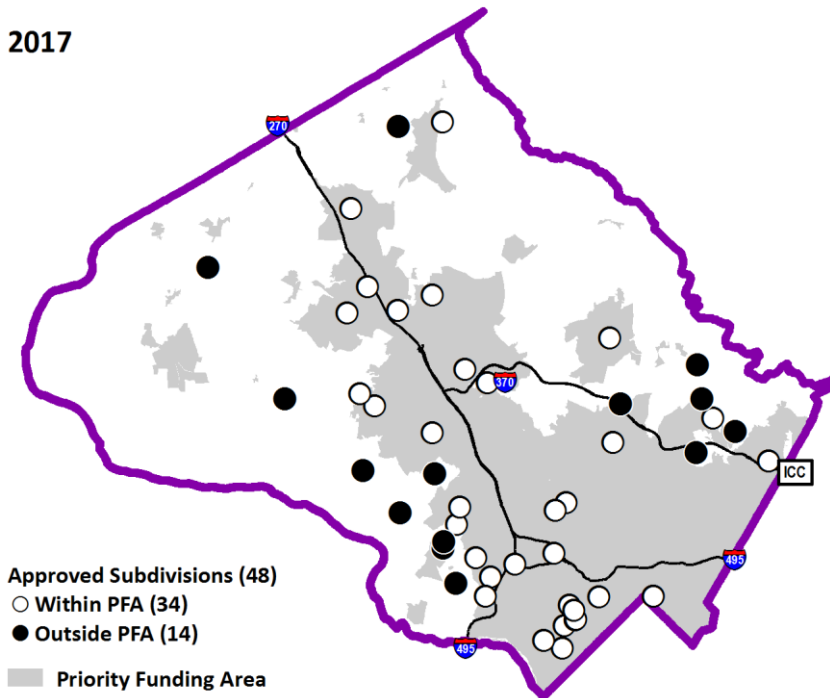


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New Subdivisions

48 new subdivisions were approved in 2017; 34 (71%) located within the PFA, while 14 (29%) were located outside.

2017



Source: Montgomery County Planning Department, CY 2017

(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.

Only one zoning text amendment having the potential to change development patterns, passed in 2017. Zoning Text Amendment 17-02, Overlay Zone Regional Shopping Center, allows residential uses in the Regional Shopping Center (RSC) Overlay Zone. This ZTA also allows additional height in the Overlay zone to accommodate development of residential buildings or multi-use buildings with residential units. It changes a primarily large retail land use into a mixed-use zone. Most of the other ZTAs introduced in 2017 involve changes to development standards or requirements for approval, or minor modifications to allowable land uses.

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The only SRA enacted in 2017 was SRA 17-01: Approval Procedures – Burial sites. Under SRA 17-01, burial sites are defined. The SRA also requires the identification of burial sites on preliminary plan applications, and the preservation of identified burial sites. A bill passed at the same time, Bill 24-17, requires the Planning Board to establish and maintain an inventory of burial sites in the County.

The following are ZTAs and SRAs reviewed in 2017:

Subdivision Regulation Amendment No. 17-01, Approval Procedures – Burial sites; Bill 24-17, Land Use Information-Burial Sites

An Amendment to the Montgomery County Subdivision Regulations (Chapter 50) and to Chapter 33A (Planning Procedures) to:

Define burial sites; require the identification of burial sites on preliminary plan applications; and require approved preliminary plans to appropriately preserve burial sites. Under Bill 24-17, require the Planning Board to establish and maintain an inventory of burial sites in the County.

Zoning Text Amendment No. 17-02, Overlay Zone Regional Shopping Center

An Amendment to the Montgomery County Zoning Ordinance to:

Allow residential uses in the Regional Shopping Center (RSC) Overlay Zone; allow additional height in the Overlay zone to accommodate development of residential buildings or multi-use buildings with residential units.

Zoning Text Amendment No. 17-03, Short-Term Residential Rental

An Amendment to the Montgomery County Zoning Ordinance to:

Modify the definition of “Household Living”; define “Short-Term Residential Rental”; and establish limited use standards for Short-Term Residential Rentals.

Zoning Text Amendment No. 17-04, Country Inn – Standards

An Amendment to the Montgomery County Zoning Ordinance to:

Revise the standards for allowing a Country Inn as a conditional use in the R-200 zone.

Zoning Text Amendment No.: 17-05, Ripley/South Silver Spring Overlay Zone – Standards

An Amendment to the Montgomery County Zoning Ordinance to:

Amend the development standards for the Ripley/South Silver Spring (RSS) Overlay zone by allowing an increase in building height for optional method projects under certain circumstances.

Zoning Text Amendment No.: 17-06, 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

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circumstances; and to change the name of “Farm Tenant Dwelling” to “Farm Labor Housing Unit”.

Zoning Text Amendment No. 17-07, Light Manufacturing and Production – Brewing and Distilling

An Amendment to the Montgomery County Zoning Ordinance to:
Revise the definition and standards for light manufacturing and production; allow for the brewing and distilling of alcoholic beverages under certain circumstances; and allow light manufacturing and production use as a limited use in additional zones.

Zoning Text Amendment No. 17-08, Bed and Breakfast – Historic Buildings

An Amendment to the Montgomery County Zoning Ordinance to:
Revise the definition and requirements for a bed and breakfast; and allow a bed and breakfast under more permissive standards when the facility is located in a historic building.

Zoning Text Amendment No. 17-10, White Flint 2-Parklawn Overlay Zone

An Amendment to the Montgomery County Zoning Ordinance to:
Establish the White Flint 2-Parklawn Overlay zone with development and land use standards, and procedures for development approvals.

Zoning Text Amendment No. 17-11, Antennas on Existing Structures

An Amendment to the Montgomery County Zoning Ordinance to:
Revise the uses for a dish antenna; and revise the use standards for antennas on existing structures that include a broadcast studio.

Zoning Text Amendment No. 17-12, Definitions – Rear Building Line

An Amendment to the Montgomery County Zoning Ordinance to:
Add a definition for “rear building line”.

Zoning Text Amendment No. 17-13, Exemptions - Public Taking

An Amendment to the Montgomery County Zoning Ordinance to:
Remove the possibility of structures located on a lot reduced in area by a public acquisition from becoming nonconforming; allow the repair, alteration, or reconstruction of such structure under certain circumstances; and allow the lot reduced in area by public acquisition to be legal.

Zoning Text Amendment No. 17-14, Walls and Fences - Setback Exemption

An Amendment to the Montgomery County Zoning Ordinance to:
Revise, under certain circumstances, the provisions that allow fences and walls to be exempt from setback standards.

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(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 2017:

Sectional Map Amendment H-122

Bethesda Downtown Sector Plan

Approved per CC Resolution 18-895

Sectional Map Amendment (SMA) H-122 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application for the purpose of implementing the zoning recommendations contained in the Approved and Adopted Bethesda Downtown Sector Plan. The SMA application covers approximately 451 acres. It would rezone approximately 205 acres and reconfirm the zoning on 246 acres. The District Council approved the Bethesda Downtown Sector Plan on May 25, 2017. Sectional Map Amendment (SMA) H-122 was filed on June 23, 2017 by the Montgomery County Planning Board to implement the specific zoning recommendations of the Bethesda Downtown Sector Plan.

Sectional Map Amendment H-123

Greater Lyttonsville Sector Plan

Approved per CC Resolution 18-960

Sectional Map Amendment (SMA) H-123 was filed by the Maryland-National Capital Park and Planning Commission and is a comprehensive rezoning application for the purpose of implementing the zoning recommendations contained in the Approved and Adopted Greater Lyttonsville Sector Plan. The SMA application covers approximately 585 acres. The District Council approved the Greater Lyttonsville Sector Plan on February 7, 2017 and amended the resolution to correct two technical errors on March 28, 2017. Sectional Map Amendment (SMA) H-123 was filed on September 13, 2017 by the Montgomery County Planning Board to implement the specific zoning recommendations of the Greater Lyttonsville Sector Plan. The evidence of record for Sectional Map Amendment H-123 consists of all record materials compiled in connection with the County Council public hearing on the Planning Board Draft of the Greater Lyttonsville Sector Plan, dated September 27, 2016, and all record materials compiled in connection with the public hearing held by the Council on October 31, 2017 on Sectional Map Amendment H-123.

Local Map Amendment H-115

Three Sons Avalon

Approved per CC Resolution 18-739

Local Map Amendment (LMA) Application No. H-115, filed on June 1, 2016, by 3 Sons Avalon LLC (Applicant or Avalon), requests reclassification from the R-200 Zone to the TF 5.0 (Townhouse Floating) Zone. The property consists of approximately 10.28 acres of land

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located at 22821 and 22901 Frederick Road, Clarksburg, Maryland, in the 2nd Election District (Tax Account Numbers 02-00019087, 02-00019098, 02-0019076).

Local Map Amendment H-118

Georgetown Professional Services

Approved per CC Resolution 18-755

Local Map Amendment (LMA) Application No. H-118, filed on September 28, 2016, by Applicant Georgetown Professional Associates, LLLP, requests reclassification from the existing R-60 Residential Zone to the EOFF-0.5, H-35, Employment Office Floating Zone of Parcel A, Block T of the Georgetown Village Subdivision, as described in Plat 12576. The property is located at 6300 Democracy Boulevard, in Bethesda, Maryland, and consists of 1.04 acres of land (45,220 square feet) situated on the south side of Democracy Boulevard, 800 feet west of Old Georgetown Road.

Local Map Amendment H-119

Porter Road

Approved per CC Resolution 18-980

Filed on February 22, 2017, the Applicant, Nichols Development Company LLC. (Nichols or Applicant) seeks rezoning from the R-90 and CRT C-0.75 R-0.25 H-35 to the TF 10.0 Zone of five parcels at 100 Olney Sandy Spring Road, 12 Olney-Sandy Spring Road, and 17825 Porter Road, Sandy Spring, Maryland. The property is further identified as Parcel P393, Tax Map JT42, Parcel P447, Tax Map JT42, Part of Parcel 395, Tax Map JT42, and Lots 2 and 3 of the Edward C. Thomas Subdivision (Tax Account Numbers 08-00720560, 08-00711190, 08-00720558, 08-00711202, 08-00720718) in the 8th Election District.

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 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 2017:

Corrective Map Amendment H-120 & H-121

Montgomery Village Shopping Center & King’s Crossing

Approved per CC Resolution: 18-954

Two Corrective Map Amendment Applications (H-120 and H-121) were filed on July 10, 2017 by the Maryland-National Capital Park and Planning Commission to correct mapping errors in the official Zoning Map. The purpose of CMA H-120 is to correct a technical error that occurred in the Montgomery Village Sectional Map Amendment (SMA) H-112 for the residential Floor Area Ratio (FAR) of the Commercial/Residential Town (CRT) zone. The purpose of CMA H-121 is to correct zoning mistakenly applied following a Local Map Amendment (LMA) for Kings Crossing in Germantown. All errors are technical in nature and

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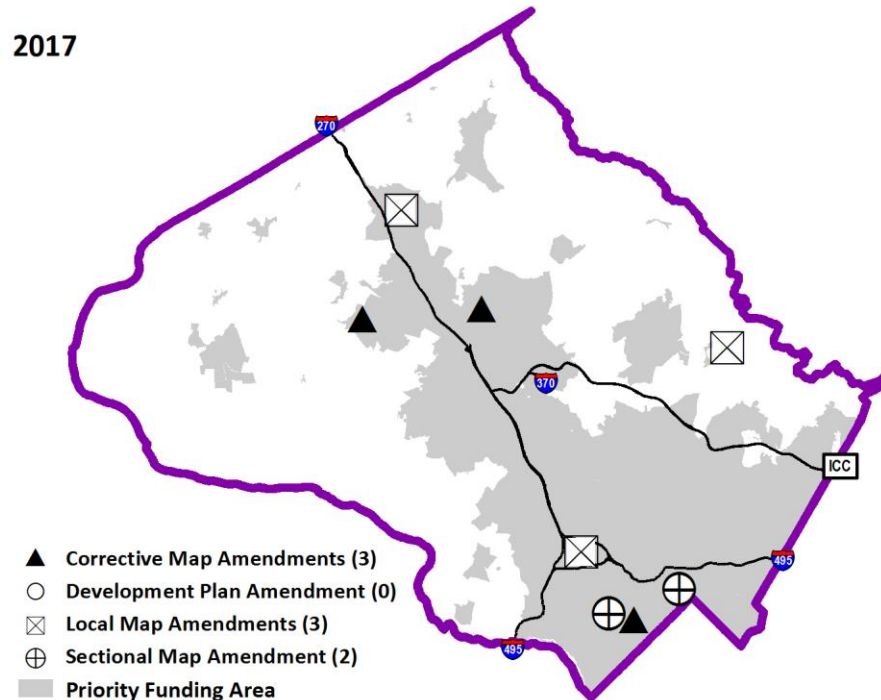
were discovered on the zoning map by Maryland-National Capital Park and Planning Commission (M-NCPPC) staff.

Corrective Map Amendment H-125

Bethesda Downtown Sector Plan

Approved per CC Resolution: 18-976

Corrective Map Amendment Application (H-125) was filed on October 20, 2017 by the Maryland-National Capital Park and Planning Commission to correct four technical errors that occurred in the Bethesda Downtown Sector Plan Sectional Map Amendment (SMA) (H-122). On September 19, 2017, the District Council approved Sectional Map Amendment H-122 to implement the recommendations of the Bethesda Downtown Sector Plan. The recommended changes are for the following subject sites: Change #172, #191, #112, and #80.



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 2017 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 community completed a five-year mid cycle review or recently updated its comprehensive plan, as indicated in the Comprehensive Plan 10-Year Transition Schedule under §1-207(c)(6) of the Land Use Article?

Y ☒ N ☐

*(Note: See Municipal and County Transition Schedules at:
<http://planning.maryland.gov/OurWork/compPlans/ten-year.shtml>
Contact your Regional Planner for additional assistance)*

1. If yes, skip to (B). Identify year five-year report completed: **2017** or;
Identify year of comprehensive plan update:
(Note: this date must be between 2012-2018)
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;
 - (vi). A summary and expected timeframe of any potential updates to the comprehensive plan.

*(Note: A copy of the 5-Year Report Form is available at:
<http://planning.maryland.gov/YourPart/SGGAnnualReport.shtml>)*

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(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?

(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 (2017). Enter 0 if no new residential building permits were issued in 2017.

(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). Enter 0 if no new residential building permits issued inside the PFA in 2017.

(C) In the **Non-PFA** column in *Table 1*, enter the total number of permits issued outside the PFA. Enter 0 if no new residential building permits issued outside the PFA in 2017.

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

Residential	PFA	Non - PFA	Total
# New Residential Permits Issued	1,093	93	1,186

(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) If the **Total** number of new residential permits in *Table 1* is less than 50, then *Tables 2A and 2B* are optional and can be used to locally monitor changes less than 50 permits. Skip to (E) if the **Total** number of new residential permits in *Table 1* is 50 or more.

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

Residential	PFA	Non - PFA	Total
# Units Approved	2,294	137	2,431
# Units Constructed	1,536	167	1,703
# Subdivisions Approved	34	14	44
Total Approved Subdivision Area (Gross Acres)	289.5	19.1	308.6
# Lots Approved	950	5	955
Total Approved Lot Size (Net Acres)	280.6	19.1	299.7
# 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	49	4	53
# Lots Approved	13	5	18
Total Building Square Feet Approved (Gross)	2,384,092	5,037	2,389,129
Total Square Feet Constructed (Gross)	188,765	18,491	207,256

(E) Were more than **50** new residential building permits issued in 2017? 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. Several 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	1,093	93	1,186
# Units Approved	2,294	137	2,431
# Units Constructed	1,539	167	1,703
Total Approved Subdivision Area (Gross Acres)	289.5	19.1	308.6
# Lots Approved	950	5	955

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

Residential	PFA	Non – PFA	Total
# Units Approved	2,294	137	2,431
Total Approved Lot Size (Net Acres)	280.6	19.1	299.7

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

Residential	PFA	Non – PFA	Total
# Units Approved	2,294	137	2,431
% of Total Units (# Units/Total Units)	94.4%	5.6%	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	49	4	53
Total Building Square Feet Approved (Gross)	2,384,092	5,037	2,389,129
# Lots Approved	13	5	18
Total Subdivision Area (Gross Acres)	33.7	38.6	72.3

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

Commercial	PFA	Non – PFA	Total
Total Building Square Feet (Gross)	2,384,092	5,037	2,389,129
Total Lot Size (Net Acres)	32.8	38	70.8

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

Commercial	PFA	Non – PFA	Total
Total Building Square Feet (Gross)	2,384,092	5,037	2,389,129
% of Total Building Sq. Ft. (Bldg. Sq. Ft./Total Sq. Ft.)	99%	1%	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.

695.6 Acres, consisting of **79** Transferable Development Rights (TDR), preserved via the County's TDR program

Tax ID	Number of TDRs	Serial Numbers	Acres
03516364 (1)	44	17-9654 through 17-9697	291.9
00028914 (2)	4	13-9635 through 03-9638	25
00034686 (3)	1	03-9700	157.1
00035704 (4)	5	17-9622 through 17-9626	34.5
00916175 (5)	5	18-9627 through 18-9631	39.3
00918037 (6)	2	18-9698 & 18-9699	39.4
00927420 (7)	15	11-9639 through 11-9653	84.2
00942686 (8)	3	12-9632 through 12-9634	24.2

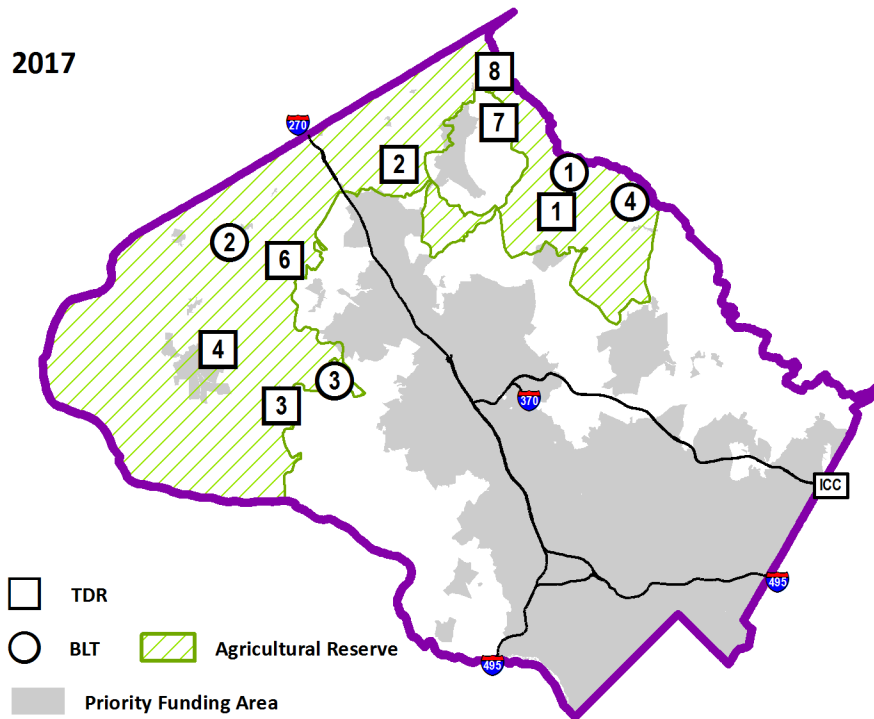
Note: Numbers in parenthesis above correspond to the numbers on map on page 25
Source: Montgomery County Planning Department

318 Acres, consisting of **7** Building Lot Terminations (BLT), preserved via the County's BLT program

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Tax ID	Number of BLTs	Serial Numbers	Acres
00003047 (1)	1	BLT-054	86.4
00915535 (2)	1	BLT-053	6.7
02998278 (3)	4	BLT-049 through BLT-052	58.5
03035095 (4)	1	BLT-048	166.5

Note: Numbers in parenthesis above correspond to the numbers on map below
Source: Montgomery County Planning Department



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Section VII: Local Land Use Percentage Goal

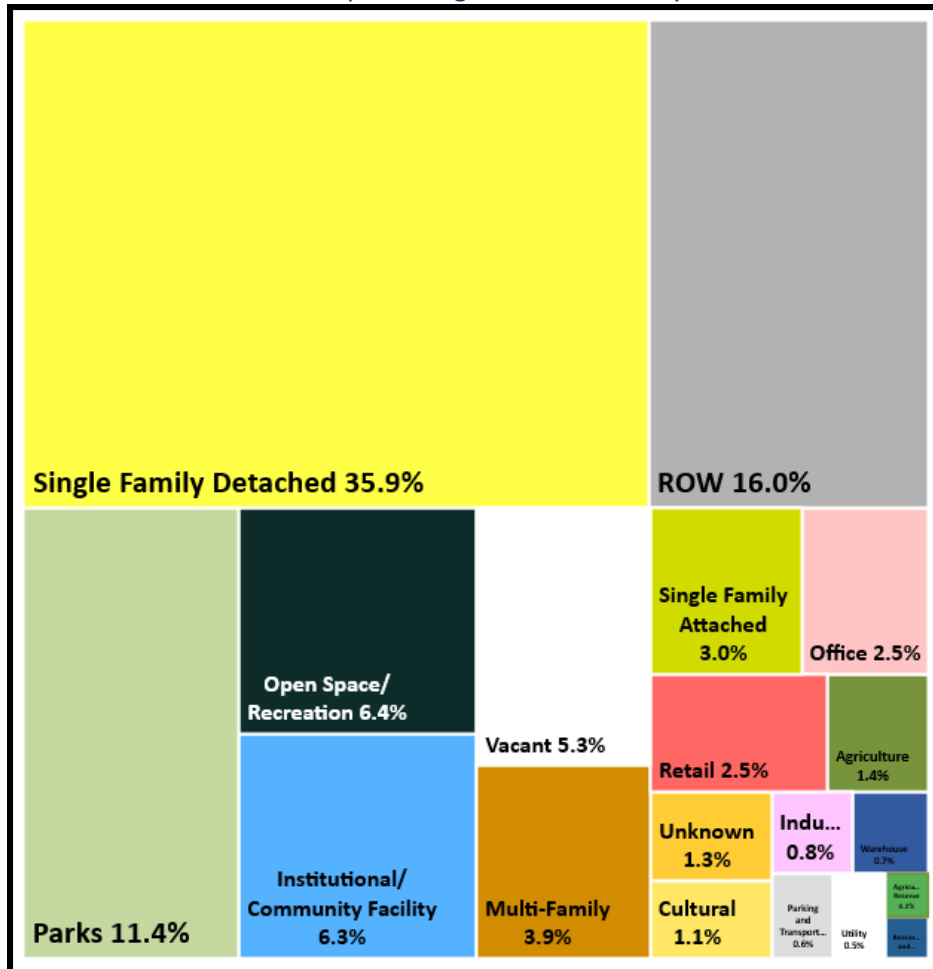
(A) Is all land within the boundaries of the jurisdiction in the PFA?

Y ☐

N ☒

Montgomery County PFA is 125,091 Acres

Share of estimated land use percentages within PFA only:

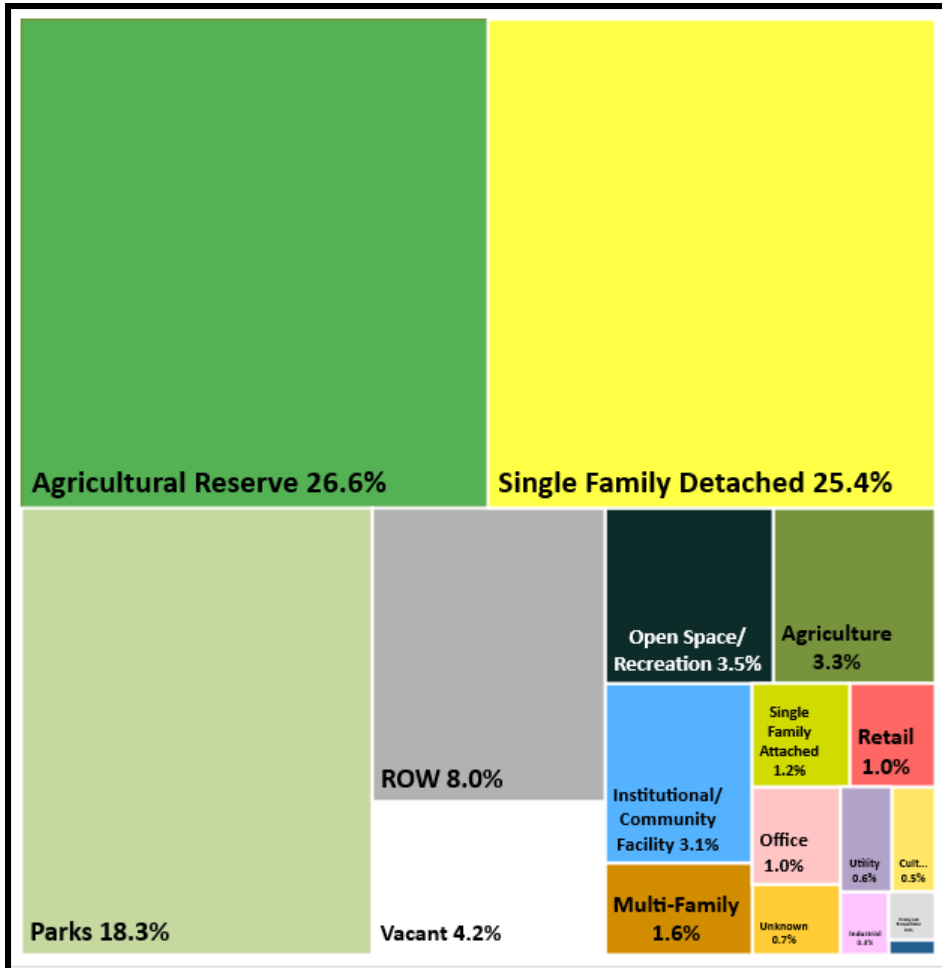


LAND USE	PERCENT	LAND USE	PERCENT
Single Family Detached	35.9%	Agriculture	1.4%
Road Right-Of-Way	16%	Unknown	1.3%
Parks	11.4%	Cultural	1.1%
Open Space/Recreation	6.4%	Industrial	0.8%
Institutional/Community Facility	6.3%	Warehouse	0.7%
Vacant	5.3%	Parking and Transportation	0.6%
Multi-Family	3.9%	Utility	0.5%
Single Family Attached	3%	Agricultural Reserve	0.2%
Office	2.5%	Research and Development	0.2%
Retail	2.5%		

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Montgomery County totals 318,118 Acres

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



LAND USE	PERCENT	LAND USE	PERCENT
Agricultural Reserve	26.6%	Retail	1%
Single Family Detached	25.4%	Office	1%
Parks	18.3%	Unknown	0.7%
Road Right-Of-Way	8%	Utility	0.6%
Vacant	4.2%	Cultural	0.5%
Open Space/Recreation	3.5%	Industrial	0.3%
Agriculture	3.3%	Warehouse	0.3%
Institutional/Community Facility	3.1%	Parking and Transportation	0.3%
Multi-Family	1.6%	Research and Development	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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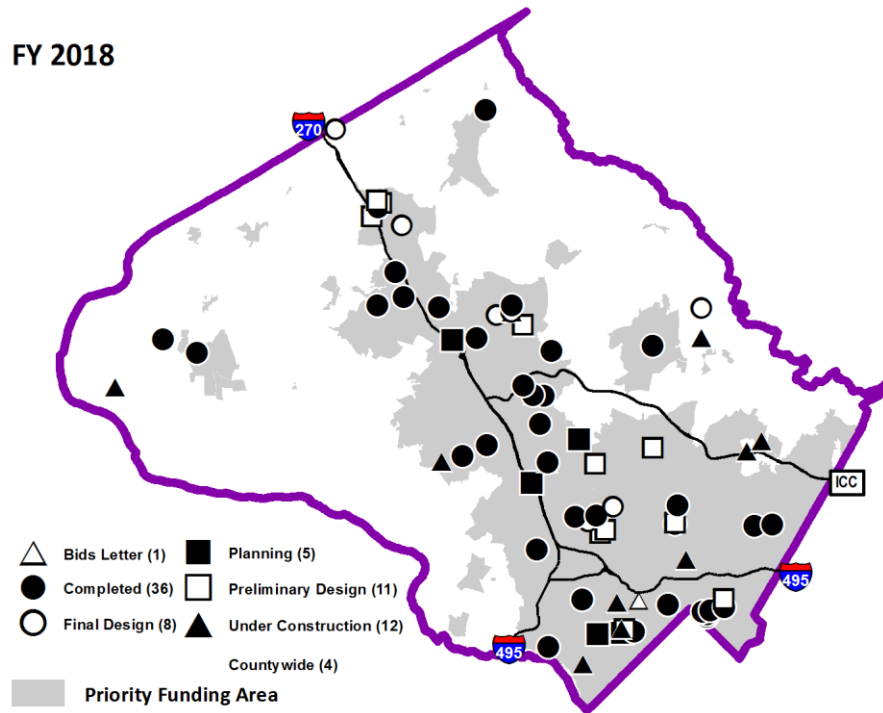
CIP Projects by PFA			
Type	PFA	Number of Projects	Percent
Bids	IN	1	100%
	OUT	0	0%
Completed	IN	32	89%
	OUT	4	11%
Final Design	IN	7	88%
	OUT	1	12%
Planning	IN	5	100%
	OUT	0	0%
Preliminary Design	IN	11	100%
	OUT	0	11%
Under Construction	IN	9	75%
	OUT	3	25%

Total Number of Mapped CIP Projects*	Within PFA	Outside of PFA
74	65 (88%)	9 (12%)

* 4 countywide CIP project were not mapped.

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FY 2018



(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 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.)

Y ☒ N ☐

1. If no, explain why an updated DCA has not been submitted, such as, no substantial growth changes, etc.
2. If yes, skip to (B)

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

- (B) When was the last DCA submitted? Identify Month and Year:

- (C) Using the DCA, 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)

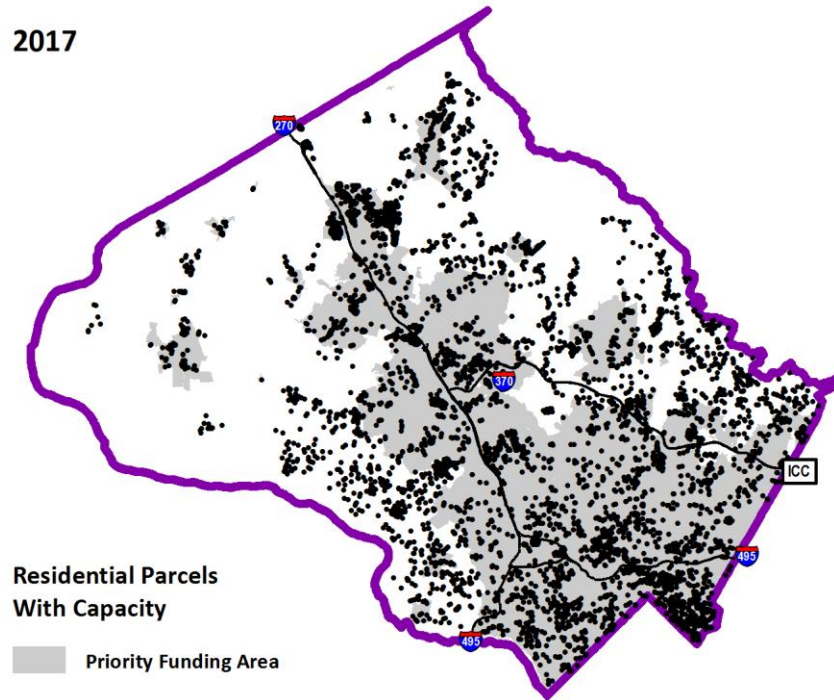
Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
Residentially Zoned Acres w/ Capacity	2,690.7	3,295.7	5,986.5
Residential Parcel & Lots w/Capacity	5,679	1,672	7,351
Residential Capacity (Units)	5,712	2,251	7,963

* **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

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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 biennial APFO Report under [§7-104 of the Land Use Article](#)?

Y ☐ N ☒

1. If yes, skip this Section.
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, 2017. APFO reports for 2017 and 2018 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 2017 update to the Subdivision Staging Policy was adopted by the County Council on November 15, 2017 and became effective on January 1, 2017.

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

Schools:

Effective January 1, 2017, school adequacy was determined for each school level (elementary, middle, and high) at a cluster level and for individual elementary and middle schools. For the cluster test, if projected cluster-wide enrollment exceeded 120% of projected cluster-wide capacity at any school level, then the entire school cluster was placed in moratorium, which prevents any residential development approvals. For the individual school test, if an elementary

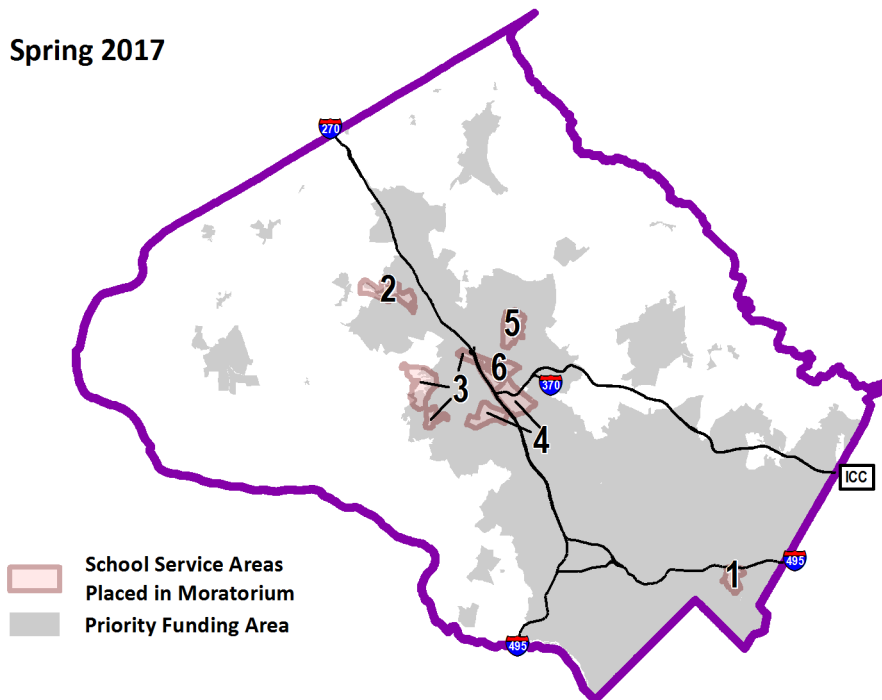
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school's projected enrollment exceeded 120% of projected capacity and exceeded the projected capacity by at least 110 students, the elementary school's service area was placed in moratorium. If a middle school's projected enrollment exceeded 120% of projected capacity and exceeded the projected capacity by at least 180 students, the elementary school's service area was placed in moratorium. Under the updated FY17 Annual School Test (effective January 1, 2017) and FY18 Annual School Test (effective July 1, 2017), residential development moratoria existed as follows:

School Service Areas Placed in Moratorium January 1, 2017

(Numbers next to School represented on map)

- 1 Highland View ES
- 2 Lake Seneca ES
- 3 Thurgood Marshall ES
- 4 Rosemont ES
- 5 Strawberry Knoll ES
- 6 Summit Hall ES



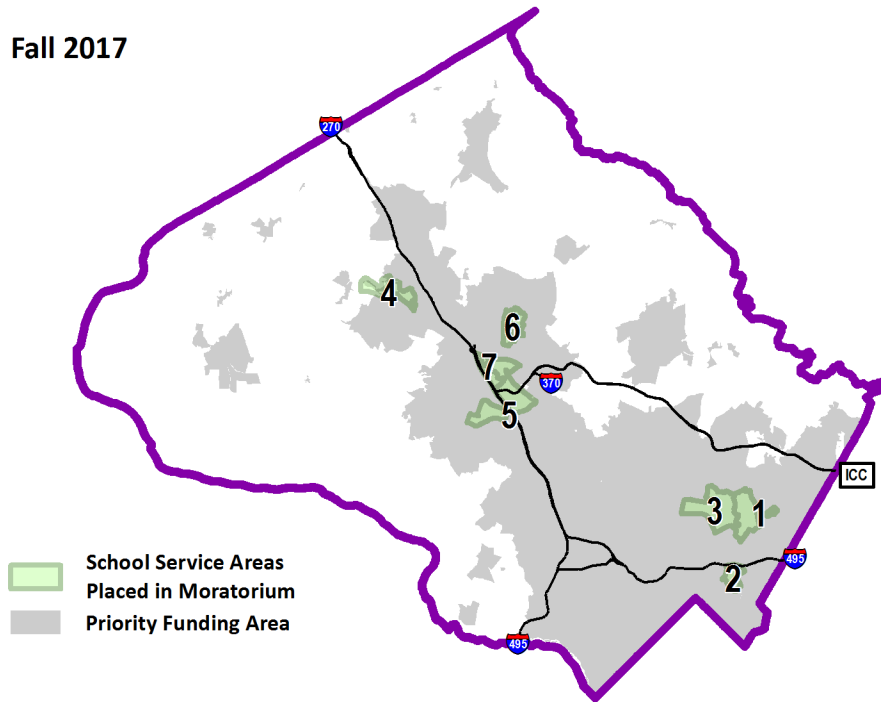
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School Service Areas Placed in Moratorium July 1, 2017

(Numbers next to School represented on map)

- 1 Burnt Mills ES
- 2 Highland View ES
- 3 Kemp Mill ES
- 4 Lake Seneca ES
- 5 Rosemont ES
- 6 Strawberry Knoll ES
- 7 Summit Hall ES

Fall 2017



Source: FY17 Annual School test and FY18 Annual School Test

Transportation:

For development applications submitted prior to January 1, 2017, there are two “tests” to determine if adequate transportation facilities are either in place or funded to serve future development. One is an areawide test (Transportation Policy Area Review – or “TPAR”). The other is a local area test (Local Area Transportation Review – or “LATR”). TPAR provides a measurement of how peak hour travel time compares to uncongested travel time on specific arterial roadway corridors within each policy area and how extensive local bus service is within each policy area. Critics of TPAR thought it was overly

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complicated, placed too much emphasis on auto travel time and level of service, and could be influenced by traffic generated outside of the policy area, among other things. Mitigation under TPAR consisted of a surcharge to the transportation impact tax.

The resulting change in this latest review of the SSP was to eliminate the policy area test altogether. There is no more “TPAR”, although transportation impact tax rates have been increased to account for the fiscal effects of eliminating TPAR.

LATR currently provides a measure of the level of service at signalized intersections. In the case of LATR, the interest of most stakeholders was in making the evaluation consider more than intersection capacity for auto travel, thus the biggest change with respect to this review is that intersection level of service is now determined using the Highway Capacity Manual (HCM) methodology in the more developed areas of the County - instead of the relying solely (in most instances) on an estimate of the Critical Lane Volume (CLV). HCM measures vehicle delay and is more representative of a driver’s actual experience. CLV methodology focuses more on theoretical intersection capacity. Intersection analysis using CLV retains limited applicability in less developed areas to be used primarily as a screening tool to determine the need for an HCM analysis.

Another important change in the updated SSP involves the threshold that triggers the need for a Transportation Study that includes an analysis of the level of service for the applicable intersection(s) associated with the project application. Previously, projects that generated more than 30 weekday peak hour (either am or pm) vehicle trips were required to submit a Transportation Study. The revised SSP changes the threshold to 50 person trips. The revised SSP also includes updated and/or new trip generation rates for vehicle trips (expressed as a percentage adjustment to Institute of Transportation Engineer (ITE) Manual rates) and default values provided by the Planning Department for transit and non-motorized mode share (bike, walking, etc.) by policy area.

(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.

The most recent update to the Subdivision Staging Policy adopted in 2017 no longer requires a policy area transportation test. Only a project specific analysis is required that looks at the impact of the proposed development on the surrounding transportation infrastructure.

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

In the case of roads, transit, pedestrian and bicycle infrastructure, development requiring increased capacity for these facilities will be determined as part of the application review process. Any increase in infrastructure needed to offset the increase in transportation demand (over a level deemed adequate) generated by the project will be the responsibility of the

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applicant for approval. With respect to schools, where insufficient capacity exists, a moratorium on the development of residential units will be set.

(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. This test, as the name suggests, is conducted annually, therefore any residential development moratorium may be lifted at the next annual school test. Similarly, for transportation, an applicant must mitigate any increase in transportation demand (over a level deemed adequate) generated by their application.

(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, construction of additional roadway, transit, bicycle or pedestrian 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.

(J) Has your jurisdiction reported the restrictions reported in (C) through (I) above as part of the required biennial APFO annual reporting requirements?

Y ☐ N ☐

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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.