



May 22, 2009

## MEMORANDUM

**TO:** Montgomery County Planning Board

**FROM:** Rollin Stanley, Director, Planning Department  
Dan Hardy, Chief, Move/Transportation Planning Division  
Pamela Dunn, Planner Coordinator, Explore/Research & Technology Center

**SUBJECT:** 2009-2011 Growth Policy: Recommendations and Public Outreach

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**Purpose:** To provide the Planning Board with a brief summary of recommendations for the 2009-2011 Growth Policy and to report on recent public outreach efforts.

### Recommendations:

The Growth Policy recommendations primarily reflect changes to the definition, measurement, and implementation of Adequate Public Facilities, but are built around several themes that are common to the Planning Board's objectives in current master plans and the comprehensive rezoning ordinance project:

- The need to introduce a greater mix of residential development in our commercial core areas. From the perspective of transportation system adequacy, residential development should be encouraged as it generates fewer vehicle trips than a similar amount of commercial development and a mixed-use project further reduces both total vehicle trip generation and the directionality of traffic flows on traffic serving the commercial area. Our urban areas are well served by both basic community and retail services as well as transit so that increased housing in those areas provides more opportunities for County residents to choose to live with reduced reliance on auto travel for basic necessities. Providing more housing opportunities near basic services is a recommended element of the County's Climate Protection Plan.
- A continuing shift away from reliance on measuring development constraints by transportation and school system capacity and toward measures that facilitate a reduction in vehicle-miles of travel, and hence a reduction in carbon footprint.
- The need to address housing affordability concerns through incentives to increase the proportion of affordable and workforce housing.
- An interest in encouraging more efficient utilization of underdeveloped properties in the

County's urban (primarily commercial) areas. These policies recognize that the era of greenfield development in the County is largely in the past and that APF processes need to be appropriately tailored to address infill and redevelopment projects. The same incentive programs are designed to protect established residential communities by limiting recommended changes to urban areas.

The Growth Policy recommendations follow in table form under three basic categories: Smart Growth Criteria, Adequate Public Facilities (APFO) – for transportation and schools, and impact taxes.

<b>Summary of Proposed Changes</b>					
<b>Category</b>	<b>Description</b>	<b>Current Process</b>	<b>Proposed Process</b>	<b>Motivation for Change</b>	<b>Appendix</b>
<b>Smart Growth Criteria:</b>  Transit Proximity	Alternative Review Procedure for Policy Area Mobility Review (PAMR)	None	PAMR credits/exemption allowed for smart growth mixed-use projects near transit or basic services that exceed otherwise required energy efficiency and affordable housing criteria	Encourage mixed-use projects with proximity to transit and basic services to reduce vehicle trip generation rates.  Promote affordable housing and Climate Protection Plan goals.	N
<b>Smart Growth Criteria:</b>  Urban Area Boundaries	Expansion of Alternative Review Procedures into urban areas	Alternative Review Procedures limited to Metro Station Policy Areas	Alternative Review Procedures allowed in all urban areas	Encourage mixed-use development and placemaking through realization of already planned density in areas that already have basic services and are designated for urban design treatments	N
<b>APFO Transportation:</b>  Balance Between Land Use and Transportation	Establish symmetry in transit and arterial LOS standards	Relative Arterial Mobility must be LOS D or better regardless of transit service	Relative Arterial Mobility of LOS E allowed in areas where Relative Transit Mobility is LOS B	Promote more efficient utilization of scarce transportation resources	M
<b>APFO Transportation:</b>  Non-Auto Facility Values	Expand the range of candidate non-auto facility types eligible for impact mitigation and set values at \$11,000 per vehicle trip	Candidate Non-auto facilities limited to twelve types of projects, each valued based on outdated cost information, and most types no longer accepted by County DOT	Non-auto facility types expanded to include additional projects, with all but sidewalk/bike path connectivity projects valued at \$11,000 per vehicle trip.	Encourage candidate project identification based on area needs rather than lowest cost. Improve predictability for applicants. Obtain projects appropriately valued at the cost of the trips being mitigated.	M

<b>APFO Transportation</b> APF Transferability	Allow vested APF rights to be transferred into a Metro Station Policy Area from an adjacent Policy Area	APF rights not transferable	APF rights transferred with joint subdivision application between sending and receiving sites to apply unused/remaining APF capacity in suburban areas.	Encourage development approvals in urban areas. Applies/reduces pipeline of approved but unbuilt projects.	M
<b>APFO Transportation</b> Site-specific arterial mobility	Allow PAMR satisfaction in urban areas through evaluation of mobility on specific arterials.	PAMR mitigation requirements are areawide, regardless of location of site or congestion within policy area	PAMR mitigation requirements can be satisfied if applicant demonstrates specific arterials affected by application traffic meet mobility adequacy standards.	Provide an option to customize PAMR review to facilitate site-specific solutions in urban areas while addressing traffic spillover concerns of adjacent communities.	M
<b>APFO Transportation:</b> TOD Trip Generation Rates	Expand the geographic application of residential trip generation rates	Customized trip generation rates provided by staff for only Bethesda, Silver Spring, and Friendship Heights CBDs	Lower residential trip generation rates based on TCRP Report 128 allowed for TOD applications in other urban areas.	Encourage residential development near all transit stations.	M
<b>APFO Transportation:</b> White Flint APF approval process	Replace LATR and PAMR with implementation authority	LATR and PAMR applies	LATR and PAMR replaced by an implementation authority process as recommended in the Draft Sector Plan	Streamline funding and delivery of master plan transportation infrastructure.	M
<b>Impact Tax Transportation:</b> Urban area residential transportation impact tax reduction	Reduce residential transportation impact taxes in urban areas	Transportation impact taxes set by three geographic areas (Metro Station Policy Areas, Clarksburg, and General)	Incorporate urban areas outside Metro Station Policy Areas as fourth geographic area with rates lower than General rates reflecting proximity to transit and general services in urban areas.	Encourage residential development near basic services.	M
<b>APFO Schools:</b> School Facility Payment Threshold	Establish the threshold for the application of the school facility payment	The application of a school facility payment occurs when projected enrollment reaches 105% of projected program capacity at any school level by cluster	Set the threshold for application of a school facility payment at projected enrollment greater than 110% of projected program capacity at any school level by cluster	Several school clusters have a projected enrollment slightly over 105% of projected capacity, yet more significant deficits are required for CIP programming.	M

<b>Other:</b>  Policy Area boundary changes	Establishment of Life Sciences Center Policy Area, revision to White Flint, Germantown Town Center, and R&D Village Policy Area boundaries	Policy Area boundaries established per 2007-2009 Growth Policy	Changes to Policy Area boundaries as recommended in Draft Sector Plans.	Improve relationship between planned land uses, transit services, and Policy Area boundaries as recommended in Draft Sector Plans.	H
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**Outreach:**

Following staff discussion with the Board in March, two additional public outreach sessions have been conducted. One was held at the Planning Department on May 11th, the second was held at the Shady Grove Training Center on May 18th. These meetings were structured in an “open-house” format; residents were provided with wide-ranging information on Growth Policy and the opportunity to share their concerns and questions with staff one-on-one. To facilitate the discussion, staff prepared several presentation boards covering a range of topics from the basics of Growth Policy to the preliminary recommendations, discussed with the Planning Board on March 20th. Staff collected comment cards from residents as well as recorded comments from personal discussions.

A few of the recurring comments received by staff include:

- Residents would like to see more bikeways connecting residential areas to other areas.
- Residents are eager to learn more about the plans for the Corridor Cities Transitway, and encourage its development as soon as possible.
- Dense development near transit is acceptable as long as there is transitioning to lower density against existing neighborhoods.
- There is concern that the transit system cannot keep pace with the increase in demand generated by intensified development near metro.
- Timing is important for implementation; plans should have staging that limits development until specific improvements are made.
- Historic preservation should be respected in concurrence with policies to incentivize growth.

Meeting attendees were provided with the schedule of Board dates and the public hearing date for the 2009-2011 Growth Policy.

**Attachments:**

To facilitate discussion of the proposed recommendations two attachments follow; one is the new tool being considered as part of the 2009-2011 Growth Policy, the Smart Growth Criteria. Projects

meeting the criteria are eligible for a reduction in PAMR mitigation. The framework is designed to encourage development in areas that are well-served by transit or areas that are well-served by other services. In addition, these projects must provide a mix of residential and commercial uses; they must contribute to diversity in housing affordability; and they must make efficient use of resources through compact design and increased energy efficiency or production.

The other attachment is the list of appendices to the Growth Policy Report.

## Montgomery County - Smart Growth Criteria

### All projects must meet the following criteria to be considered for an exemption:

- Project must be mixed-use with a minimum 50% residential use (*SB375*) and
- Project must seek to achieve the maximum density of the site using 75% or more of the maximum density allowed in the zone (including all applicable bonuses) subject to the limits specified in the master/sector plan (*based on SB375*) and
- Building(s) exceeds energy efficiency standards by 17.5% for new buildings or by 10.5% for existing building renovation. Or, building(s) has on-site energy production such that 2.5% of the annual building energy cost is off-set by the renewable production system (*LEED New Construction/Major Renovation*)
- And, the project must provide either one of the following above and beyond that required for plan approval:
  - 1 workforce housing unit (whu) or 1 moderately-priced dwelling unit (mpdu) for  $x$  trips – where  $x$  equals one half the number of trips requiring mitigation times the relative cost of mitigating one trip to the cost of providing one affordable unit. (*based on SB375*)

### Mixed-Use Transit Proximity

#### Projects that meet the following criteria are eligible for 100% PAMR Exemption:

- Project must be located within ½ mile of an existing or planned major transit stop or high-quality transit corridor. A high-quality transit corridor means a corridor with fixed route bus service where service intervals are no longer than 15 minute during peak commute hours. A project shall be considered to be within one-half mile of a major transit stop if all parcels within the project have no more than 25% of their area farther than one-half mile from a transit stop or corridor and if not more than 10% of the residential units in the project are farther than one-half mile from the stop or corridor. A planned transit stop or corridor is one that is funded for construction within the first four years of the Consolidated Transportation Program and/or the Capital Improvement Program (*SB375*)

### Mixed-Use Urban with Proximity to Basic Services

#### Projects that meet the following criteria are eligible for 50% PAMR Exemption:

- Project must be located within a *Road Code Urban Area* and be located within ½ mile of at least 10 *Basic Services* ;
- Basic Services* include but are not limited to: bank, place of worship, convenience grocery, day care, cleaners, fire station, beauty, hardware, laundry, library, medical/dental, senior care facility, park, pharmacy, post office, restaurant, school, supermarket, theater, community center, fitness center or museum, (*based on LEED for New Construction/Major Renovation*)

## Appendices A-P: Growth Policy Studies and Analyses

Resolution 16-376 requires several follow up studies to the 2007-2009 Growth Policy be delivered as part of the 2009-2011 Growth Policy. Below is a list of the appendices and the related follow up study number as indicated on pages 24 through 26 in Resolution 16-376.

<b>Appendix</b>	<b>Title</b>	<b>Resolution Study</b>
A	Impact tax Issues	F9
B	Analysis of the Current/Future Pace and Pattern of Growth	F11
C	Analysis of Factors Affecting Demand for Public Facilities	F11
D	Sustainability Indicators	F11
E	Master Plan Implementation Status Report	F11
F	Biennial Highway Mobility Report	F11
G	Prioritization of Public Facilities	F11
H	Changes to Policy Area Boundaries	
I	Policy Area Mobility Review	
J	School Capacity and Enrollment	
K	Allocating Development Capacity	F12c
L	Report on Current Jobs/Housing Balance	F12d
M	Potential Changes to APF Tests for Transportation and Schools	
N	Smart Growth Criteria and Exemptions	
O	Carbon Offset at the Local Level	
P	Literature Review on the Costs of Growth	