

APPENDIX E

Procedures Delegating Certain APF Findings under Chapter 8 to Staff at Time of Building Permit

- A. For a building permit where the PAMR and LATR tests are not needed, or when the tests are conducted and a finding of no mitigation is required, a Transportation Planning supervisor can make a finding that public facilities will be adequate to support the proposed development, set the validity period for the APF approval and authorize release of the building permit.
- B. For a building permit where the PAMR test requires mitigation between one and four trips, a Transportation Supervisor may authorize release of the building permit by letter if:
 - 1. The supervisor finds that the public facilities will be adequate for the proposed development with the proposed trip mitigation and sets the validity period for the APF approval; AND
 - 2. MCDOT, the Superintendent of the Montgomery County Public School System, County Fire and Rescue Services, the Department of Police, and DPS have been notified of the method of mitigation, and have not explicitly objected; AND
 - 3. Interested parties and the applicant have been given notice of the pending case, and have not objected to the proposed mitigation (see below, Noticing); AND
 - 4. A copy of a permit for construction within the ROW for the mitigation item has been received from DPS by the building permit coordinator.
- C. For cases requiring mitigation of more than four vehicle trips, the item will be scheduled for an APF finding at a public hearing before the Planning Board after 1, 2, and 4 above are met. If no objections are raised by any interested parties or any of the agencies listed in 2 above, the case may be scheduled as a consent item before the Planning Board.
- D. If an Applicant requests a hearing before the Planning Board or if any interested party or agency listed in 2 or 3 above objects to the proposed mitigation, the item will be scheduled for an APF finding at a public hearing before the Planning Board.

Noticing

Applicant must notice all confronting and adjacent property owners, and community and homeowners associations (following the procedure in the Development Review Manual) of the application for APF approval as well as any proposed mitigation measures. The notice must also state that anyone objecting to the proposal must do so in writing within 14 days to Transportation Planning and provide the appropriate contact information.

Monthly Report

The Chief of Transportation Planning will provide a monthly report to the Planning Board indicating each case approved by staff under this procedure in the previous month, and provide a copy of the report to the Office of General Counsel.

Details on the DPS Public ROW Permit application process are found online at: <http://permittingservices.montgomerycountymd.gov/dpstmpl.asp?url=/permitting/r/nfdp.asp>