

Number	Date	Submitted by	Testimony/Comment	Staff Response
1.	05/30/16	M. Bronstein	Not logical to promote reduction in parking spaces since 85% of commuting is by auto.	Inclusion of a parking incentive was consistent with prior review with the Planning Board of various new potential policy tools and recommendations from other stakeholders and technical sources. The connection to parking incentives simply recognizes that applicants can choose to provide less than the minimum parking required in certain zones for specific transportation demand management actions, and that these actions are tied to reduced vehicle use.
2.	05/30/16	M. Bronstein	Explain pedestrian / bike analysis and what it encompasses.	The pedestrian and bicycle analysis are being developed as part of the Planning Board’s guidelines. The current proposal is to set LOS D requirements for intersection crosswalks and transit bus loading for sites generating significant levels of pedestrian and transit trip generation. Bicycle analysis would include provision of information on bicycle improvements needed to achieve Level of Traffic Stress category 2 as described by the Countywide <i>Bicycle Master Plan</i> .
3.	05/30/16	M. Bronstein	In regard to transit accessibility, wouldn’t it be of interest to know if travel by auto took less time?	Inclusion of transit accessibility as the area “test” was consistent with prior review with the Planning Board of various new policy tools. It is anticipated that auto travel time in some form (e.g., as currently used in TPAR) could be potentially retained as a metric in support of project programming and master plan analysis.
4.	05/30/16	M. Bronstein	Applaud move away from CLV and move toward modern electronic programs.	Staff concurs, although we note CLV is retained as a screening tool and threshold in areas where this metric is more applicable.
5.	05/30/16	M. Bronstein	Master Plans are guidelines and suggestions.	Adopted master plans reflect County policy. Implementation of master planned transportation facilities is subject to more detailed facility planning that may result in modifications that are substantially in compliance with master plans.
6.	05/30/16	M. Bronstein	Better to spend money on making Metrorail safe and reliable – now and into the future – than on BRT	The SSP process provides a framework for addressing network adequacy and does not specifically recommend which projects to program in a CIP. The Planning Department does provide comment on the Executive’s proposed budget comparing funded projects with the recommendations for infrastructure provided in our area master plans.
7.	06/02/16	Greater Colesville Citizens Association (GCCA)	There should be one test for roads and another for transit with no designation of policy area and local area.	Inclusion of transit accessibility as the area “test” is consistent with prior review with the Planning Board of various new policy tools. It is anticipated that auto travel time in some form (e.g., as currently used in TPAR) could be potentially retained as a metric in project programming and master plan analysis. Staff does not concur that the SSP should discontinue distinguishing between policy area and

Number	Date	Submitted by	Testimony/Comment	Staff Response
				local area tests given the different place type settings and metrics available to measure adequacy and performance in light of adopted plans and goals.
8.	06/02/16	GCCA	Metro Station Policy Areas (MSPAs) should be in the same policy area group as the CBDs. The primary variable in grouping the Policy Areas should be Non-Auto Drive Mode Share (NADMS)	The approach used to group policy areas uses existing and forecast land use density (jobs + housing/acres) in combination with existing NADMS. The inclusion of a readily accessible and adopted forecast variable – in addition to metrics reflecting the existing condition - is considered a way to at least indirectly acknowledge policy area goals and how a place is expected to evolve over time. Recent discussion with the Planning Board has focused on the desirability of categorizing all Metro Station Policy Areas in the Core group.
9.	06/02/16	GCCA	Policy Area groups should be revised to reflect various levels of existing, funded or emerging, and planned premium transit. Include premium transit in the emerging category once studies start which we believe will result in an operational service within four to eight years – most often toward the lower end of the range.	The proposed transit accessibility measure incorporates existing, programmed and planned premium transit as a key element of the transportation network(s) for 2015, 2025 and 2040. Staff does not concur that beginning to study a corridor will necessarily result in operations commencing within 4-8 years.
10.	06/02/16	GCCA	Determine the accessibility of jobs and housing to transit within the policy plan area – not the region.	The proposed Transit Accessibility metric is intended to provide a relative comparison among Policy Areas as to how each is progressing toward attaining its own unique threshold for accessibility as reflected by planned land use and transit system improvements. Transit accessibility combines walk-access to transit with transit access to regional destinations, so that both “access to transit” and “access on transit’ elements of the transit trip are considered.
11.	06/02/16	GCCA	When considering CLV as a screening tool, use the Policy Area congestion standard – not the proposed 10 + 1350 CLV.	Staff concurs with the proposal to use the applicable policy area congestion standard when applying CLV as a screening tool. This modification was discussed at the June 16, 2016 worksession with the Planning Board.
12.	06/02/16	GCCA	Impact taxes need to be defined in terms of trips – not land use. The trip variable should take into consideration mode.	One primary concern with a countywide application of a tax calculated on a per trip basis derived from a traffic impact study would be monitoring. Staff finds that allocating capital project costs across modes is impractical, as most projects serve multiple modes. – a challenge GCCA notes in their testimony noting bike trips, and transit trips in particular. No cost is associated with walk trips.

Number	Date	Submitted by	Testimony/Comment	Staff Response
13.	06/02/16	GCCA	We do not support the incentive for reduced parking.	Same as response to comment #1.
14.	06/02/16	GCCA	Impact taxes should be used in the area where it is collected but that it should not be a requirement. There are few infrastructure improvements possible in Bethesda and a number of other CBD's.	The recommendation to retain the transportation impact taxes in the Core areas is based on the fact that there are capital improvements related to non-roadway infrastructure. Examples include projects to improve transit access (sidewalks, bike lanes, elevators, escalators, etc.) as well as operating expenses (circulators, etc.).
15.	05/31/16	R. Yang	Support the changes to the SSP. Moving away from traffic impact tests based solely on car delay is a good first step.	Staff concurs that the Public Hearing Draft reflects an approach that is (1) consistent with views of some (but not all) in the community as expressed at community meetings, (2) responsive to many concerns heard at the Infrastructure and Growth Forum in March 2015, (3) sensitive to new initiatives nationwide that examine how best to measure adequacy for all users, (4) reflective of some of the overarching objectives identified through the TISTWG process and (5) responsive to the Planning Board request to look "outside the box" a bit for new approaches during this SSP review.
16.	05/31/16	M. Langelan	Same as Comment 15.	Same as Response to Comment 15.
17.	05/31/16	G. Goldman	Same as Comment 15.	Same as Response to Comment 15.
18.	05/31/16	B. Behbahani	Same as Comment 15.	Same as Response to Comment 15.
19.	05/31/16	L. Francis	Same as Comment 15.	Same as Response to Comment 15.
20.	05/31/16	A Hutchison	Same as Comment 15.	Same as Response to Comment 15.
21.	05/31/16	J. Mcbride	Same as Comment 15.	Same as Response to Comment 15.
22.	05/31/16	A. Russell	Same as Comment 15.	Same as Response to Comment 15.
23.	05/31/16	E. Martin	Same as Comment 15.	Same as Response to Comment 15.

Number	Date	Submitted by	Testimony/Comment	Staff Response
24.	05/31/16	Ann Cook	Same as Comment 15.	Same as Response to Comment 15.
25.	05/31/16	C. Goldman	Same as Comment 15.	Same as Response to Comment 15.
26.	05/31/16	R. Snipper	Same as Comment 15.	Same as Response to Comment 15.
27.	05/31/16	J. & A. Keller	Same as Comment 15.	Same as Response to Comment 15.

Number	Date	Submitted by	Testimony / Comment	Staff Response
28.	05/31/16	J. KapLon	Same as Comment 15.	Same as Response to Comment 15.
29.	05/31/16	J. Depoyster	Same as Comment 15.	Same as Response to Comment 15.
30.	05/31/16	N. KapLon	Same as Comment 15.	Same as Response to Comment 15.
31.	05/31/16	M. Greene	Same as Comment 15.	Same as Response to Comment 15.
32.	05/31/16	M. Shipp	Same as Comment 15.	Same as Response to Comment 15.
33.	05/31/16	M. Gehshan	Same as Comment 15.	Same as Response to Comment 15.
34.	05/31/16	J. Roth	Same as Comment 15.	Same as Response to Comment 15.
35.	05/31/16	E. Wyman	Same as Comment 15.	Same as Response to Comment 15.
36.	05/31/16	T. Sensenig	Same as Comment 15.	Same as Response to Comment 15.
37.	05/31/16	B. Mcdowel	Same as Comment 15.	Same as Response to Comment 15.
38.	05/31/16	Ana Sobalvarro	Same as Comment 15.	Same as Response to Comment 15.
39.	05/31/16	C. Lai	Same as Comment 15.	Same as Response to Comment 15
40.	05/31/16	Andrew Ireland	Same as Comment 15.	Same as Response to Comment 15
41.	05/31/16	J. Miller	Same as Comment 15.	Same as Response to Comment 15
42.	05/31/16	D. Slater	Same as Comment 15.	Same as Response to Comment 15
43.	05/31/16	T. Slater	Same as Comment 15.	Same as Response to Comment 15
44.	05/31/16	League of Women Voters of Montgomery County	Moving away from solely auto-centric measures should help treat areas of the County fairly. We hope that directing impact taxes within particular areas will prove effective. We caution that it is crucial to update the classification of each area and the defining terms upon which they are classified. We hope the mitigation fee requirement is sufficient to encourage growth in transit and pedestrian numbers.	Staff generally concurs with a couple of clarifications. The only area in the Public Hearing Draft where it is recommended that the Impact Tax <u>itself</u> be retained for use in that area is in the “Core” Areas (see Table 3). A Policy Area “surcharge” (based on a percentage of the Impact Tax) would be retained for use in Policy Areas (excluding the Core) deemed inadequate under the <u>Policy Area Test</u> for transit accessibility.

Number	Date	Submitted by	Testimony / Comment	Staff Response
45.	05/31/16	J. Robinson	<p>The SSP review now underway correctly seeks to refine the marginal cost analysis by discontinuing analytical techniques that are not appropriate for markets for which auto oriented improvements will yield little relief. There should be more information on the technical explanation related to the two variables – NADMS (a transportation measure) and jobs-housing ratio (a land use measure) and how they were used to group policy areas. All transportation policy areas served by Metrorail should be included as core areas. There is merit to considering master plan areas as the analytical basis for SSP rather than Policy Areas but it may not be possible because the Policy Area approach is too embedded in the SSP, both legally and statistically. There should be a Technical Appendix with more information on how the recommended rates were arrived at in the Public Hearing Draft. As a policy matter more emphasis needs to be placed on a network approach to improvements rather the narrowly focused geographical approach utilized by the historical LATR methodology.</p>	<p>The 2016 SSP web page now includes an Appendix on the approach used to group the Policy Areas and an Appendix with more detail on the development of the recommendations on the Transportation Impact Tax. The land use variable used in the approach for grouping the Policy Areas was a measurement of land use intensity or density (jobs + housing / acres) instead of jobs-housing ratio. Subsequent discussion at the first Planning Board work session has focused on moving MSPA’s back into the Core group – part of the thinking being the transportation variable (NADMS) should outweigh the consideration given to existing and future land use intensity. We concur the use of Master Plan areas is problematic – for the reason given. Master Plan boundaries can vary and the stability of the Policy Area boundaries is of value in both a regulatory and monitoring context. Staff also generally concurs that the network approach to improvements is preferred. The recommendation to retain the Impact Tax to the Core Areas is done with the expectation that there will be a necessarily broad definition of what would qualify as enhancing accessibility to high quality transit.</p>

Number	Date	Submitted by	Testimony / Comment	Staff Response
46.	06/01/16	Sierra Club Montgomery	Commends the Planning Department for its proposed SSP which recognizes the best way to manage anticipated growth in the County is by shifting away from the prevailing auto centric approach to one based more on smart growth principles. Recommend the areas around most if not all Metrorail stops should be included in the Core Policy Area. Recommend a substantial portion of payment in lieu for projects in urban road code areas should be used to increase pedestrian and bicycling infrastructure as well as transit.	Same as Response to Comment 15. Also and as noted in response to Comment 45, subsequent discussion at the first Planning Board work session has focused on moving MSPA's back into the Core group. Comment noted on the payment in lieu receipts being earmarked for pedestrian and bicycle infrastructure as well as transit. This more specific recommendation is included in Table 4 where the Policy Area surcharge is discussed but is not as explicit in Table 3 where the Local Area payment in lieu is discussed.
47.	05/31/16	K. Kim	Same as Comment 15	Same as Response to Comment 15.
48.	05/31/16	J. Lebowitz	Same as Comment 15	Same as Response to Comment 15.
49.	05/31/16	E. McNeirney	Same as Comment 15	Same as Response to Comment 15.
50.	05/31/16	M. Elliott	Same as Comment 15	Same as Response to Comment 15.
51.	05/31/16	Anne Greene	Same as Comment 15	Same as Response to Comment 15.
52.	05/31/16	J. Rosen	Same as Comment 15	Same as Response to Comment 15.

Number	Date	Submitted by	Testimony / Comment	Staff Response
53.	06/01/16	B. Krantz	<p>There are two technical reasons why the reported NADMS across Policy Areas is overstated. Additionally, the margins of error in the underlying data at the Policy Area level render these data insignificant. Given that this NADMS chart played a central role in the development of the 2016 SSP Working Draft I have major concerns.</p>	<p>Three variables are included in the chart; (1) existing land use density (jobs+ housing / acre), (2) forecast land use density, and (3) existing NADMS from the American Community Survey (ACS). The combined data set was used to help group comparable areas. The data set indicated a distinct difference between five Core areas and the rest of the Policy Areas. The relative differences among the policy areas outside the Core areas was less distinguishable but nevertheless presented and provided the starting point for the further delineation between the Corridor/Orange and Wedge/Yellow groups. Sample size for the NADMS variable is an issue in some Policy Areas. Over half of the policy areas are defined by 10 or more census blocks usually with sufficient data to report reliable results. There are 9 policy areas defined by 5 or fewer census blocks, that may warrant additional review. In summary, the approach taken was to develop a relative comparison of place types for eventual application of SSP Policy Area and Local Area Transportation tests as well as the Transportation Impact Tax. There were subjective aspects of the process of identifying the areas where the data did not offer clear guidance. For instance, during initial discussions with the Board, Purple Line station areas were added to the Corridor Group. North Bethesda was placed in the Corridor group whereas Rockville City and Gaithersburg City were placed in the Wedge group. recent discussions with the Planning Board have focused on the desirability of categorizing all Metro Station Policy Areas in the Core or Red group, and moving other policy areas in the I-270 corridor into the Corridor or Orange category, and moving Damascus to the Rural or Green category. These changes have been incorporated.</p>

Number	Date	Submitted by	Testimony / Comment	Staff Response
54.	06/01/16	B. Krantz	<p>The previous and current SSP relies heavily on Transportation Mitigation Agreements (TMAGS) as a mitigation approach, yet I've found it extremely difficult to find any data supporting the efficacy of these agreements. The one set of performance data received from MCDOT showed that 3 of 5 TMD's were meeting their NADMS-E goals but it is unclear if these limited successes are due to mitigation policies or not.</p>	<p>TMAG's were not specifically addressed in the Public Hearing Draft SSP review. This aspect of the testimony/comment is best responded to by MCDOT.</p>
55.	06/01/16	B. Krantz	<p>The 2016-2020 Working Draft has new criteria that will finally make the automobile portions of the transportation adequacy test more robust. This is a great positive step. Clarify the Pass/Fail Criteria for the Operational and Network Analysis. Congested primaries should be able to trigger network analysis under the same conditions that congested arterials do.</p>	<p>The pass/fail criteria for operational analysis will use the 2010 Highway Capacity manual average vehicle delay. Staff has revised the reference requiring analysis for "intersections on a congested arterial with a travel time index greater than 2.0" to "intersections on a congested roadway or primary street with travel time index greater than 2.0"</p>

56.	06/01/16	B. Krantz	Single day traffic counts are not statistically meaningful.	<p>With respect to intersection traffic counts, the Department continues to supplement its current database. During the past 2-3 years updated traffic counts have been collected in support of the Bethesda, Lyttonsville, Westbard, White Flint 2, Rock Spring, MARC Rail Communities and Montgomery Village Master Plans. Staff have supplemented these counts with counts from SHA and traffic studies. The cost to obtain these counts is not insignificant and the resources are limited. The program is scoped in a manner to avoid data collection during periods where non-representative traffic counts might influence the data results. The Department also continues to supplement its travel time database for in support of the bi-annual Mobility Assessment Report.</p>
-----	----------	-----------	---	--

Number	Date	Submitted by	Testimony / Comment	Staff Response
57.	06/01/16	B. Krantz	The transportation mode-splits that are specific to Policy Area and Land Use have NADMS values that are significantly higher than the observed (but flawed) values discussed in number 53 above.	<p>The Trip Adjustment Factors in Table 1 of the SSP Public Hearing Draft represent updated adjustment factors (% of ITE vehicle trip rates) to the current discounted rates in the LATR guidelines. Estimates of mode share for the various policy areas and land uses are derived through application of NCHRP Report 758 post processing methodology of regional travel forecasting model results. More information is available in Appendices 1 through 3 of the proposed <i>LATR/TPAR Guidelines</i> presented to the Transportation Impact Studies Technical Working Group (TISTWG) at the end of November 2015 and included as pages 98-104 of the December 2, 2015 TISTWG meeting:</p> <p>http://www.montgomeryplanning.org/transportation/latr_guidelines/documents/Meeting12.pdf</p>
58.	06/01/16	B. Krantz	The 2016-2020 Working Draft phases out the exemption for School Impact Taxes in former Enterprise Zones. This should be extended to Transportation Impact Taxes as well.	Staff has introduced a recommendation to phase out the exemption provided to former Enterprise zones for the School Impact Tax. Staff will discuss with the Board their thoughts on phasing out the same exemption provided for the Transportation Impact Tax.
59.	06/01/16	B. Krantz	There are multiple examples within the North Bethesda Policy Area where pipeline projects have remained unbuilt for years. I am unsure if the SSP is the correct place to do it, but the practice of granting extensions for these pipeline projects should be stopped.	The County Code requires the SSP to consider approved and unbuilt projects when making an Adequate Public Facility determination. On a project by project basis the Planning Board may grant a request to extend the APFO validity period by up to 5 years. The County Executive has recommended, and the County Council has approved several back-to-back 2-year extensions for all approved projects as a result of the recession.

Number	Date	Submitted by	Testimony / Comment	Staff Response
60.	06/01/16	Citizens Coordinating Committee on Friendship Heights (CCCFH)	We strongly object to the proposed change to go to transit accessibility as a new transportation adequacy test. The Board should better address delays and queuing that result from congested traffic congestions. A consequence of the proposal would be a worsening of traffic conditions while planners embrace a future and unfunded multimodal transit plan.	The Public Hearing Draft includes a framework in Table 3 for more detailed review of the road network in a congested area than exists under the current SSP process. At early discussions with the Board, a recommendation was made to allow mitigation for areas outside of Urban Road Code boundaries. Within Urban Road Code areas, the mitigation payment would be dedicated to improvements within the affected area. The Board decided at one of its recent worksessions to allow mitigation measures in all areas with a list of prioritized mitigation actions for the Urban Road Code areas. The transit accessibility test incorporates a metric – job accessibility via transit – that measures adequacy in terms of progress toward goals based on those transit system assumptions that are funded. The proposed approach requires additional examination of vehicular delay for projects that affect congested intersections. The recommended approach retains prioritization on non-auto capacity mitigation as the most effective means for improving mobility.

Number	Date	Submitted by	Testimony / Comment	Staff Response
61.	06/01/16	CCCFH	<p>The Public Hearing Draft would keep the fees on the same order of magnitude as existing fees. This seems to be based on the misconception that the existing fees are sufficient.</p>	<p>The Draft SSP examines the impact tax structure using the same approach used the last time (2007) the taxes were analyzed and then applies factors related to vehicle miles of travel and non-auto driver mode share. In general, the Draft SSP reduces proposed taxes in more urban areas and increases them in more suburban and rural areas. The determination of what a sufficient level would be is largely a policy question but it is unlikely to include an approach that would call for new development to fully fund <u>all</u> new road or transit capacity as the projects in question are helping mitigate – to some extent - current conditions as well as future conditions and are needed in response to some factors (e.g., through traffic) that result in part from new development outside of the County.</p>
62.	06/01/16	E. Miller	<p>I want to speak in favor of the new 2016 Subdivision Staging Policy. These Policy objectives hope to develop housing and Transit development in place of widening existing roads and constructing auto-centric highways. One timely benefit from the proposed New 2016 SSP is that it sets the stage for the removal of the Mid- County Highway Extended (M-83) from the Montgomery County’s Master Plan of Highway and Transitways.</p>	<p>The recommended new Policy Area Test no longer includes a metric that evaluates vehicle speed as a percent of free flow speed and therefore is less auto-centric than the current policy (see response to comment number 60 above). Staff does not agree that the exclusion of a policy area metric measuring any type of level of service for autos sets the stage for the inclusion or elimination of any specific project – road, transit, bike, or pedestrian. The recommended “test” simply measures the extent to which a policy area is on a path to achieve a measure of transit accessibility in the future – given master planned assumptions on population/employment growth and the transportation network (both transit and roads). “TPAR like” analysis – for instance – incorporates a mobility metric (percent of free flow speed attained during the evening peak hour of travel) and could still be used to evaluate master plan alternative scenarios and project programing sequencing.</p>
63.	06/01/16	N. Kane	<p>I support the changes to the SSP. Moving away from traffic impact tests based solely on traffic delay is a first step toward a more sustainable future for Montgomery. We need growth guidelines that evaluate whether development offers more transportation options – particularly transit, walking and biking and decreases the amount residents have to drive.</p>	<p>The recommended new Policy Area Test does shift the focus to transit accessibility. Also see response to comment 15.</p>

Number	Date	Submitted by	Testimony / Comment	Staff Response
64.	06/01/16	J. Schellhase	Same as Comment 63.	See response to Comment 63.
65.	06/01/16	J. Core	Same as Comment 63.	See response to Comment 63.
66.	06/01/16	K. Holt	Same as Comment 63.	See response to Comment 63.
67.	06/01/16	K. Chiariello	Same as Comment 63.	See response to Comment 63.
68.	06/01/16	S. Ashurst	Same as Comment 63.	See response to Comment 63.
69.	06/01/16	Andrea Cimino	Same as Comment 63.	See response to Comment 63.
70.	6/01/16	J. Gosche	Same as Comment 63.	See response to Comment 63.
71.	06/01/16	M.J. LaFrance	Same as Comment 63.	See response to Comment 63.
72.	06/01/16	R. Martin	Same as Comment 63.	See response to Comment 63.
73.	06/01/16	Anne Harpster	Same as Comment 63.	See response to Comment 63.
74.	06/02/16	E. Deitchman	Same as Comment 63.	See response to Comment 63.
73A.	05/31/16	D. Cuming	Same as Comment 63.	See response to Comment 63.
74A.	05/31/16	M. Olsen	Same as Comment 63.	See response to Comment 63.
75.	05/31/16	Alan Oresky	Same as Comment 63.	See response to Comment 63.
76.	05/31/16	K. Jentz	Same as Comment 63.	See response to Comment 63.
77.	05/31/16	S. Kenthack	Same as Comment 63.	See response to Comment 63.
78.	05/31/16	E. Goffman	Same as Comment 63.	See response to Comment 63.
79.	05/31/16	L. Sendejo	Same as Comment 63.	See response to Comment 63.
80.	05/31/16	M. Lindholm	Same as Comment 63.	See response to Comment 63.

Number	Date	Submitted by	Testimony / Comment	Staff Response
81.	05/31/16	M. Lindholm	Same as Comment 63.	See response to Comment 63.
82.	05/31/16	P. Burton	Same as Comment 63.	See response to Comment 63.
83.	05/31/16	P. McGrath	Same as Comment 63.	See response to Comment 63.
84.	06/01/16	J. Robles	Same as Comment 63.	See response to Comment 63.
85.	06/02/16	B. Eng-Rohrbach	Same as Comment 63.	See response to Comment 63.
86.	06/02/16	Arden Courts	The 2016 SSP should be revised to include a grandfathering provision whereby any property or project that has any level of a formally accepted regulatory approval application in process may be reviewed under the Subdivision Staging Policy provisions in effect at the time of the original application acceptance.	Staff concurs. Consistent with the grandfathering provision established in support of the 2012 SSP, a similar provision will be established in support of the 2016 SSP.
87.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	Why are the Grosvenor and Wheaton CBD Policy Areas not included in the Core category?	See response to Comment 53 for broad description of Policy Area groupings. Grosvenor and Wheaton CBD did not fall within the five areas (Bethesda CBD, Twinbrook, Friendship Heights, Silver Spring CBD, and White Flint) readily identifiable as having the highest combination of land use density and NADMS. Recent discussions with the Planning Board have resulted in the categorization of all MSPA as Core/Red policy areas.
88.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	What are the standards/guidelines that would allow a Corridor category policy area to move up to the Core category.	The policy area categories would be reviewed as an element of the regular quadrennial review of the SSP.

Number	Date	Submitted by	Testimony / Comment	Staff Response
89.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	How often will the Planning Board/County Council review the category that a policy area is in? Every four years?	The policy area categories would be reviewed as an element of the regular quadrennial review of the SSP. Same as response to comment #88.
90.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	Which Policy Areas would now “fail” the proposed 40% “on pace” test?	This question was addressed in the context of the Planning Board 2016 SSP worksession #5 held on 6/30/16. Please refer to slides 27-29 of the supporting presentation posted here ... http://www.montgomeryplanning.org/research/subdivision_staging_policy/documents/20160630BoardSSP.pdf

Number	Date	Submitted by	Testimony / Comment	Staff Response
91.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	Is the SSP proposing that the 25% transportation impact tax surcharge “stay” in the policy area that fails the 40% policy area test? If not, why not?	No. The 2016 SSP proposes that the transportation impact tax “stay” in Core/Red Areas and the mitigation payment-in-lieu related to the Local Area Test “stay” in the Policy Areas where the Local Area test is applied. Given the system-wide network character of many transportation projects, staff think a “blanket” approach that eliminated most or all flexibility in where the funds could be used to support projects could be counter-productive. A transit route – or even a circulator specific to one development – could serve more than one policy area.
92.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	Table 1 on page 35 of the SSP would be easier to analyze if the policy areas were grouped under the four new categories.	Comment noted. That modification would be consistent with the approach taken in the rest of the document.
93.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	Should Table 1 on page 35 include a column for mixed use?	Table 1 applies to each of the components of a mixed-use development. The benefits of mixed-use in terms of capturing internal trips are applied by an applicant using the procedures described in the ITE Trip Generation Handbook.
94.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	The new LATR test calls for a transit mode analysis and a pedestrian mode analysis. Are there existing standards for such analysis? Is there a pass/fail for each? Will the Board be adopting such standards?	See response to Comment 2.
95.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	The chart on page 41 of the SSP calls for a mitigation payment in Urban Road Code Areas based upon a percentage of the transportation impact tax. What percentage?	25% - the same percentage as the Policy Area surcharge; however, at the Planning Board worksession held on June 16, 2016 the recommendation for the mitigation payment for the Urban Road Code areas was modified to allow for mitigation actions specified on a prioritized list of mitigation measures, with the mitigation payment lower on the list.

Number	Date	Submitted by	Testimony / Comment	Staff Response
96.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	Table 12 on page 56 of the SSP compares the proposed impact tax rates with the current rates. The tax rate for office in the Core is proposed to be almost 50% higher than the current office rate for the existing Metro Station category. The Corridor is proposed to contain five metro station policy areas. The tax rate for these policy areas is proposed to almost double. These increased make no sense in light of the struggling office market.	The recommendation in the 2016 Public Hearing Draft is based in part on the same methodology used in 2007 – after which reviewing the County Council opted to adjust in light of policy considerations. The 2016 Public Hearing Draft took the analysis one step further by applying factors related to per capita VMT and NADMS. Some rates decreased while others increased. In reviewing the tax rates and policy area categories, it should be noted that there are five state designated Enterprise Zones in the County that are currently exempt from the Transportation Impact Tax – Burtonsville, Glenmont, Wheaton, and Olde Town in the City of Gaithersburg (see footnote on page 48.) The 2016 Public Hearing Draft SSP does not recommend any changes to this exemption.
97.	06/07/16	Stephen Elmendorf – Linowes and Blocher LLP	The same reasoning (as noted above in Comment 96) applies against the dramatic tax rate increased proposed for multi-family and retail for metro station policy areas in the Corridor and for retail in the Core.	See response to Comment 96.
98.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	All Metro Station Policy Areas should be designated in the Core category. The Core areas are too narrowly defined in the Public Hearing Draft SSP.	See responses to Comments 53 and 87.

Number	Date	Submitted by	Testimony / Comment	Staff Response
99.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	The chart on page 41 of the SSP relating to mitigation should be modified for Corridor Areas to allow for a mitigation payment not only for Urban Road Code Areas but also for Bicycle Pedestrian Priority Areas (BPPAs) or those areas that are within close proximity (e.g., ¼ mile) to planned premium transit service, like the Purple Line.	Comment noted. Staff thinks in considering any expansion of this payment in lieu of construction approach care should be taken to distinguish between projects and areas that are “planned” (not in a CIP) and “programmed” (in a CIP) within well-defined like or similar areas. Staff do not, for instance, think payment in lieu is an approach that necessarily should be used in all areas within ¼ mile of <u>all</u> planned premium transit service (e.g., the BRT network). The <i>Countywide Transit Corridors Functional Master Plan</i> (pages 73-78) presents the list of BPPAs that might represent a set to be examined for consideration where a payment in lieu of construction approach might be considered. That said, at the Planning Board worksession held on June 16, 2016 the recommendation for the mitigation payment for the Urban Road Code areas as well as the BPPAs was modified to allow for mitigation actions specified on a prioritized list of mitigation measures, with the mitigation payment not being the first choice.

Number	Date	Submitted by	Testimony / Comment	Staff Response
100.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	What Policy Areas are projected to be below 40% in 2025?	See response to Comment 90.
101.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	As a general comment, mitigation payments throughout the document generally are not described in terms of an amount or how they are calculated.	Both the mitigation payments (Local Area test) and the surcharge (Policy Area Test) are recommended to be 25% of the applicable Transportation Impact Tax.
102.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	The SSP calls for more robust testing in areas outside of the Core where the CLV's for intersections are 1350 or greater and the development increased the intersection demand by 10 CLVs. These additional tests have not been specifically defined or requirements articulated. Finally, I question why 1350 CLV is the standard being proposed instead of sticking with the existing 1600 CLV standard that was approved in the 2012 SSP for more testing.	See response to Comment 11. Also more detail on a recommended pass/fail threshold for the operational and network analysis will be forthcoming.
103.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	There is uncertainty surrounding the person and pedestrian trip requirements mainly because they are not clearly explained.	We agree that more explanation is needed. See response to comment 2. More detail on the methodology and applicable thresholds will be forthcoming at upcoming Planning Board worksessions.
104.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	The Board needs to recognize that the SSP cannot frustrate an applicant's ability to obtain access permits from the State for projects that involve state roads. This needs to be addressed.	Staff concurs that this important issue and continues to work with the State Highway Administration on this issue.

Number	Date	Submitted by	Testimony / Comment	Staff Response
105.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	There seems to be little justification to increase commercial impact tax rates, particularly office, in the Core Areas.	See response to comment 96 and comment 61.
106.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	The SSP needs to include a grandfathering provision that allows those projects with a filed preliminary plan application (or similar regulatory review) to proceed either under the terms of the 2012 SSP or the 2016 SSP at the choice of the applicant. The 2012 SSP had a grandfather provision.	See response to comment 86.
107.	06/08/16	Steven A. Robins – Lerch, Early, & Brewer	I assume the transportation related LATR and Policy Area guidelines will be proposed. These need to be carefully vetted.	The Guidelines typically follow adoption of the Council Resolution scheduled for November 2016 and will be submitted to the TISTWG and Planning Board for review.
108.	06/02/16	Robert Harris – Lerch, Early, & Brewer	The Draft Report leaves me with many more questions than answers. The report mentions an Appendix which does not yet exist and has a general lack of specificity.	Comment noted. Previous responses to comments that included an acknowledgement that more information is needed included the following: 2,55,90,94,102,103,104, and 106. An Appendix is now available on the Planning Department's web site.
109.	06/02/16	Robert Harris – Lerch, Early, & Brewer	In general, the grouping of the Policy Areas is problematic and does not represent adopted master plans.	See response to Comment 53.

Number	Date	Submitted by	Testimony / Comment	Staff Response
110.	06/02/16	Robert Harris – Lerch, Early, & Brewer	Providing a set of traffic standards for urban road code areas without applying those standards to what is generally considered the I-270 corridor is a mistake. The NADMS for some of these areas identified as urban road areas actually is lower than the NADMS for areas where a more demanding traffic standard would be applied.	See somewhat related response to comment 99. We do not think a broad application of the payment in lieu of construction approach is appropriate – a targeted approach consistent with established County policy is a preferred approach.
111.	06/02/16	Robert Harris – Lerch, Early, & Brewer	Any change in the SSP should enable projects with pending applications to continue under the existing standards.	See response to comment 86.
112.	06/02/16	Robert Harris – Lerch, Early, & Brewer	On the one hand, the Report indicates that overall impact tax collections and the existing rates are generally appropriate and should not be changed significantly. On the other hand, if some areas (including Gaithersburg and Rockville) are classified as wedge areas, all of the development in anticipated in multiple I-270 corridor master plans would face significant increases in impact taxes. The Draft Report partially provides for appropriate limits to impact taxes in areas like the Bethesda CBD and actually reduces the residential rates there. Inconsistently however, it proposes to increase by 50% the impact tax rates for office development in Bethesda.	See response to comment 53

Number	Date	Submitted by	Testimony / Comment	Staff Response
113.	06/10/16	Cherian Eapen	Any SSP must honor the General Plan. The current approach is to take the freedom to choose wherever they want to live away.	The Draft 2016 SSP includes proposals consistent with the goals and objectives of the General Plan.
114.	06/10/16	Cherian Eapen	A transformational SSP must start with a clean slate. There has never been a timely delivery of public facilities.	The focus of the SSP is to determine – consistent with County goals and objectives – if adequate public facilities exist (or will exist) in response to planned development. An important factor of whether major public facilities that service multiple developments and trip purposes will exist is the extent to which they are programmed. The SSP process is intended to identify areas where the inadequacy of public facilities exists so that programming priorities (a policy decision) can be re-evaluated if necessary.
115.	06/10/16	Cherian Eapen	The approach does not recognize the fact that HBW trips only represent about 20% of the trips a single family household makes over a day. The argument made by some to remove certain roads from master plans in non-transit served outer areas is nonsensical.	See response to comment 62.
116.	06/10/16	Cherian Eapen	It appears the current (Draft) SSP is loaded with language that only speaks “transit”. If the SSP is attempting to penalize those who live away from transit, it must also penalize those who own a vehicle in transit served areas.	See response to comments 60 and 62.
117.	06/10/16	Cherian Eapen	A more regional approach is needed. It is interesting to note from the above documents that reduction in VMT (the core argument to support transit in the new SSP) provides one of the least ROI when it comes to GHG reduction.	Per capita HBW VMT is used to develop a factor for adjusting the Transportation Impact Tax among the Policy Area groups. The Draft SSP notes on page 22 that transit is one of multiple approaches that can be used to help reduce GHG. The inclusion of transit accessibility as a key metric in the SSP is in recognition of the fact there are fewer areas in the County as a whole where new roadway corridors will be constructed (because of physical and funding constraints in particular). It is also important to note that the new metric measures progress toward a Policy Area specific threshold – not a countywide specific threshold. Finally, the new metric is in response to a Council request to develop a metric that can be used to measure in some fashion progress toward the eventual development of the master planned BRT network.

Number	Date	Submitted by	Testimony / Comment	Staff Response
118.	06/10/16	Cherian Eapen	While the existing graduated approach to Transportation Impact taxes seems reasonable, it fails to recognize the fact the exactions from new development only forms a small chunk of the huge investment needed to build-out the necessary infrastructure.	See response to Comment 61. Also see Figure 8 in the SSP Public Hearing Draft.
119.	06/10/16	Cherian Eapen	Any SSP must not ignore the need for affordable housing in close proximity of regional transit.	Staff recommends considering how progress toward the Housing Element of the General Plan could be incorporated in the next SSP
120.	06/10/16	Al Roshdieh – MCDOT Director	MCDOT supports the intentions of the Public Hearing Draft of the 2016 SSP revisions and the focus on improving transit accessibility, analyzing people instead of vehicles, improving transparency, and streamlining processes. However, we believe it better to understand the concerns with the current TPAR process. We feel TPAR to be conceptually successful at its goals.	Transit accessibility most succinctly addresses the interest (incorporated within the Council’s directive) to develop a metric that measures progress in the development of the master planned BRT network. The TPAR transit component metrics (i.e., coverage, headway and span of service) are useful in assessing a ten-year transit service plan, but not as well suited for defining transit adequacy for longer term horizon. Staff recommends the retention of the roadway component of the TPAR process as a tool to be used in support of the identification of capital programming needs and master plan evaluation.

Number	Date	Submitted by	Testimony / Comment	Staff Response
121.	06/10/16	Al Roshdieh – MCDOT Director	As initially conceived, TPAR was intended to be a sort of local impact tax, identifying the total cost of transportation needs within a policy area and assessing a pro-rata fee upon each new development to pay for this cost. As ultimately approved, TPAR was instead set as a percent of the countywide impact tax – limiting the purchasing power of this revenue source in addressing local transportation needs. In select areas, a Pay & Go approach may be a reasonable and effective method to encourage new development while ensuring a cohesive response to transportation needs. We have significant concerns with what is proposed in this current SSP draft which does not appear to provide any timeliness or cohesiveness in addressing transportation needs.	Staff understands the concerns MCDOT has with a “pay and go” approach in the Core/Red areas of the County without first establishing the parameters that would be needed for a Pro Rata approach such as White Flint or White Oak. Staff concurs that the Pro Rata share approach is desirable where stakeholder interest facilitates the detailed analysis, policy, and consensus building needed to establish new Pro Rata share districts. The shift from individual project mitigation to an impact tax approach is an initial step in this direction and the SSP recommends biennial monitoring to identify of Core area transportation system performance and needed improvements to inform the CIP; further studies may be undertaken to either refine the impact tax requirements or conduct a more rigorous assessment of needs.
122.	06/01/16	Al Roshdieh – MCDOT Director	There have been no substantial TPAR contributions made since the approval of TPAR. Therefore, it may be premature to draw conclusions on the effectiveness of the program given how few new developments have yet utilized it.	The exclusion of TPAR as a regulatory tool in the 2016 Draft SSP is largely in response to its limitations with respect to the evaluation of the transportation adequacy benefits of premium transit service, and to the Board’s dissatisfaction with the use of roadway Level of Service as a transportation adequacy measure. None of the existing funding sources (Countywide Transportation Impact Tax, Special District Tax, TPAR exactions, or PAMR exactions) have at this point contributed a significant percentage of the funds required to support expansion projects in the CIP.

Number	Date	Submitted by	Testimony / Comment	Staff Response
123.	06/10/16	Al Roshdieh – MCDOT Director	We believe dividing the policy areas into four groups has merit and welcome continued refinements to better capture the context of a policy area. We support the updated Trip Generation rates, especially emphasizing person-trips rather than vehicle trips and exploring the relationship with parking supply.	See response to comment 53.
124.	05/26/16	City of Gaithersburg	The City is concerned that its grouping as a Wedge area and the resulting increase in the Transportation Impact Tax. Staff is unclear as to the justifications for essentially downsizing the City while artificially upsizing the R&D village, Clarksburg, and Germantown Town Center.	See response to comment 53.
125.	05/27/16	City of Rockville	Given the significance of the proposed changes and the regional importance of transportation, we are requesting that County Planning Staff present the proposed SSP changes to the Rockville Mayor and Council. We anticipate the City will submit comments to the Planning Board by the end of June.	Planning Department staff briefed the Rockville Mayor and Council on June 13, 2016.
126.	06/09/16	Jason R. Goldsmith, Damascus resident	The categorization of Damascus as a “Wedge” policy area is inappropriate.	Recent Planning Board discussions have resulted in the categorization of Damascus as a “Green” (Rural) policy area.
127.	06/08/16	Patricia Walker, Damascus Resident	Same a comment 126. The application of the transit accessibility metric in Damascus is inappropriate.	See response to comment 126. The proposed policy area transit accessibility test would not apply to a rural policy area such as Damascus.
128.	06/09/16	Seth Gottesman,	Same as comments 126 and 127.	See response to comments 126 and 127.

Number	Date	Submitted by	Testimony / Comment	Staff Response
129.	06/08/16	Rev. Robert Lewis, Damascus Resident	Same as comments 126 and 127.	See response to comments 126 and 127.
130.	06/08/16	Janene Nusraty, Damascus Resident	Same as comments 126 and 127.	See response to comments 126 and 127.
131.	06/08/16	Robert and Kathy Hyman, Damascus Resident	Same as comment 126.	See response to comment 126
132.	06/08/16	Sarwar Faraz, President, Park Ridge HOC (Clarksburg)	SSP Public Hearing Draft should recommend the completion of Midcounty Highway (M-83)	The SSP is not the appropriate forum to recommend specific transportation projects.
133.	06/22/16	City of Rockville	We feel this SSP Policy Update is an opportunity to require analysis of transportation impacts as well as mitigation, regardless of jurisdictional boundaries.	Staff believes the inclusion of a network analysis when certain thresholds are met in three of the four Policy Area groups provides an opportunity for more detailed analysis of interjurisdictional impacts. The question of the County requiring mitigation for impacts within the City still needs to be addressed.
134.	06/22/16	City of Rockville	Establishing significantly different transportation impact tax rates for growth areas near one another could have unintended consequences, creating an imbalance in development opportunities across the jurisdictions.	Staff acknowledges that the initial grouping as it relates to both the inclusion and exclusion of some Policy Areas in both cities as they relate to the Core and Corridor groups is inconsistent. Recent discussions with the Planning Board have resulted in the categorization of all MSPAs as Core/Red policy areas. This would include Rockville Town Center.

Number	Date	Submitted by	Testimony / Comment	Staff Response
135.	06/22/16	City of Rockville	<p>The rest of Rockville is classified as wedge/residential. However, this includes an anticipate significant redevelopment to occur along Rockville Pike, particularly near the Twinbrook Metro Station. Just beyond the City limits however is a planned “core” areas for the County’s Twinbrook neighborhood area as well as the nearby White Flint “core” area. The result is that there would be a major discrepancy between the transportation impact tax rates, where the rate charged in Rockville would be five times higher than the rate in these County core areas. At a minimum, it appears this portion of the City along Rockville Pike should be designated as a “corridor” policy area and a “core” policy area should be designated around the Twinbrook Metro Station area within the City as well as the County.</p>	<p>Staff acknowledges that the initial grouping as it relates to both the inclusion and exclusion of some Policy Areas in both cities as they relate to the Core and Corridor groups is inconsistent. Recent discussions with the Planning Board have resulted in the categorization of all MSPAs as Core/Red policy areas. This would include the Rockville Town Center. In addition, other areas such as Rockville City have been moved to the Orange (or Corridor) category.</p>

136.	06/22/16	City of Rockville	The description for addressing the proportional allocation of the \$1.6 billion in transportation improvements is not clear and footnote #12 in the table refers to a Table 2 that does not seem to apply.	Comment noted. While the methodology in shown in Table 7, it does not include a line for percent of total trip ends. The percent of total trip ends is arrived at by adding all of the vehicle trip ends across all land uses and then calculating the percentage of total trip ends attributable to each land use. The resulting percentage allocation of trip ends is then used to allocate the \$1.6 billion total among the various land uses. Table 2 can be found in the SSP Appendix (Transportation Impact Tax). It was not included in the Public Hearing Draft. We will revise the footnote to refer to the Appendix for the list of the projects that were used in the analysis.
137.	06/22/16	City of Rockville	We understand that parking reductions may be achieved to lower the transportation impact tax rate for a development project in the County. We assume this does not apply within municipalities as we have on own land use and zoning authority. As we evaluate the City's parking standards, it would help to have access to the information the County used to justify the proposed change.	The incentive for parking reductions is a recommendation that would be at the discretion of the project sponsor. It would not be applicable to the municipalities unless adopted by the municipalities in some form. We will forward reference material we have reviewed related to parking reduction and trip-making.
138.	06/22/16	City of Rockville	We would like to understand what went into the vehicle trip reduction factors by policy area.	See response to comment 57.
139.	06/27/16	David Sears, Sierra Club	The County should set the (transportation) impact tax rate paid by developers based on estimated Vehicle Miles Travelled (VMT). Include this an element of	The 2016 SSP Public Hearing Draft includes a recommendation to adjust transportation impact tax rates based on estimates of current VMT for work trips. This recommendation was discussed in the context of the Planning Board 2016 SSP Worksession #5 held on 6/30/16. Please refer to slides 39 and 40 of the supporting presentation posted here... http://www.montgomeryplanning.org/research/subdivision_staging_policy/documents/20160630BoardSSP.pdf

			the SSP to be transmitted to the Council.	
Number	Date	Submitted by	Testimony / Comment	Staff Response
140.	06/29/16	Robert Harris, Lerch, Early & Brewer	Do not propose an increase to the impact tax rate for office and retail in MSPAs.	See response to comment 138. These rates may be further adjusted, as determined to be appropriate by the Council, in order to reflect prevailing County policy.

--	--	--	--	--