

**MEMORANDUM**

June 20, 2017

TO: Transportation, Infrastructure, Energy & Environment Committee

FROM: Josh Hamlin, Legislative Attorney 

SUBJECT: **Worksession:** Expedited Bill 15-17, Silver Spring, Bethesda, Wheaton and Montgomery Hills Parking Lot Districts – Areas Defined – Tax Exemption

Expedited Bill 15-17, Silver Spring, Bethesda, Wheaton and Montgomery Hills Parking Lot Districts – Areas Defined – Tax Exemption, sponsored by Lead Sponsor Council President Berliner at the request of the County Executive, was introduced on May 2, 2017. A public hearing was held on June 13.

Bill 15-17 would:

- (1) replace descriptions of the parking lot district boundaries with URL links to GIS maps;
- (2) merge Montgomery Hills Parking Lot District and Silver Spring Parking Lot District;
- (3) clarify application requirement for tax exemptions;
- (4) delete duplicative provisions; and
- (5) generally amend the law governing parking lot districts.

**Background**

Chapter 60 of the County Code establishes four Parking Lot Districts (PLDs): Silver Spring, Bethesda, Wheaton, and Montgomery Hills. The area of each of the PLDs is defined by metes and bounds descriptions in Section 60-1. Expedited Bill 15-17 would delete the metes and bounds descriptions, and replace them with references to GIS maps maintained on the County website. The Bill would also merge the Montgomery Hills PLD into the Silver Spring PLD. According to the Fiscal and Economic Impact statements (©31-33), the merging of the PLDs is expected to streamline work flow processes, and improve customer service by expanding flexible parking options for the increasing downtown population.

The Bill would also amend Section 60-6, which provides for a tax exemption for certain property owners in PLDs that provide off-street parking facilities, to expressly reference the longstanding application process set forth in Section 60-14. Finally, the Bill would delete certain provisions in Chapter 60 that are duplicative of provisions in Chapter 31.

## Public Hearing

There was one speaker at the public hearing on the Bill held on June 13. Jose Thommana, Chief of the Division of Parking Management in the Department of Transportation (DOT), spoke in support of the Bill, saying that merging the Montgomery Hills and Silver Spring PLDs would simplify County budgetary, policy, recordkeeping and public information matters, since the Montgomery Hills PLD is underutilized and does not require its own budget and fiscal plan. He noted that the existing rate resolution (Resolution 18-808) permits Montgomery Hills to maintain its different price structure from Silver Spring and allows the rates in Montgomery Hills to align with those in Silver Spring without further resolution (see ©35).

### Issues for Committee Discussion

#### *1. Should the Silver Spring and Montgomery Hills Parking Lot Districts be merged?*

The question of whether to merge the Montgomery Hills and Silver Spring PLDs was considered and, at least in principle, decided during the budget process. Because Montgomery Hills is a very small, low-supply, low-demand PLD, it does not require its own budget and fiscal plan, and a merger would result in increased administrative efficiency. In the packet for the April 27 T&E Committee worksession<sup>1</sup>, Glenn Orlin discussed the periodic suggestions that such a merger take place, and problems that existed with doing so up to now: (1) the fact that the Montgomery Hills property tax rate was historically much lower than Silver Spring's, so that a merger would have resulted in a substantial increase in taxes on Montgomery Hills businesses; and (2) the historically lower parking fees in Montgomery Hills would have to be increased above what the market would bear in the event of a merger.

In the packet, Dr. Orlin also noted that these problems no longer exist:

“Two years ago, the Council set the property tax in all four PLDs at \$0/\$100. It also allows DOT to set parking fees at rates lower than the maximum within any PLD. Therefore, the two districts can be merged without having an effect on taxes or fees in Montgomery Hills. Given that the Silver Spring CBD is in robust fiscal shape, there may never be a better opportunity to merge the Montgomery Hills PLD into the Silver Spring CBD.” See ©36-37.

The Council's general agreement with the merger proposition is evidenced by its adoption, on May 17, 2017, of Resolution 18-808<sup>2</sup>, setting transportation fees, charges, and fares, and deleting the parking fee schedule for the Montgomery Hills PLD (see ©38).

**Staff recommendation:** Merge the Montgomery Hills PLD into the Silver Spring PLD.

#### *2. Is reference to a map located on the County website sufficient to establish the boundaries of the PLDs?*

<sup>1</sup> [http://montgomerycountymd.granicus.com/MapView.php?view\\_id=169&clip\\_id=13185&meta\\_id=136196](http://montgomerycountymd.granicus.com/MapView.php?view_id=169&clip_id=13185&meta_id=136196)

<sup>2</sup> [http://www.montgomerycountymd.gov/COUNCIL/Resources/Files/res/2017/20170516\\_18-808.pdf](http://www.montgomerycountymd.gov/COUNCIL/Resources/Files/res/2017/20170516_18-808.pdf)

As introduced, the Bill would delete the metes and bounds descriptions that currently establish the boundaries of the PLDs in the Code, and replace them with a reference to maps on the County website. While this would eliminate a significant amount of text from the Code, Council staff is concerned that defining boundaries by reference to whatever map happens to appear at a given URL is not adequate. This problem is illustrated by the maps which currently exist at the URL's included in the Bill (see ©39-41): the map referenced in the Bill for the Silver Spring PLD, which should include the existing Montgomery Hills PLD, does not do so. Instead, it is a map of the *existing* Silver Spring PLD.

Council staff believes that the specific boundaries of each PLD should be legislatively approved and included in the Code, rather than set by reference to whatever map happens to exist at a particular URL. While metes and bounds descriptions are not the most user-friendly, they are the established standard in defining legal boundaries, used in land records and in other County Code provisions defining areas. Additionally, nothing would preclude DOT from using and providing the maps that it has already generated to illustrate the PLDs in a more user-friendly manner.

DOT has requested that, if the Council does opt to retain the metes and bounds descriptions, a County-owned parking lot that exists just outside the current Montgomery Hills PLD be added (see ©42). This could be done by simply referencing the legal description of the lot as recorded in the land records. Council staff sees no reason not to include this lot.

**Staff recommendation:** Retain the metes and bounds descriptions of all PLDs, adding the description of the existing Montgomery Hills PLD to the description of the Silver Spring PLD as a subsection 60-1(a)(2), and specifically including the lot described above by reference to the land records.

3. *Should the revenue transfer authorization in subsection 60-16(e) be amended to reflect the merger of the Silver Spring and Montgomery Hills PLDs?*

Dr. Orlin, in his packet for the April 27 T&E Committee discussion of the rate resolution, pointed out that §60-16(e) includes language allowing an annual transfer from the Montgomery Hills PLD to the Silver Spring Regional Services Center to provide for streetscape maintenance and minor capital projects in the Montgomery Hills PLD. The budgeted transfer has been \$5,000/year for the past few years. The elimination of the Montgomery Hills PLD via the proposed merger would result in the discontinuation of this transfer unless §60-16(e) is amended to enable the newly expanded Silver Spring PLD to transfer the funds for those purposes. Council staff recommends the amendment below to preserve the transfer – note that this amendment presumes the approval of staff's recommendation to retain the metes and bounds descriptions of the PLDs in issue #2, above.

**Staff recommendation:** Amend subsection 60-16(e) as follows:

- (e) Notwithstanding the limits in subsection (a) or (b) or any other provision of this Chapter, the County Council may transfer revenue

from the [[Montgomery Hills]] Silver Spring Parking Lot District parking tax:

- (1) to fund activities of the Silver Spring Regional Services Center in the Montgomery Hills [[Parking District]] commercial area described in Section 60-1(a)(2), an amount in Fiscal Year 2005 that does not exceed \$15,000, and in each succeeding fiscal year does not exceed the maximum amount for the previous fiscal year increased by the annual average increase, if any, in the Consumer Price Index for all urban consumers in the Washington-Baltimore metropolitan area, or any successor index, for the previous calendar year, to:
  - (A) provide and maintain amenities, façade improvements, streetscape improvements, and property in public rights-of-way;
  - (B) promote and implement activities that benefit residential and commercial interests in the district. These activities may incidentally benefit neighboring communities; and
  - (C) enhance the safety and security of persons and property in public areas; and
- (2) to fund projects in the Capital Improvements Program that improve the street and sidewalk infrastructure serving the Montgomery Hills [[Parking Lot District]] commercial area described in Section 60-1(a)(2).

4. *Should technical and clarifying changes be made to §60-6?*

Expedited Bill 15-17 would make several technical, plain-language corrections in §60-6 to conform the statutory language to current legislative drafting conventions (see ©24-27, lines 616-688). The proposed revised language would not alter the County's longstanding statutory requirement in that a property owner in the PLD must apply for an exemption from the PLD Tax,

or the process for such application. The County and certain PLD property owners have for decades recognized that the exemption application is required.

**Staff recommendation:** Make technical corrections to §60-6 as proposed in the Bill as introduced.

5. *Should the provisions in Chapter 60 that are duplicative of provisions in Chapter 31 be deleted?*

Expedited Bill 15-17 would delete §§60-17 through 60-19, which prohibit the parking of certain types of vehicles in any parking lot established or maintained under Chapter 60, provide for the impoundment of vehicles under certain circumstances, and set the penalty for a violation of the prohibition. These provisions, while not totally identical, duplicate certain provisions of Articles IV and VII of Chapter 31, governing parking in off-street public parking facilities generally. Eliminating the duplicative provisions in Chapter 60 would result in increased consistency across public parking facilities Countywide.

More specifically:

- Section 60-17 generally prohibits the parking of certain trucks (those with a gross weight of 8,000 pounds, and trailers or semitrailers of any weight), buses, and unregistered, unlicensed, or abandoned vehicles in public parking lots in PLDs, as well as imposing a time limit of 24 hours for all vehicles. Similar provisions are included in §§31-26<sup>3</sup> and 31-27.<sup>4</sup>
- Section 60-18 authorizes the impoundment, by a County police officer, of vehicles parked in violation of §60-17 for longer than 20 hours. The generally applicable provision, §31-31, authorizes the impoundment, by a police officer or other person designated by the County Executive, of a vehicle parked in violation of the parking regulations, “or otherwise parked so as to constitute a definite hazard to public safety or is so parked, stopped or standing so as to impede or obstruct the normal movement of traffic or pedestrians.”
- Section 60-18 sets the penalty for violations of §60-17 at \$50 or not more than 30 days’ imprisonment, while §31-67 provides that a violation of Chapter 31 is a Class B violation, subject to a maximum civil penalty of \$100 for a first offense (\$150 for repeat offenses).

**Staff recommendation:** Delete the duplicative provisions in Chapter 60, as proposed in the Bill as introduced.

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<sup>3</sup> §31-26 includes a general prohibition on parking any vehicle in a public parking facility “or longer than 24 hours, except when otherwise authorized by Executive order.”

<sup>4</sup> Under §31-27, unless expressly authorized in writing, the following vehicles are prohibited from entering a County-owned and -operated parking facility:

- (1) Any trailer or towed vehicle.
- (2) Any truck having a manufacturer's rated carrying capacity greater than (1) ton.
- (3) Any vehicle with a gross weight greater than eight thousand (8,000) pounds.
- (4) Any vehicle having an overall length more than twenty (20) feet including any load thereon.
- (5) Any vehicle wider than eight (8) feet.
- (6) Any bus.

This packet contains:	<u>Circle #</u>
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Expedited Bill No. 15-17  
Concerning: Silver Spring, Bethesda,  
Wheaton and Montgomery Hills  
Parking Lot Districts – Areas Defined  
– Tax Exemption  
Revised: April 24, 2017 Draft No. 2  
Introduced: May 2, 2017  
Expires: November 2, 2018  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President at the request of the County Executive

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**AN EXPEDITED ACT** to:

- (1) replace descriptions of the parking lot district boundaries with URL links to GIS maps;
- (2) merge Montgomery Hills Parking Lot District and Silver Spring Parking Lot District;
- (3) clarify application requirement for tax exemptions;
- (4) delete duplicative provisions; and
- (5) generally amend the law governing parking lot districts.

By amending

Montgomery County Code  
Chapter 60, Silver Spring, Bethesda, Wheaton and Montgomery Hills Parking Lot Districts  
Sections 60-1 and 60-6

By deleting

Montgomery County Code  
Chapter 60, Silver Spring, Bethesda, Wheaton and Montgomery Hills Parking Lot Districts  
Sections 60-17, 60-18, 60-19, and 60-20

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Sections 60-1 and 60-6 are amended and Sections 60-17, 60-18, 60-**  
 2 **19, and 60-20 are deleted as follows:**

3 **60-1. Special taxing areas continued; areas defined.**

4           (a) *Silver Spring Parking Lot District.* The Silver Spring Parking Lot District  
 5 [shall consist] consists of all land [in the Thirteenth Election District of the County]  
 6 within the area [described as follows] depicted on the map at:

7 [Commencing at a point on the Maryland-District of Columbia boundary line at the  
 8 intersection of the west right-of-way of Georgia Avenue within the Maryland-  
 9 District of Columbia boundary line and running in a northwesterly direction along  
 10 the Maryland- District of Columbia boundary line to its intersection with the east  
 11 right-of-way of Sixteenth Street; thence in a northerly direction along the east right-  
 12 of-way line of Sixteenth Street to its intersection with the northwest right-of-way  
 13 line of Spring Street; thence in a northeasterly direction along the northern right-of-  
 14 way line of Spring Street, crossing Second Avenue, First Avenue, Georgia Avenue  
 15 and Alton Parkway, then southeasterly to its intersection with the northwest right-  
 16 of-way line of Fairview Road; thence in a northeasterly direction approximately 390  
 17 feet along the northwest right-of- way line of Fairview Road to its intersection with  
 18 the westward prolongation of the southwest line of Lots 1 and 2, Block B, Section  
 19 4, Woodside Park, as recorded January 30, 1923, in Plat Book 3, Plat 244, among  
 20 the land records of Montgomery County, Maryland; thence crossing Fairview Road  
 21 in a southeasterly direction along the said southwest line of Lots 1 and 2, Block B,  
 22 Section 4, Woodside Park, to its intersection with the southwest right-of-way line of  
 23 Noyes Drive; thence in a southeasterly direction along the southwest right-of-way  
 24 line of Noyes Drive to its intersection with the northwest right-of-way line of  
 25 Colesville Road; thence crossing Colesville Road in a southeasterly direction to the  
 26 intersection of the southeast right-of-way line of Colesville Road and the southwest  
 27 line of the Silver Spring Public Library site, Parcel No. P959; thence along said line

28 to the southeast right-of-way line of Ellsworth Drive; thence in a southwesterly  
29 direction along the southeast right-of-way line of Ellsworth Drive to its intersection  
30 with the common line of the Academy of the Holy Names site and the northeast line  
31 of Evanswood Sec. 1 Subdivision, also shown as the common lot line of Lot 9 and  
32 Lot 10, Evanswood Section One, as recorded March 2, 1932, in Plat Book 5, Plat  
33 439 among the land records of Montgomery County, Maryland; thence in a  
34 southeasterly direction along the northeast lot lines of Lots 9, 8, 7, 6, 5, 4, 3, 2 and  
35 1 as shown on aforesaid plat, crossing Pershing Drive along a prolongation of said  
36 line to its intersection with the southeast right-of-way line of Pershing Drive; thence  
37 in a southwesterly direction along the southeast right-of-way line of Cedar Street;  
38 thence in a southeasterly direction along the northeast right-of-way line of Cedar  
39 Street, crossing Wayne Avenue, to its intersection with the southeast right-of-way  
40 line of Wayne Avenue; thence in a southwesterly direction along the southeast right-  
41 of-way line of Wayne Avenue for approximately 750 feet, to its intersection with the  
42 east lot line of Lot 24, Block 4 in Jordan's and Smith's Addition to Silver Spring  
43 Park, as recorded June 2, 1925, in Plat Book 4, Plat 301, among the land records of  
44 Montgomery County, Maryland; thence in a southeasterly direction along the east  
45 line of Lot 24 to the southeast corner of Lot 24; thence in a southwesterly direction  
46 approximately 15 feet to the northeast corner of Lot 14, Block 4, Jordan's and Smith's  
47 Addition to Silver Spring Park, as shown on aforesaid plat; thence in a southeasterly  
48 direction along the east line of Lot 14, as shown on aforesaid plat, to the northwest  
49 right-of-way line of Bonifant Street; thence in a southerly direction crossing  
50 Bonifant Street to the intersection of the southeastern right-of-way line of Bonifant  
51 Street and the northeast corner of Lot 5, Block U, Silver Spring Park, as shown in  
52 Plat Book 1, Plat 99, recorded April 4, 1909, among the land records of Montgomery  
53 County, Maryland, also being the same as the northeast corner of Montgomery  
54 County Public Parking Facility 29; thence in a southerly direction along the common

55 lot line being the east line of Lot 5 and the west line of Lot 6 as shown on the  
56 aforesaid plat, crossing Easley Street along the southern prolongation of said line to  
57 its intersection with the south right-of-way line of Easley Street; thence in a westerly  
58 direction along the south right-of-way line of Easley Street approximately 50 feet to  
59 its intersection with the common lot line being the west line of Lot 7 and the east lot  
60 line of Lot 28, Block P, Silver Spring Park, as shown in Plat Book 1, Plat 99 recorded  
61 April 4, 1909, among the land records of Montgomery County, Maryland; thence in  
62 a southerly direction along the common line of Lot 7 and Lot 28, Block P and the  
63 common line of Lot 18 and Lot 19, Block P, Silver Spring Park, as shown on  
64 aforesaid plat, crossing Thayer Avenue to the intersection of the south right-of-way  
65 line of Thayer Avenue and the common lot line being the east lot line of Lot 5 and  
66 the west lot line of Lot 6, Block G, as shown on a "Map of building Sites for Sale at  
67 Silver Spring," as recorded May 23, 1904, in Plat Book 1, Plat 54, among the land  
68 records of Montgomery County, Maryland; thence in a southerly direction along the  
69 common lot line of Lot 5 and Lot 6, Block G, and with a prolongation of said line to  
70 the south right-of-way line of a 20-foot alley dividing Block G and Block H, as  
71 shown on aforesaid map of Silver Spring Building Sites; thence in a westerly  
72 direction approximately 50 feet along the south line of said alley to its intersection  
73 with the common lot line being the east line of Lot 4 and the west line of Lot 5,  
74 Block H, as shown on the aforesaid map of Silver Spring building Sites; thence in a  
75 southerly direction along the common lot line of Lot 4 and Lot 5, Block H, to its  
76 intersection with the northern right-of-way line of Silver Spring Avenue; thence  
77 crossing Silver Spring Avenue to the intersection of the southern right-of-way line  
78 of Silver Spring Avenue and the common lot line being the east line of Lot 4 and the  
79 west line of Lot 5, Block I, as shown on the aforesaid map of Silver Spring Building  
80 Sites; thence in a southerly direction along the common lot line of Lot 4 and Lot 5,  
81 Block I, crossing a 20-foot alley dividing Block I and Block J, as shown on aforesaid

82 map of Silver Spring Building Sites, to its intersection with the south right-of- way  
83 line of said alley and the common lot line, being the east line of Lot 4 and the west  
84 line of Lot 5, Block J, as shown on aforesaid map of Silver Spring building Sites;  
85 thence in a southerly direction along the common lot line of Lot 4 and Lot 5, Block  
86 J, to its intersection with the northern right-of-way line of Sligo Avenue; thence  
87 along a southern prolongation of the said common lot line of Lot 4 and Lot 5, Block  
88 J, to its intersection with the southern right-of-way line of Sligo Avenue; thence in  
89 a northwesterly direction along the southern right-of-way line of Sligo Avenue to its  
90 intersection with the northeast corner of Lot 19, Block A, shown on a plat of Blair  
91 Section 1, recorded June 7, 1922 in Plat Book 3, Plat 229 among the land records of  
92 Montgomery County, Maryland; thence in a southerly direction along the east line  
93 of Lot 19, Block A, to its intersection with the remainder of Lot 25, Block A, as  
94 shown on aforesaid plat; thence in an easterly direction approximately 15 feet to its  
95 intersection with the northwest corner of Lot 51, Block A, as shown on a plat of  
96 Blair, Section 1, recorded November 16, 1935, in Plat Book 8, Plat 626, among the  
97 land records of Montgomery County, Maryland; thence in a southerly direction  
98 along the west line of said Lot 51 to its intersection with the northern right-of- way  
99 line of Gist Avenue; thence along a southerly prolongation of the west line of said  
100 Lot 51 to the southern right-of-way line of Gist Avenue; thence in a westerly  
101 direction along the southern right-of-way line of Gist Avenue to its intersection with  
102 the eastern right-of-way line of Fenton Street; thence in a southerly direction along  
103 the eastern right- of-way line of Fenton Street crossing Philadelphia Avenue,  
104 Isington Street and New York Avenue to its intersection with the corporate limit line  
105 of the City of Takoma Park; thence in a southwesterly direction with the corporate  
106 limit line of the City of Takoma Park crossing the northeast right-of-way line of the  
107 B & O Railroad to its intersection with the southwest right-of-way line of the B &  
108 O Railroad; thence in a southeasterly direction with the southwest right-of-way line

109 of the B & O Railroad to its intersection with the northeast right-of-way line of Blair  
 110 Road; thence in a northwesterly direction along the northeast right-of-way line of  
 111 Blair Road to its intersection with a prolongation of the southeast line of Parcel One,  
 112 Yost's Addition to Silver Spring as shown in Plat Book 85, Plat 8874, recorded  
 113 March 13, 1968, among the land records of Montgomery County, Maryland; thence  
 114 in a southwesterly direction along said line to its intersection with the northeast line  
 115 of Eastern Avenue, said line also being the Maryland-District of Columbia boundary  
 116 line; thence in a northwesterly direction along the Maryland-District of Columbia  
 117 boundary line to the point of beginning.]

118 [http://www.montgomerycountymd.gov/DOT-](http://www.montgomerycountymd.gov/DOT-Parking/Resources/Files/PLDSilverSpring.pdf)  
 119 [Parking/Resources/Files/PLDSilverSpring.pdf.](http://www.montgomerycountymd.gov/DOT-Parking/Resources/Files/PLDSilverSpring.pdf)

120 There [shall] must also be included in the foregoing [described] depicted area  
 121 any lot partially within and partially without the [described] depicted area.

122 (b) *Bethesda Parking Lot District.* The Bethesda Parking Lot District [shall  
 123 consist] consists of all land [in the Seventh Election District of the county] within  
 124 the area [described as follows] depicted on the map at:

125 [Commencing at a point on the east right-of-way line of Wisconsin Avenue at the  
 126 northwest corner of Lot 47, Block '1, in the resubdivision of Lots 1, 2, 3 of Rosedale  
 127 Park, as recorded January 9, 1939, in Plat Book 16, Plat 1038, among the land  
 128 records of Montgomery County, Maryland; thence in an easterly direction along the  
 129 north line of Lot 47 and Lot 48 to the northeast corner of Lot 48 as shown on  
 130 aforesaid plat; said line also being the north line of Block 1 of the Rosedale Park  
 131 Subdivision, as recorded August 5, 1908, in Plat Book 1, Plat 92, among the land  
 132 records of Montgomery County, Maryland; thence in an easterly direction along the  
 133 north line of Block 1 in the Rosedale Park Subdivision to the northeast corner of Lot  
 134 5, Block 1, Rosedale Park, as shown on the aforesaid plat; thence in a southerly  
 135 direction along the common lot line being the east line of Lot 5 and the west lot of

136 Lot 6, Block 1, Rosedale Park, to its intersection with the north right-of-way line of  
137 Chestnut Street, as shown on the aforesaid plat; thence crossing Chestnut Street to  
138 the northwest corner of Lot 7, Block 3, Rosedale Park, as shown on the aforesaid  
139 plat; thence in a southerly direction along the west line of Lot 7, Block 3, Rosedale  
140 Park, to the northwest corner of Lot 16, Block 3, Rosedale Park, as shown on the  
141 aforesaid plat; thence along the west line of Lot 16, Block 3, Rosedale Park, to its  
142 intersection with the north right-of-way line of Rosedale Avenue; thence crossing  
143 Rosedale Avenue to the northwest corner of Lot 7, Block 7, Rosedale Park, as shown  
144 on the aforesaid plat; thence in a southerly direction along the west line of Lot 7,  
145 Block 7, Rosedale Park, to the northwest corner of Lot 15, Block 7, Rosedale Park,  
146 as shown on the aforesaid plat; thence in a southerly direction along the west line of  
147 Lot 15, Block 7, Rosedale Park, to its intersection with the north right-of-way line  
148 of Maple Avenue; thence along the north right-of-way line of Maple Avenue to its  
149 intersection with the west right-of-way line of Tilbury Street; thence in a southerly  
150 direction along the west right-of-way line of Tilbury Street, crossing Maple Avenue  
151 and Highland Avenue to the south line of Highland Avenue; thence in a westerly  
152 direction along the south right-of-way line of Highland Avenue to its intersection  
153 with the northeast corner of Lot 8, Block 5, West Chevy Chase Heights Subdivision,  
154 as recorded April 31, 1916, in Plat Book 2, Plat 186, among the land records of  
155 Montgomery County, Maryland; thence in a southerly direction along the common  
156 lot line being the east line of Lot 8 and the west line of Lot 9, Block 5, West Chevy  
157 Chase Heights Subdivision, as shown on aforesaid plat, crossing a public alley to the  
158 northwest corner of Lot 18, Block 5, West Chevy Chase Heights Subdivision, as  
159 shown on aforesaid plat; thence in an easterly direction along the north line of Lot  
160 18, Block 5, to the northeast corner of Lot 18, Block 5, West Chevy Chase Heights  
161 Subdivision, as shown on aforesaid plat; thence in a southerly direction along the  
162 common lot line being the east line of Lot 18 and the west line of Lot 19, Block 5,

163 to its intersection with the north right-of-way line of West Virginia Avenue, as  
164 shown on aforesaid plat; thence in an easterly direction along the north right-of-way  
165 line of West Virginia Avenue to its intersection with a northern prolongation of the  
166 west lot line of Lot 15, Block 9, West Chevy Chase Heights Subdivision, as shown  
167 on aforesaid plat; thence in a southerly direction along said prolongation, crossing  
168 West Virginia Avenue to the northwest corner of Lot 15, Block 9, West Chevy Chase  
169 Heights, as shown on aforesaid plat; thence in a southerly direction along the  
170 common lot line being the west line of Lot 15 and the east line of Lot 14, to the  
171 southwest corner of Lot 15, Block 9, West Chevy Chase Heights Subdivision, as  
172 shown on aforesaid plat; thence in a westerly direction along the north line of a ten-  
173 foot-wide alley as dedicated on aforesaid plat to its intersection with a northern  
174 prolongation of the west line of Lot 21, Block 9, West Chevy Chase Heights  
175 Subdivision, as shown on aforesaid plat; thence in a southerly direction along said  
176 prolongation, crossing a ten-foot-wide alley to the northwest corner of Lot 21, Block  
177 9, West Chevy Chase Heights Subdivision, as shown on aforesaid plat; thence in a  
178 southerly direction along the common lot line being the west line of Lot 21 and the  
179 east line of Lot 20, Block 9, West Chevy Chase Heights Subdivision, to its  
180 intersection with the north right-of-way line of Chase Avenue, as shown on aforesaid  
181 plat; thence in an easterly direction along the north right-of-way line of Chase  
182 Avenue to its intersection with a northerly prolongation of the west line of Outlot  
183 "A," Block 1, Westboro Subdivision, as recorded July 12, 1937, in Plat Book 12,  
184 Plat 839, among the land records of Montgomery County, Maryland; thence in a  
185 southerly direction along said prolongation, crossing Chase Avenue, and continuing  
186 along the common line being the east line of a twenty-foot public alley and the west  
187 line of Outlot "A," Block 1, Westboro Subdivision, to its intersection with the north  
188 right-of-way line of Cheltenham Drive, as shown on aforesaid plat; thence in an  
189 easterly direction along the north right-of-way line of Cheltenham Drive to its

190 intersection with the west right-of-way line of Tilbury Street; thence in a southerly  
191 direction along the west right-of-way line of Tilbury Street crossing Cheltenham  
192 Drive and along a prolongation of said right-of-way line of Tilbury Street to its  
193 intersection with the north line of Rabner's Subdivision, as recorded May 11, 1936,  
194 in Plat Book 9, Plat 675, among the land records of Montgomery County, Maryland;  
195 thence in an easterly direction along said north line of Rabner's Subdivision to the  
196 northeast corner of Lot 6, Rabner's Subdivision, as shown on the aforesaid plat;  
197 thence in a southerly direction along the common lot line being the east line of Lot  
198 6 and the west line of Lot 7, Rabner's Subdivision, to its intersection with the north  
199 right-of-way line of Middleton Lane, as shown on aforesaid plat; thence in a westerly  
200 direction along the north right-of-way line of Middleton Lane to its intersection with  
201 a northern prolongation of the common lot line being the east line of Lot 2 and the  
202 west line of Lot 3, Mae S. Middleton's Subdivision, as recorded December 31, 1935,  
203 in Plat Book 8, Plat 639, among the land records of Montgomery County, Maryland;  
204 thence in a southerly direction along the common lot line between Lot 2 and Lot 3,  
205 Middleton's Subdivision, as shown on aforesaid plat, to its intersection with the north  
206 line of the George G. Bradley Subdivision, as recorded December 31, 1935, in Plat  
207 Book 8, Plat 635, among the land records of Montgomery County, Maryland; thence  
208 in a westerly direction along the north line of the George G. Bradley Subdivision to  
209 the northwest corner of Lot 5, George G. Bradley Subdivision; thence in a southerly  
210 direction along the west line of Lot 5, George G. Bradley Subdivision, to its  
211 intersection with the north right-of-way line of Avondale Street, as shown on  
212 aforesaid plat; thence crossing Avondale Street to the northwest corner of Lot 22,  
213 George G. Bradley Subdivision, as shown on aforesaid plat; thence in a southerly  
214 direction along the west line of Lot 22 to its intersection with the southern line of the  
215 George G. Bradley Subdivision, as shown on aforesaid plat; thence in an easterly  
216 direction along the south line of George G. Bradley Subdivision to the southeast

217 corner of Lot 14, George G. Bradley Subdivision, said point also being the  
218 intersection of the east and south line of the George G. Bradley Subdivision as shown  
219 on the aforesaid plat, and also the northeast corner of Parcel A, Waverly House, as  
220 recorded November 12, 1976, in Plat Book 101, Plat 11383, among the land records  
221 of Montgomery County, Maryland; thence in a southerly direction along the east line  
222 of Parcel A, Waverly House, as shown on the aforesaid plat to its intersection with  
223 the north right-of-way line of East-West Highway; thence in an easterly direction  
224 along the north line of East-West Highway to its intersection with the east right-of-  
225 way line of Pearl Street; thence in a southerly direction along the east right-of-way  
226 line of Pearl Street crossing East-West Highway to its intersection with the north  
227 right-of-way line of Montgomery Avenue; thence in an easterly direction along the  
228 north right-of-way line of Montgomery Avenue to the southeast corner of Lot 1,  
229 Block 1, second plat, Imirie's Subdivision, as recorded February 13, 1934, in Plat  
230 Book 5, Plat 477, among the land records in Montgomery County, Maryland; thence  
231 in a southerly direction along a prolongation of the east line of Lot 1, Block 1,  
232 Imirie's Subdivision, as shown on aforesaid plat, crossing Montgomery Avenue, to  
233 the northeast corner of Parcel A, Block 6, Highland Park Subdivision, as recorded  
234 May 10, 1979, in Plat Book 107, Plat 12432, among the land records of Montgomery  
235 County, Maryland; thence in a southerly direction along the east line of Parcel A,  
236 Block 6, Highland Park Subdivision, as shown on aforesaid plat to its intersection  
237 with the north right-of-way line of the B & O Railroad; thence in a southwesterly  
238 direction with the north right-of-way line of the B & O Railroad to its intersection  
239 with the east line of Pearl Street; thence in a southerly direction crossing the B & O  
240 Railroad right-of-way along a prolongation of the east right-of-way line of Pearl  
241 Street to its intersection with the south right-of-way line of the B & O Railroad;  
242 thence in a westerly direction along the south right-of-way line of the B & O Railroad  
243 right-of-way to its intersection with the northwest corner of Lot 2, Block L, Section

244 8-B Chevy Chase Subdivision, as recorded July 29, 1926, in Plat Book 4, Plat 336,  
245 among the land records of Montgomery County, Maryland; thence in a southerly  
246 direction along the common lot line being the west line of Lot 2 and the east line of  
247 Lot 1, Block L, Section 8-B Chevy Chase Subdivision, as shown on aforesaid plat,  
248 to its intersection with the north right-of-way line of Elm Street; thence in a westerly  
249 direction along the north right-of-way line of Elm Street to its intersection with a  
250 northerly prolongation of the west right-of-way line of 47th Street; thence in a  
251 southerly direction along said prolongation crossing Elm Street and continuing in a  
252 southerly direction along the west right-of-way line of 47th Street, crossing Willow  
253 Lane to the south right-of-way line of Willow Lane; thence in an easterly direction  
254 along the south right-of-way line of Willow Lane to its intersection with the west  
255 right-of-way line of 46th Street; thence in a southerly direction along the west right-  
256 of-way line of 46th Street, crossing Leland Street and Walsh Street to its intersection  
257 with the south right-of-way line of Walsh Street; thence in an easterly direction along  
258 the south right-of-way line of Walsh Street to its intersection with the west right-of-  
259 way line of West Avenue; thence in a southerly direction along the west right-of-  
260 way line of West Avenue, crossing Stanford Street, to its intersection with the north  
261 right-of-way line of Bradley Lane; thence in a westerly direction along the north  
262 right-of-way line of Bradley Lane to its intersection with the east right-of-way line  
263 of Wisconsin Avenue; thence crossing Wisconsin Avenue to the southeast corner of  
264 Lot 3, Block 2, Section 1, Bradley Hills - Bethesda Subdivision, as recorded August  
265 10, 1957, in Plat Book 60, Plat 4990, among the land records of Montgomery  
266 County, Maryland; thence in a northwesterly direction along the north right-of-way  
267 line of Bradley Boulevard to its intersection with a southern prolongation of the east  
268 right-of-way line of Strathmore Street; thence in a northerly direction along the east  
269 right-of-way line of Strathmore Street crossing Leland Street to the north right-of-  
270 way line of Leland Street at the southwest corner of Lot 2, Block 1, Plat of Section

271 One, George P. Sack's Subdivision Bethesda, as recorded November 24, 1931, in  
272 Plat Book 5, Plat 435, among the land records of Montgomery County, Maryland;  
273 thence in a northerly direction along the common lot line being the west line of Lot  
274 2 and the east line of Lot 3, Block 1, George P. Sack's Subdivision, to its intersection  
275 with the north line of George P. Sack's Subdivision as shown on aforesaid plat;  
276 thence in a westerly direction along the north line of George P. Sack's Subdivision  
277 to the northwest corner of Lot 11, Block 1, George P. Sack's Subdivision, as shown  
278 on aforesaid plat; thence in a westerly direction along the north line of George P.  
279 Sack's Subdivision to its intersection with the south right-of-way line of the  
280 Metropolitan and Southern Branch of the Baltimore & Ohio Railroad; thence in a  
281 westerly direction along the prolongation of aforesaid subdivision line to its  
282 intersection with the north right-of-way line of said railroad; thence in a southerly  
283 direction along the north line of said railroad right-of-way, crossing Bradley  
284 Boulevard, to its intersection with a southern prolongation of the west line of Parcel  
285 "EYE," Bradley Hills, Section 2, as recorded December 16, 1954, in Plat Book 50,  
286 Plat 3893, among the land records of Montgomery County, Maryland; thence in a  
287 northerly direction along the west line of Parcel "EYE," Bradley Hills Section 2  
288 Subdivision, to its intersection with the south right-of-way line of Bradley  
289 Boulevard, as shown on aforesaid plat; thence in a northerly direction, crossing  
290 Bradley Boulevard, to the southwest corner of Parcel B, Bradley Hill Subdivision,  
291 as recorded December 30, 1948, in Plat Book 25, Plat 1582, among the land records  
292 of Montgomery County, Maryland; thence in a northerly direction along the west  
293 line of Parcel B, Bradley Hills Subdivision, as shown on aforesaid plat to its  
294 intersection with the southern boundary of Miller's Addition to Bethesda  
295 Subdivision, as recorded October 23, 1946, in Plat Book 29, Plat 1823, among the  
296 land records of Montgomery County, Maryland; thence in a westerly direction along  
297 the southern boundary of said subdivision to its intersection with the east line of Lot

298 Pt 6, Block E, Miller's Addition to Bethesda Subdivision, as recorded by deed dated  
299 September 2, 1948, and described as Parcel No. 1 in Liber 1185, Folio 513, among  
300 the land records of Montgomery County, Maryland; thence in a northerly direction  
301 along said east line of Lot Pt 6, Block E, to its intersection with the south right-of-  
302 way line of Bethesda Avenue; thence crossing Bethesda Avenue to the intersection  
303 of the north right-of-way line of Bethesda Avenue and the east line of Lot Pt 6, Block  
304 D, Miller's Addition to Bethesda Subdivision, as recorded by deed dated September  
305 2, 1948, and described as Parcel No. 2 in Liber 1185, Folio 513, among the land  
306 records of Montgomery County, Maryland; thence in a northerly direction along said  
307 east line of Lot Pt 6, Block D, to its intersection with the south line of another Lot  
308 Pt 6, Block D, Miller's Addition to Bethesda Subdivision, as recorded by deed dated  
309 July 14, 1949, in Liber 1274, Folio 367, among the land records of Montgomery  
310 County, Maryland; thence in an easterly direction along the south line of aforesaid  
311 Lot Pt 6, Block D, to the southwest corner of Lot Pt 8, Block D, as recorded by deed  
312 dated July 14, 1949, in Liber 1274, Folio 367, among the land records for  
313 Montgomery County, Maryland; thence in an easterly direction along the south line  
314 of aforesaid Lot Pt 8, Block D, to the southeast corner of aforesaid Lot Pt 8, Block  
315 D; thence in a northerly direction along the east line of aforesaid Lot Pt 8, Block D,  
316 to its intersection with the south right-of-way line of Elm Street; thence in an easterly  
317 direction along the south right-of-way line of Elm Street, crossing Arlington Road,  
318 to its intersection with the east right-of-way line of Arlington Road; thence in a  
319 northerly direction along the east right-of-way line of Arlington Road, crossing Elm  
320 Street and Hampden Lane, to its intersection with the north right-of-way line of  
321 Hampden Lane; thence in an easterly direction along the north right-of-way line of  
322 Hampden Lane to the southeast corner of Lot 9, Block 24D, Edgemoor Subdivision,  
323 as recorded June 4, 1935, in Plat Book 7, Plat 573, among the land records of  
324 Montgomery County, Maryland, said point also being on the west line of a public

325 alley running between Hampden Lane and Montgomery Lane and also the proposed  
326 western right-of-way line for Woodmont Avenue; thence in a northerly direction  
327 along the west line of said alley to its intersection with the south right-of-way line  
328 of Montgomery Lane; thence crossing Montgomery Lane to the intersection of the  
329 north right-of-way line of Montgomery Lane and the west right-of-way line of  
330 Woodmont Avenue; thence in a northerly direction along the west right-of-way line  
331 of Woodmont Avenue, crossing North Lane, Edgemoor Lane and Middlesex Lane  
332 to its intersection with the northeast line of Lot 1, Block 12B, Edgemoor  
333 Subdivision, as recorded August 13, 1925, in Plat Book 4, Plat 308, among the land  
334 records of Montgomery County, Maryland; thence in a northwesterly direction along  
335 the northeast line of Lot 1, Block 12B to its intersection with the southeast corner of  
336 Lot 5, Block 12B, Edgemoor Subdivision, as shown on aforesaid plat; thence in a  
337 southwesterly direction along the southeast line of Lot 5, Block 12B, to its  
338 intersection with the southwest corner of Lot 5, Block 12B, Edgemoor Subdivision,  
339 as shown on aforesaid plat; thence in a northwesterly direction along the common  
340 lot line being the southwest line of Lot 5, and northeast line of Lot 4, Block 12B,  
341 Edgemoor Subdivision, as shown on aforesaid plat, to its intersection with the south  
342 right-of-way line of Moorland Lane; thence in a westerly direction along the south  
343 right-of-way line of Moorland Lane to its intersection with the east right-of-way line  
344 of Arlington Road; thence in a northerly direction along the east right-of-way line of  
345 Arlington Road to its intersection with the southwest right-of-way line of Old  
346 Georgetown Road; thence in a northwesterly direction along the southwest right-of-  
347 way line of Old Georgetown Road, crossing Arlington Road, to its intersection with  
348 the north right-of-way line of Wilson Lane; thence in a westerly direction along the  
349 north right-of-way line of Wilson Lane, crossing Cordell Avenue, to its intersection  
350 with the west right-of-way line of Cordell Avenue; thence in a northerly direction  
351 along the west right-of-way line of Cordell Avenue to its intersection with the

352 common lot line being the north line of Lot 5 and the south line of Lot 4, Block L,  
353 Section 2, Battery Park Subdivision, as recorded July 24, 1925, in Plat Book 4, Plat  
354 304, among the land records of Montgomery County, Maryland; thence in a westerly  
355 direction along the common lot line of Lots 4 and 5 as shown on aforesaid plat to its  
356 intersection with the east line of Lot 6, Block L, Section 2, Battery Park Subdivision,  
357 as shown on aforesaid plat; thence in a northerly direction along the east line of Lot  
358 6 to the southernmost corner of Lot 21, Block L, Section 2, Battery Park Subdivision,  
359 as recorded November 30, 1951, in Plat Book 41, Plat 2973, among the land records  
360 of Montgomery County, Maryland; thence in a northwesterly direction along the  
361 southwest lines of Lots 21, 20 and 1, Block L, Section 2, Battery Park Subdivision,  
362 as shown on aforesaid plat to its intersection with the south right-of-way line of Del  
363 Ray Avenue; thence in a westerly direction along the south right-of-way line of Del  
364 Ray Avenue to its intersection with the common lot line dividing Lot 16 and Lot 17,  
365 Block L, Section 2, Battery Park Subdivision, as recorded August 24, 1923, in Plat  
366 Book 3, Plat 261, among the land records of Montgomery County, Maryland; thence  
367 crossing Del Ray Avenue to the southwest corner of Lot 8, Block K, Section 2,  
368 Battery Park Subdivision, as recorded February 26, 1962, in Plat Book 70, Plat 6614,  
369 among the land records of Montgomery County, Maryland; thence in a northerly  
370 direction along the west line of Lot 8, Block K, Section 2, Battery Park Subdivision  
371 to the southwest corner of Lot 29, Block K, Section 2, Battery Park Subdivision, as  
372 shown on aforesaid plat; thence in a northwesterly direction along the southern lot  
373 lines of Lots 7, 6 and 5, Block K, Section 2, Battery Park Subdivision, as recorded  
374 August 24, 1923, in Plat Book 3, Plat 261, among the land records of Montgomery  
375 County, Maryland, to the southwest corner of Lot 5, Block K, Section 2, Battery  
376 Park Subdivision, as shown on aforesaid plat; thence in a northwesterly direction  
377 along the southern line of Lot 35, Block K, Section 2, Battery Park Subdivision, to  
378 its intersection with the southern right-of-way line of Glenbrook Road, as recorded

379 June 6, 1980, in Plat Book 111, Plat 12996, among the land records of Montgomery  
380 County, Maryland; thence in a northeasterly direction along the southern right-of-  
381 way line of Glenbrook Road to the southwest right-of-way line of Old Georgetown  
382 Road; thence crossing Old Georgetown Road to the intersection of the northeast  
383 right-of-way line of Old Georgetown Road and the southeast right-of-way of  
384 Glenbrook Road; thence in a northeasterly direction along the southeast right-of-  
385 way line of Glenbrook Road to the northeast corner of Lot 1, Block A, Samuel T.  
386 Robertsons Addition to Bethesda Subdivision, as recorded January 9, 1930, in Plat  
387 Book 5, Plat 407, among the land records of Montgomery County, Maryland; thence  
388 in a southeasterly direction along the northeast line of Lots 1 and 2, Block A, Samuel  
389 T. Robertsons Addition to Bethesda Subdivision, to its intersection with the  
390 southeast boundary line for Samuel T. Robertsons Addition to Bethesda Subdivision,  
391 as shown on aforesaid plat, said subdivision boundary also being the common  
392 subdivision boundary with Woodmont Subdivision as recorded November 13, 1894,  
393 in Plat Book 1, Plat 4, among the land records of Montgomery County, Maryland;  
394 thence in a northeasterly direction along the common subdivision boundary line  
395 between Samuel T. Robertsons Addition to Bethesda and Woodmont Subdivisions  
396 to its intersection with the southwest right-of-way line of Norfolk Avenue; thence in  
397 a northerly direction along the common subdivision boundary line between Samuel  
398 T. Robertsons Addition to Bethesda and Woodmont Subdivisions, crossing Rugby  
399 Avenue to its intersection with the southern boundary line of Northwest Park  
400 Subdivision, as recorded October 10, 1910, in Plat Book 2, Plat 134, among the land  
401 records of Montgomery County, Maryland; thence in an easterly direction along the  
402 common subdivision boundary line between Northwest Park and Woodmont  
403 Subdivisions to its intersection with the westernmost line of Lot 633, Woodmont  
404 Subdivision, as recorded October 8, 1982, in Plat Book 119, Plat 14027, among the  
405 land records of Montgomery County, Maryland; thence in a northerly direction along

406 the westernmost line of Lot 633, Woodmont Subdivision, to its intersection with the  
407 northernmost line of Lot 633, Woodmont Subdivision, as shown on aforesaid plat;  
408 thence in an easterly direction along the northernmost line of Lot 633, Woodmont  
409 Subdivision, to its intersection with the east line of Lot 633, Woodmont Subdivision,  
410 said line also being the west line of Lot 45, Block 1, Northwest Park Subdivision, as  
411 recorded October 10, 1910, in Plat Book 2, Plat 134, among the land records of  
412 Montgomery County, Maryland; thence in a southerly direction along the common  
413 lot line of Lot 633, Woodmont Subdivision and Lot 45, Block 1, Northwest Park  
414 Subdivision, to its intersection with the northern boundary line of the Woodmont  
415 Subdivision as shown on aforesaid plats; thence in an easterly direction along the  
416 northern boundary of the Woodmont Subdivision as recorded November 13, 1894,  
417 in Plat Book 1, Plat 4, among the land records of Montgomery County, Maryland,  
418 to its intersection with the west line of Montgomery County Public Parking Facility  
419 No. 35 site as recorded in Liber 2388, Folio 521; thence in a northerly direction  
420 along the west line of Public Parking Facility No. 35 to its intersection with the north  
421 line of Public Parking Facility No. 35; thence in an easterly direction along the north  
422 line of Public Parking Facility No. 35 to its intersection with the western right-of-  
423 way line of Woodmont Avenue; thence in a northerly direction along the western  
424 right-of-way line of Woodmont Avenue to its intersection with the southern right-  
425 of-way line of Battery Lane; thence in a northerly direction, crossing Battery Lane,  
426 to the northern right-of-way line of Battery Lane at the southeast corner of Lot 47,  
427 Block 2, Northwest Park Subdivision, as recorded October 10, 1910, in Plat Book 2,  
428 Plat 134, among the land records of Montgomery County, Maryland; thence in a  
429 northerly direction along the east line of Lot 47, Block 2, Northwest Park  
430 Subdivision, said line also being the west line of Lot 20, Block 2, Northwest Park  
431 Subdivision, to its intersection with the northern boundary line for the Northwest  
432 Park Subdivision, as shown on aforesaid plat; thence in an easterly direction along

433 the northern boundary line of the Northwest Park Subdivision to its intersection with  
 434 the west right-of-way line of Wisconsin Avenue; thence in an easterly direction,  
 435 crossing Wisconsin Avenue, to the point of beginning.]

436 [http://www.montgomerycountymd.gov/DOT-](http://www.montgomerycountymd.gov/DOT-Parking/Resources/Files/PLDBethesda.pdf)  
 437 [Parking/Resources/Files/PLDBethesda.pdf](http://www.montgomerycountymd.gov/DOT-Parking/Resources/Files/PLDBethesda.pdf)

438 There [shall] must also be included in the foregoing [described] depicted area  
 439 any lot partially within and partially without the [described] depicted area.

440 (c) *Wheaton Parking Lot District.* The Wheaton Parking Lot District [shall  
 441 consist] consists of all land [in the Thirteenth Election District of the county] within  
 442 the area [described as follows] depicted on the map at:

443 [Beginning for the same on the west side of Amherst Drive at the southeast corner  
 444 of Parcel B in Block A, Wheaton Forest Subdivision, as delineated on a plat recorded  
 445 among the land records of Montgomery County, Maryland, in Plat Book 34 on Plat  
 446 No. 2306; and running thence west with the south line of said Block A, to the east  
 447 side of Georgia Avenue as delineated on said plat of Wheaton Forest; thence running  
 448 northwest and crossing Georgia Avenue to the P. T. of the Fillet Curve on Lot 6,  
 449 Block H, Triangle Park as per plat recorded among said land records in Plat Book  
 450 26 on Plat No. 1659, said point also being on the northeasterly side of Viers Mill  
 451 Road; thence northwest with the northeasterly side of Viers Mill Road to the  
 452 southeasterly side of the 20 foot alley contained in Block E, said point being also the  
 453 western corner of Lot 6, Block E, of said Triangle Park Subdivision; thence leaving  
 454 the northeasterly side of Viers Mill Road and crossing said Viers Mill Road  
 455 southwest and running with the southeasterly side of a 20 foot alley contained in  
 456 Block D, Triangle Park as delineated on a plat recorded among said Land Records  
 457 in Plat Book 20 on Plat No. 1251, to the westerly dedicated limits of said alley in  
 458 said Block D; thence continuing on same course, still southwest 240 feet, more or  
 459 less; thence leaving said line extended and running in a northwest direction and

460 crossing the Kensington-Wheaton Road and running with the northeasterly limits of  
461 Block F, Section 2, Kensington View as delineated on a plat recorded among said  
462 Land Records in Plat Book No. 4 on Plat No. 303 to the southeasterly side of  
463 Kensington Boulevard; thence northeast with said southeasterly side of Kensington  
464 Boulevard, as is planned to be extended, across Viers Mill Road to the west corner  
465 of Lot 1, Block B, Triangle Park as delineated on a plat recorded among said Land  
466 Records in Plat Book No. 4 on Plat No. 338; thence with the southerly side of  
467 Kensington Boulevard in an easterly direction and crossing Wheaton Hill Road to a  
468 point on the easterly direction and crossing Wheaton Hill Road to a point on the  
469 easterly side of said Wheaton Hill Road, said point being also the north corner of  
470 Lot 16, Block A, as delineated on said plat of Triangle Park recorded among said  
471 Land Records in Plat Book 4 on Plat No. 338; thence running with the easterly side  
472 of Wheaton Hill Road northeast to the south side of Blueridge Avenue, said point  
473 also being the P. T. of Fillet curve No. 4 and generally the northwest corner of Lot  
474 1, Block 44, as delineated on Plat No. 9, Wheaton Hills recorded among said Land  
475 Records in Plat Book 32 on Plat 2058; thence with the southerly side of Blueridge  
476 Avenue, with the arc of a curve to the left in a general easterly direction, to the east  
477 side of Grandview Avenue; thence with the east side of Grandview Avenue north to  
478 the common front corner of Lots 19 and 20, Block 27, as delineated on said Plat No.  
479 9, Wheaton Hills; thence leaving the east side of Grandview Avenue and running  
480 with the dividing line of said Lots 19 and 20, and Lots 9 and 10, Block 27 of said  
481 Plat No. 9, Wheaton Hills east to the west side of Georgia Avenue; thence with the  
482 west side of Georgia Avenue and running south, approximately 200 feet; thence  
483 leaving the said west side of Georgia Avenue and crossing same and running east  
484 with the northerly subdivision limits of Villa Verde Subdivision as delineated on a  
485 plat recorded among the said Land Records in Plat Book No. 4 on Plat No. 388 to  
486 the northeast corner of Lot 8, Villa Verde; thence in a southerly direction along the

487 east line of said Lot 8, Villa Verde and crossing Blueridge Avenue to the intersection  
488 of the prolongation of the east line of Lot 8, Villa Verde and the south line of  
489 Blueridge Avenue; thence along the south line of Blueridge Avenue to  
490 approximately 125 feet east of the east line of Amherst Avenue, the same being a  
491 point on the dividing line between Lot 1, Block 1, Wheaton Manor, and the property  
492 occupied by Columbia Broadcasting Company as shown on plat recorded in said  
493 Land Records in Plat Book 45 on Plat No. 3390; thence in a southerly direction along  
494 said line to its intersection with the northerly line of Lot 3, Block 1, Wheaton Manor;  
495 thence in an easterly direction along said northerly line of Lot 3, Block 1, Wheaton  
496 Manor, to its intersection with the easterly line of said Lot 3, Block 1, thence in a  
497 southerly direction along said easterly line of Lot 3, Block 1 to the intersection of  
498 the prolongation of said line with the southerly line of University Boulevard West  
499 (formerly Old Bladensburg Road); thence in a northeasterly direction along said  
500 southerly line of University Boulevard West to its intersection with the west line of  
501 Amherst Avenue (formerly Vernosia Place); thence in a southerly direction along  
502 the said west line of Amherst Avenue, crossing Reedie Drive and Prichard Road to  
503 the point of beginning.]

504 [http://www.montgomerycountymd.gov/DOT-](http://www.montgomerycountymd.gov/DOT-Parking/Resources/Files/WheatonPLD.pdf)  
505 [Parking/Resources/Files/WheatonPLD.pdf.](http://www.montgomerycountymd.gov/DOT-Parking/Resources/Files/WheatonPLD.pdf)

506 There [shall] must also be included in the foregoing [described] depicted area  
507 any lot partially within and partially without such area zoned for commercial or  
508 industrial use.

509 [(d) *Montgomery Hills Parking Lot District.* The Montgomery Hills Parking  
510 Lot District shall consist of all land in the Thirteenth Election District of the county  
511 within the area described as follows:

512 Beginning for the same on the west side of Georgia Avenue at the southeast corner  
513 of Lot 1, Block A, Montgomery Hills Subdivision, as shown on a plat recorded

514 among the land records of Montgomery County, Maryland, in Plat Book 4, Plat No.  
515 381; and running thence in a westerly direction with the south line of said Lot 1 to  
516 the rear corner of Lots 1 and 7, thence running northwest with the division line of  
517 said Lots 1 and 7 as shown on said plat to a point on the east line of Columbia  
518 Boulevard at the front corner of said Lots 1 and 7, thence running northeast with the  
519 east line of said Columbia Boulevard to the beginning of curve No. 13 as shown on  
520 said plat, thence running in a northwesterly direction across said Columbia  
521 Boulevard and Seminary Road to the southwest corner of Lot 7, Block J,  
522 Montgomery Hills Subdivision as shown on a plat recorded among the aforesaid  
523 land records in Plat Book 4, Plat No. 401, thence running north with the east line of  
524 Selway Lane as determined in Equity Cause No. 8141, to the northwest corner of  
525 said Lot 7, Block J, thence running north across the 20 foot alley and with the east  
526 line of Selway Lane as shown on said plat to the south line of the Childs Property,  
527 thence continuing in a northerly direction with an extension of said east line of  
528 Selway Lane a distance of 36 feet, more or less, to the north line of said Childs  
529 Property as shown on the above mentioned plat of Montgomery Hills Subdivision  
530 recorded in Plat Book 4, Plat No. 381, and running thence in an easterly direction  
531 with a part of said north line a distance of 29 feet, more or less, thence leaving said  
532 north line and running in a northerly direction crossing the Brookeville-Tenleytown  
533 Road and the Church Lot for a distance of 261 feet, more or less, to the south line of  
534 Lot 6 of the division of the Riley Property, thence continuing in a northerly direction  
535 across a part of said Lot 6, with the west line of the existing commercial zoning, a  
536 distance of 230.27 feet, thence running in an easterly direction, with the north line  
537 of the existing commercial zoning 150 feet to the west line of Georgia Avenue, being  
538 also the east line of Lot 6, said point being 250 feet measured along the west line of  
539 Georgia Avenue, from the southeast corner of Outlot A, Block D, as shown on a plat  
540 of The Valley Subdivision, recorded among the aforesaid Land Records in Plat Book

541 21, Plat No. 1350, thence running in an easterly direction with the north line of said  
542 Outlot A, being also the south line of Flora Lane as shown on said plat, to the  
543 northeast corner of Outlot A, thence running in a southerly direction with the east  
544 line of Outlot A, being the west line of the 20 foot alley as shown on said plat, to the  
545 southeast corner of Outlot A, being also the northeast corner of Parcel A, Block 16  
546 as shown on a plat of Section Three, Woodside Forest Subdivision, recorded among  
547 the aforesaid Land Records in Plat Book 25, Plat No. 1583; thence running in a  
548 southerly direction with the east line of said Parcel A, being also the west line of the  
549 20 foot alley as shown on said plat, to the southeast corner of Parcel A, thence  
550 continuing in a southerly direction across White Oak Drive to the northeast corner  
551 of Parcel A, Block 15, as shown on said plat, thence continuing in a southerly  
552 direction with the east line of said Parcel A, Block 15, being also the west line of  
553 said 20 foot alley, to the southeast corner of Parcel A, thence continuing in a  
554 southerly direction with the west line of said 20 foot alley as shown on another plat  
555 of Section Three, Woodside Forest recorded among the aforesaid Land Records in  
556 Plat Book 20, Plat No. 1233, to the northeast corner of Lot 2, as shown on a plat of  
557 dedication for Columbia Boulevard recorded among the aforesaid Land Records in  
558 Plat Book 5, Plat No. 443, thence continuing in a southerly direction with the east  
559 lines of Lots 2 to 12, inclusive, being also the west line of the 20 foot alley as shown  
560 on said dedication plat, to the north line of Columbia Boulevard, thence continuing  
561 in a southerly direction across said Columbia Boulevard to the northeast corner of  
562 Parcel A, Block B, as shown on a plat of Woodside Village recorded among the  
563 aforesaid Land Records in Plat Book 9, Plat No. 693, thence continuing in a  
564 southerly direction with the east line of said Parcel A, Block B, being also the west  
565 line of the 20 foot alley, and running across Corwin Drive to the northeast corner of  
566 Parcel A, Block A, as shown on said plat of Woodside Village, thence continuing in  
567 a southerly direction with the east line of said Parcel A and with the east line of Lot

568 17, Block A, being also the west line of said 20 foot alley as shown on said plat, to  
569 the southeast corner of said Lot 17, being on the north line of Ridge Road, now  
570 Luzerne Avenue; thence running in a southwesterly direction with the south line of  
571 Lot 17, being also the north line of said Ridge Road, now Luzerne Avenue, to the  
572 southwest corner of Lot 17, being on the east line of Georgia Avenue, thence running  
573 in a northerly direction with the east line of Georgia Avenue, being the westlines of  
574 said Lot 17 and Parcel A, Block A, as shown on said plat of Woodside Village, to  
575 the northwest corner of said Parcel A, being the intersection of said east line of  
576 Georgia Avenue with the south line of the aforesaid Corwin Drive, thence running  
577 in a northwesterly direction, diagonally across Georgia Avenue to the place of  
578 beginning.

579 There shall also be included within said district the property known as Lot 11, Block  
580 A, Montgomery Hills Subdivision, as shown on Plat No. 1648, Plat Book 26,  
581 recorded among the land records of Montgomery County.

582 There shall also be included within said district the following area: Beginning at the  
583 intersection of the northeast line of Georgia Avenue and the southerly line of Flora  
584 Lane and running in a northeasterly direction along the southerly line of Flora Lane  
585 to its intersection with westerly line of the 20 foot alley situated in Block 16, Section  
586 3, Woodside Forest, thence due north along a straight line to its intersection with the  
587 northerly side of Flora Lane, thence in a southwesterly direction along the northerly  
588 line of Flora Lane to its intersection with the northeast line of Georgia Avenue,  
589 thence in a southeasterly direction along the northeast line of Georgia Avenue to the  
590 point of beginning.

591 There shall also be included within said district the property known as Lots 18, 19,  
592 20, 1, and 2, Block I, Montgomery Hills Subdivision, as shown on Plat No. 381, Plat  
593 Book 4, recorded among the lands records of Montgomery County.

594 There shall also be included within said district the property known as part of Lots  
 595 1, 2 and 3, Block A, Section 1, North Woodside; as shown on Plat No. 250, Plat  
 596 Book 3, recorded among the land records of Montgomery County and more  
 597 particularly described as follows:

598 Being for the same at a pipe set at the intersection of the North line of Luzerne  
 599 Avenue with the West line of 16th Street Extension as shown on Maryland State  
 600 Roads Commission Plat No. 16876, thence with the North line of Luzerne Avenue,  
 601 being also the south line of said Lot 3;

602 (1) Along the arc of a curve to the right having a radius of 2242.01 feet, a  
 603 distance of 23.22 feet, chord S 64 degrees 44' 24" W 23.22 feet to a pipe at the rear  
 604 corner of Lots 3 and 4, Block A, thence with the rear lines of Lots 3, 2 and 1, Block  
 605 A, as resurveyed,

606 (2) N 17 degrees 09' 14" W 196.01 feet to a pipe at the rear corner of Lots 1  
 607 and 2 thence with a part of the north line of Lot 1, as resurveyed,

608 (3) N 78 degrees 55' 40" E 102.35 feet to intersect the aforesaid west line of  
 609 16th Street, thence with said line, two (2) courses,

610 (4) S 40 degrees 57' 20" E 3.00 feet to intersect a curve to the right, thence,

611 (5) Along the arc of said curve 199.96 feet, chord S 06 degrees 54' 45" W  
 612 196.05 feet, to the place of beginning, containing 14,331 square feet of land.

613 There shall also be included in the foregoing described area any lot partially within  
 614 and partially without such area zoned for commercial or industrial use.]

615 \* \* \*

616 **60-6. Off-street parking facilities—Exemption or reduction from tax where**  
 617 **provided.**

618 (a) *Tax exemption.* Real property and tangible personal property may be  
 619 exempt from the taxes levied under Section 60-3 [If] if the owner or

620 lessee of real property or tangible personal property in a parking lot  
621 district:

622 (1) provides off-street parking facilities that comply with all the  
623 requirements of Division 6.2 of Chapter 59[,]; and

624 (2) files an application under Section 60-14 [the real property and  
625 tangible personal property must be exempt from the taxes levied  
626 under Section 60-3].

627 (b) *Tax reduction.* If the owner or lessee of real property or tangible  
628 personal property in a parking lot district complies with all of the  
629 requirements of subsection (c) of this section, the taxes levied on the  
630 real property and tangible personal property under section 60-3 of this  
631 [chapter] Chapter [shall] must be reduced as follows:

632 (1) For general retail, a [sixty (60)] 60 percent reduction.

633 (2) For a hotel, motel, or inn, a [seventy-five (75)] 75 percent  
634 reduction.

635 (3) For a restaurant or similar place dispensing food, drink, or  
636 refreshments, a [fifty (50)] 50 percent reduction.

637 (4) For a recreational commercial establishment, other than a theater,  
638 auditorium, or stadium, a [forty (40)] 40 percent reduction.

639 (5) For an indoor or legitimate theater, a [forty (40)] 40 percent  
640 reduction.

641 (6) For a multiple-family dwelling, a [sixty (60)] 60 percent  
642 reduction.

643 (7) For a mixed use, a [fifty (50)] 50 percent reduction.

644 (c) To be eligible for a reduction under subsection (b) of this Section:

- 645 (1) The owner or lessee [shall] must comply with the provisions of  
646 this [chapter] Chapter that are required for an exemption from  
647 the tax;
- 648 (2) The owner or lessee must provide off-street parking facilities that  
649 comply with all of the requirements of Division 6.2 of Chapter  
650 59, except for the schedule of required parking spaces;
- 651 (3) A pedestrian entrance to the establishment that is the subject of  
652 the application for a reduction under this section must be located  
653 within [five hundred (500)] 500 feet of the pedestrian entrance to  
654 an off-street public parking facility that is owned by  
655 Montgomery County under provisions of this [chapter] Chapter;
- 656 (4) The land-use categories under paragraph (5)[(i)](A) through  
657 [(v)](E) of this subsection must restrict the use of the provided  
658 parking spaces to ensure that adequate parking is available for  
659 patrons and employees of the respective land-use activity during  
660 weekday daytime hours. This provision also applies to mixed-  
661 use developments where these restricted spaces must be located  
662 in the most convenient and visible area of the parking facility  
663 nearest to the establishment being served; and
- 664 (5) The following schedule of off-street parking spaces, as a  
665 percentage of the [“schedule of requirements” under Division  
666 6.2] minimum “Parking Requirements” under Section 6.2.4 of  
667 Chapter 59, must be provided:
- 668 [(i)](A) For general retail, at least [sixty (60)] 60 percent.
- 669 [(ii)](B) For a hotel, motel, or inn, at least [seventy-five (75)]  
670 75 percent.



698 association; provided, however, that nothing herein shall prevent the parking of any  
699 vehicle on a lot owned by an individual, firm or association, if the permission of the  
700 individual, firm or association has been obtained, and provided further that nothing  
701 herein contained shall apply to school buses owned by Montgomery County.]

702 **[60-18. Same-Impoundment of vehicles.]**

703 [Any vehicle parked on any lot described in section 60-17 for a period in  
704 excess of twenty (20) hours may be taken into possession by a police officer of the  
705 county and towed to some proper storage place and there held until the towing and  
706 storage charges incurred shall have been paid.]

707 **[60-19. Same-Penalty.]**

708 [Any person violating any of the provisions of section 60-17, shall be guilty  
709 of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars  
710 (\$50.00) or imprisoned for a period not to exceed thirty (30) days for each violation.]

711 **[60-20. Reserved.]**

712 **Sec. 2. Expedited Effective Date.**

713 The Council declares that this legislation is necessary for the immediate  
714 protection of the public interest. This Act takes effect on July 1, 2017.

715 *Approved:*

716

717

---

Roger Berliner, President, County Council

Date

718 *Approved:*

719

---

Isiah Leggett, County Executive

Date

720 *This is a correct copy of Council action.*

721

---

Linda M. Lauer, Clerk of the Council

Date

## LEGISLATIVE REQUEST REPORT

Expedited Bill 15-17

*Silver Spring, Bethesda, Wheaton and Montgomery Hills Parking Lot districts – Areas Defined – Tax Exemption*

**DESCRIPTION:** The bill merges the Montgomery Hills Parking Lot District (PLD) with the Silver Spring PLD, replaces descriptions of PLD boundaries with URL links to GIS maps, clarifies the application requirement for a tax exemption, and deletes duplicate provisions of law.

**PROBLEM:** Montgomery Hills PLD is an underutilized parking resource not necessitating its own budget and fiscal plan. The metes and bounds descriptions of PLD boundaries are not user friendly. Chapter 60 contains provisions that are duplicative of provisions in Chapter 31.

**GOALS AND OBJECTIVES:** To merge Montgomery Hills Parking Lot District and Silver Spring Parking Lot District and make certain provisions of Chapter 60 clearer and more user friendly.

**COORDINATION:** Department of Transportation

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** N/A

**SOURCE OF INFORMATION:** Division of Parking Management

**APPLICATION WITHIN MUNICIPALITIES:** To be researched.

**PENALTIES:** N/A

Bill



BD  
CE  
SBF  
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AM  
JH

Isiah Leggett  
County Executive

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

**MEMORANDUM**

April 10, 2017

TO: Roger Berliner, Council President

FROM: Isiah Leggett, County Executive 

RE: Amendments to County Code **Chapter 60** to Consolidate Montgomery Hills PLD and Silver Spring PLD into a single district and to **Chapter 31** to increase the continuous time a vehicle may park in an off-street facility

I request that you introduce the attached Chapter 60 and Chapter 31 Amendments. Both bills will be effective July 1, 2017. The Chapter 60 Amendment merges the Montgomery Hills PLD with the Silver Spring PLD. The Chapter 31 Amendment increases the time a vehicle is permitted to continuously park in an off-street public parking facility from 24 hours to 14 days.

The Amendment to Chapter 60 will create a unified district. The county proposes to consolidate the Montgomery Hills PLD into the Silver Spring PLD. The Silver Spring PLD boundaries will be extended to encompass the existing Montgomery Hills PLD. The Montgomery Hills PLD is a low supply, low demand district and this consideration simplifies budgetary, policy, recordkeeping and public information matters. A resolution will be sought to provide that this unification will not impact the different pricing rates in the districts.

The Amendment to Chapter 31 will accommodate the growth of mixed-use activity centers in the PLDs. The county proposes permitting vehicles to continuously park in off-street public parking facilities for a maximum of 14 days. This change will align with existing conditions and thus ensure the increasing number of urban residents and their visitors will be allowed to park uninterrupted for an extended period of time, unless signed otherwise.

**Attachments**

- 1. Chapter 60 amendment
- 2. Chapter 31-26 amendment

cc: Al Roshdieh, Department of Transportation  
Jose Thommana, Division of Parking Management

RECEIVED  
 MONTGOMERY COUNTY  
 2017 APR 11 PM 12:33

**Fiscal Impact Statement**  
**Bill XX-17 – Transportation (Parking) - Amendments to County Code Chapter 60**

**1. Legislative Summary**

This bill would merge the Montgomery Hills Parking Lot District (PLD) into the Silver Spring PLD.

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

This bill does not change the parking rates for properties associated with either PLD, creating no change to the revenues assumed in the County Executive's FY18 recommended budget.

The merging of the PLDs is expected to streamline work flow processes, and improve customer service by expand flexible parking options for the increasing downtown population. However, these actions are expected to have a de minimus impact on expenditures.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

As per the response to #2, there is no projected impact over the next 6 fiscal years.

**4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

Not applicable.

**5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.**

Not applicable.

**6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Not applicable.

**7. An estimate of the staff time needed to implement the bill.**

Not applicable.

**8. An explanation of how the addition of new staff responsibilities would affect other duties.**

Not applicable.

**9. An estimate of costs when an additional appropriation is needed.**

No additional appropriation is needed.

**10. A description of any variable that could affect revenue and cost estimates.**

Not applicable.

**11. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not applicable.

**12. If a bill is likely to have no fiscal impact, why that is the case.**

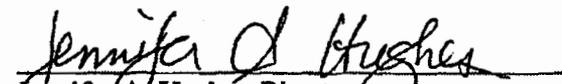
This bill is likely to have no fiscal impact as it does not change the parking rates, and makes no adjustments to staffing or other expenditures.

**13. Other fiscal impacts or comments.**

Not applicable.

**14. The following contributed to and concurred with this analysis:**

Corey Orlosky, Office of Management and Budget  
Jeremy Souders, MCDOT, Division of Parking Management  
Jose Thommana, MCDOT, Division of Parking Management

  
Jennifer A. Hughes, Director  
Office of Management and Budget

4/10/17  
Date

**Economic Impact Statement**  
**Bill xx-17 Transportation (Parking) - Amendments to County Code Chapter 60**

**Background:**

This bill would merge the Montgomery Hills Parking Lot District (PLD) into the Silver Spring PLD.

**1. The sources of information, assumptions, and methodologies used.**

This legislation does not have an economic impact since it only authorizes a merger of the Montgomery Hills PLD into the Silver Spring PLD. The bill does not change the parking rates or anticipated utilization rates for properties associated with either PLD, creating no change to the revenues assumed in the County Executive's FY18 recommended budget. The merging of the PLDs is expected to streamline work flow processes, as well as to expand flexible parking options for the increasing downtown resident population.

**2. A description of any variable that could affect the economic impact estimates.**

This legislation does not have an economic impact.

**3. The Bill's positive or negative effect, if any on employment, spending, savings, investment, incomes, and property values in the County.**

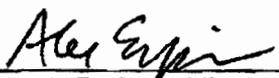
Please see the answer to question 1.

**4. If a Bill is likely to have no economic impact, why is that the case?**

Please see the answer to question 1.

**5. The following contributed to or concurred with this analysis:**

David Platt, Dennis Hetman, and Robert Hagedoorn, Finance.

  
\_\_\_\_\_  
Alexandre A. Espinosa, Director  
Department of Finance

4/7/2017  
Date

**TESTIMONY ON BEHALF OF COUNTY EXECUTIVE ISIAH LEGGETT  
ON EXPEDITED BILL 15-17, SILVER SPRING, BETHESDA, WHEATON  
AND MONTGOMERY HILLS PARKING LOTS DISTRICTS – AREAS  
DEFINED – TAX EXEMPTION**

June 13, 2017

Good afternoon, Council President Berliner and Members of the Council. I am Jose Thommana, Chief of the Division of Parking Management in the Department of Transportation. I am here today to testify on behalf of County Executive Isiah Leggett in support of Expedited Bill 15-17 which is an amendment to County Code Chapter 60.

This amendment will merge the Montgomery Hills Parking Lot District (PLD) into the Silver Spring PLD. The Montgomery Hills PLD is an underutilized parking resource, not requiring its own budget and fiscal plan. Given its low supply and low demand character, this legislation would simplify budgetary, policy, recordkeeping and public information matters.

Further, the existing rate resolution not only permits Montgomery Hills to maintain its different price structure from Silver Spring, but also allows for Montgomery Hills rates to fall in line with Silver Spring's without seeking further resolutions. Such parking flexibility is important as the County strives to strengthen the Montgomery Hills commercial corridor.

This legislation also clarifies the application requirements for property owners within the PLDs for a tax exemption or reduction and deletes duplicate provisions of law that appear in both Chapters 60 and 31.

Thank you for the opportunity to testify today and your favorable consideration of this bill.

service. The corresponding partially-allocated rate for Metrobus is \$117.62/hour for FY18, which is up from \$115.73 from FY17. Therefore, at the margin, it is still generally more cost-effective for the County to add Ride On service rather than Metrobus service. DOT has provided a more detailed breakdown of Ride On's \$95.49/hour partially allocated cost and \$115.64/hour fully allocated cost (©28).

### III. FY18 Operating Budget: Parking Lot District (PLD) Funds

**Overview.** The Executive's recommendations for the PLD Funds are attached on ©29-42. For FY18, the Executive recommends total expenditures of \$28,590,406 for the Parking Lot District Funds, a \$1,241,644 (4.5%) increase from the FY17 approved budget. Operating Budget Full-Time Equivalents (FTEs) would remain unchanged at 48.53 FTEs.

**Security.** No workyear changes are recommended for parking garage and lot security in FY18. All the security again will be provided by contract security guards, except for 6,000 of 44,402 hours in the Silver Spring PLD, which will continue to be provided by the Clean & Safe Team. The cost will increase by \$66,756 due to a negotiated higher cost per hour for contract security.

**Montgomery Hills.** Periodically there have been suggestions to merge this tiny PLD with the Silver Spring PLD, for administrative simplicity as much as anything else. There were two potential problems with this: (1) the Montgomery Hills property tax rate has historically been much lower than Silver Spring's, so the taxes on Montgomery Hills businesses would had to have been increased substantially; and (2) the parking fees in Montgomery Hills have been historically lower than Silver Spring's, and so the rates for its lots would had to have been increased higher than what the market there would bear.

However, neither of problems exist anymore. Two years ago, the Council set the property tax in all four PLDs at \$0/\$100. It also allows DOT to set parking fees at rates lower than the maximum within any PLD. Therefore, the two districts can be merged without having an effect on taxes or fees in Montgomery Hills. Given that the Silver Spring CBD is in robust fiscal shape (see below), there may never be a better opportunity to merge the Montgomery Hills PLD into the Silver Spring CBD. Earlier this month the Executive transmitted a bill that would do exactly that. Its transmittal was too late for it to be acted upon until June. Therefore, if the Council concurs with the Executive, it should approve the rate resolution (Section I, above) and the Silver Spring PLD budget accordingly. After the bill's public hearing, should the Council decide not to merge the districts, it will need to amend the rate resolution and the PLD budget in June.

In 2004 the Council amended Chapter 60-16 of the County Code to allow an annual transfer from the Montgomery Hills PLD to the Silver Spring Regional Services Center to provide for streetscape maintenance and minor capital projects in Montgomery Hills, essentially treating it as a mini urban district (but without an urban district tax). The provision, in its entirety, is as follows:

(e) Notwithstanding the limits in subsection (a) or (b) or any other provision of this Chapter, the County Council may transfer revenue from the Montgomery Hills Parking Lot District parking tax:

(1) to fund activities of the Silver Spring Regional Services Center in the Montgomery Hills Parking District, an amount in Fiscal Year 2005 that does not exceed \$15,000, and in each succeeding fiscal year does not exceed the maximum amount for the previous fiscal year increased by the annual average

increase, if any, in the Consumer Price Index for all urban consumers in the Washington-Baltimore metropolitan area, or any successor index, for the previous calendar year, to:

(A) provide and maintain amenities, façade improvements, streetscape improvements, and property in public rights-of-way;

(B) promote and implement activities that benefit residential and commercial interests in the district. These activities may incidentally benefit neighboring communities; and

(C) enhance the safety and security of persons and property in public areas; and

(2) to fund projects in the Capital Improvements Program that improve the street and sidewalk infrastructure serving the Montgomery Hills Parking Lot District.

For the past few years the budgeted transfer has been \$5,000/year. Since the Executive's bill would eliminate the Montgomery Hills PLD as an entity, it would have the collateral effect of discontinuing this transfer, unless a provision were inserted enabling the (newly expanded) Silver Spring PLD to transfer such funds. When the bill comes before the Council in June, Council staff will recommend precisely that. **Council staff recommendation: Show in the Silver Spring PLD's FY18 budget—and in the PSP for subsequent years—a transfer of \$5,000 annually to the Silver Spring Regional Services Center budget for streetscape maintenance in Montgomery Hills.**

**Transfers.** In 2014 the Council approved a provision in Chapter 60-16 that allows the Council to transfer, by resolution, funds from one PLD to another if the resolution stipulates the reason for the transfer and the terms of repayment. The provision, in its entirety, is as follows:

(f) (1) Notwithstanding the limits in subsection (a) or (b) or any other provision of this Chapter, the County Council may authorize the transfer of revenue from parking fees collected in a parking lot district in any fiscal year to temporarily fund the operations of another parking lot district. In this subsection, "parking fee" means revenue from parking meters, parking permits, or any other user charge for parking.

(2) The Council must approve any transfer under this subsection in the resolution approving the district's annual operating budget or in a separate resolution. Each transfer of funds must be conditioned on a reasonable repayment agreement. Each authorizing resolution must specify:

(A) the purposes for which the transferred funds may be used; and

(B) the terms of repayment to the originating parking lot district.

To date the Council has approved two transfers. The first, approved as part of the FY15 Operating Budget resolution, transferred \$1.5 million from the Silver Spring PLD to the Bethesda PLD in FY15, requiring the reimbursement in FY16 (©43), and in FY16 the reimbursement occurred. The second, approved the following year, transferred \$3 million from the Silver Spring PLD to the Bethesda PLD in FY16, with the Council stating that the Council "expects" the funds to be repaid in FY18 (©44). However, after it was pointed out that the law requires stipulating the terms of repayment, the Council amended the budget resolution a few weeks later stating the FY16 transfer "must" be repaid in FY18 (©45-46), and it will be.

As noted in Section I, the Executive is showing the reimbursement of the \$3 million transfer to the Bethesda PLD to be deferred from FY18 to FY20. This cannot be done without the Council explicitly approving it by resolution; if the Council approves, it would be included among the miscellaneous provisions of the FY18 Operating Budget resolution, just as the prior transfers were in the FY15 and FY16 resolutions. The Silver Spring PLD can absorb this deferral (see, again, Section I). **Council staff recommends a \$3 million transfer from the Silver Spring PLD to the Bethesda PLD, with the reimbursement in FY20.**

Parking Convenience Sticker	\$123.00 Per Month
Daily Parking Permit	\$7.80 Per Day
"AM/PM" Parking Permit	\$20.00 Per Month
Garage Specific Monthly Access (Except for Garage 60 and 61)	123.00 or Less Per Month
b. Carpool Permits	
2 Persons	\$87.00 Per Month
3 and 4 Persons	\$49.00 Per Month
5 or More Persons	\$11.00 Per Month
c. Townhouse Resident Permit	\$2.00 Per Month
d. Permit in Garages 9 and 16 for residents in the area bounded by Blair Mill Road, Eastern Avenue and Georgia Avenue	\$95.00 Per Month
3. Garages 60 and 61	
Monthly Permit	\$1.00 Per Hour \$189.00 Per Month

**[4.] C. Wheaton Parking Lot District**

1. Meters on-street from 9 am to 6 pm, Monday through Saturday, and in lots from 9 am to 6 pm, Monday through Saturday, and in garages from 9 am to 6 pm, Monday through Friday	
Short-Term (First 4 hours)	\$0.75 Per Hour
Long-Term (More than 4 hours)	\$0.60 or Less Per Hour
2. Special Permits	
Parking Convenience Sticker	\$113.00 Per Month
Townhouse Resident Permit	\$2.00 Per Month

**[5.] Montgomery Hills Parking Lot District**

1. Meters on-street from 9 am to 6 pm, Monday through Friday, and in lots from 9 am to 6 pm, Monday through Friday	
Short-Term (First 4 hours)	\$0.50 Per Hour
Long-Term (More than 4 hours)	\$0.50 Per Hour
2. Special Permits	
Parking Convenience Sticker	\$90.00 Per Month
Townhouse Resident Permit	\$2.00 Per Month]

**[6.] D. Areas Outside Parking Lot Districts**

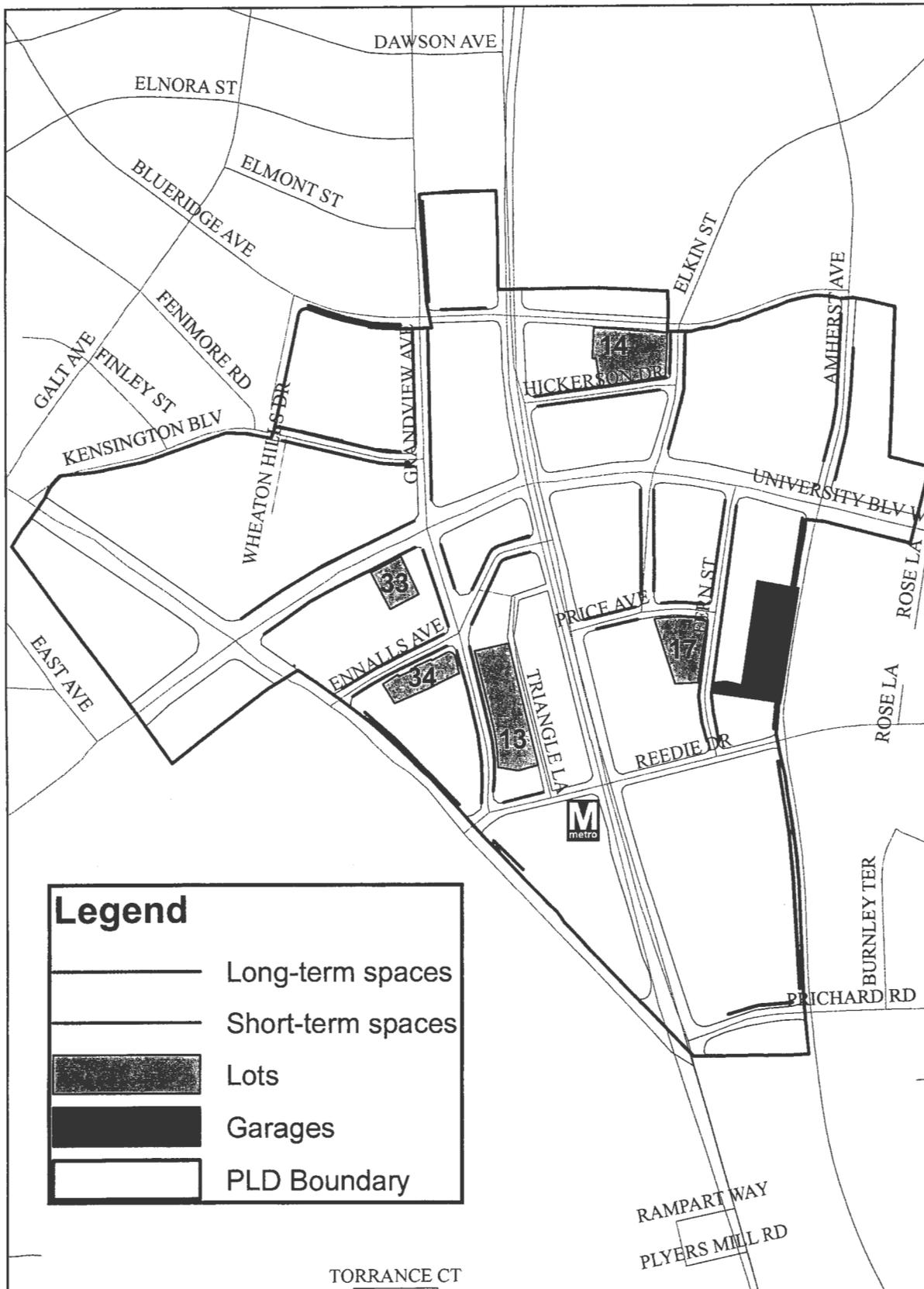
1. Meters on-street and in lots from 7 am to 7 pm, Monday through Friday	
Short-Term (First 4 hours)	\$1.00 Per Hour
Long-Term (More than 4 hours)	\$0.65 Per Hour







# Wheaton Parking Lot District



**Real Property Data Search**

**Search Result for MONTGOMERY COUNTY**

<a href="#">View Map</a>		<a href="#">View GroundRent Redemption</a>			<a href="#">View GroundRent Registration</a>				
<b>Account Identifier:</b>		<b>District - 13 Account Number - 01029548</b>							
Owner Information									
<b>Owner Name:</b>		MONTG CO MD			<b>Use:</b>		EXEMPT		
<b>Mailing Address:</b>		EOB 101 MONROE ST ROCKVILLE MD 20850			<b>Principal Residence:</b>		NO		
					<b>Deed Reference:</b>		/01697/ 00480		
Location & Structure Information									
<b>Premises Address:</b>		SEMINARY RD 0-0000			<b>Legal Description:</b>			LTS 1, 2& 7 MONTG HILLS PARKING LOT NO 12	
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>	<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>	<b>Plat No:</b>
JP11	0000	0000		0018		E	6	2016	<b>Plat Ref:</b>
<b>Special Tax Areas:</b>				<b>Town:</b>		NONE			
				<b>Ad Valorem:</b>					
				<b>Tax Class:</b>		38			
<b>Primary Structure Built</b>		<b>Above Grade Living Area</b>		<b>Finished Basement Area</b>		<b>Property Land Area</b>		<b>County Use</b>	
						29,191 SF		460	
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>			
Value Information									
		<b>Base Value</b>		<b>Value</b>		<b>Phase-in Assessments</b>			
				As of		As of		As of	
				01/01/2016		07/01/2016		07/01/2017	
<b>Land:</b>		303,500		338,800					
<b>Improvements</b>		12,000		12,000					
<b>Total:</b>		315,500		350,800		327,267		339,033	
<b>Preferential Land:</b>		0						0	
Transfer Information									
<b>Seller:</b>		<b>Date:</b>			<b>Price:</b>				
<b>Type:</b>		<b>Deed1:</b>			<b>Deed2:</b>				
<b>Seller:</b>		<b>Date:</b>			<b>Price:</b>				
<b>Type:</b>		<b>Deed1:</b>			<b>Deed2:</b>				
<b>Seller:</b>		<b>Date:</b>			<b>Price:</b>				
<b>Type:</b>		<b>Deed1:</b>			<b>Deed2:</b>				
Exemption Information									
<b>Partial Exempt Assessments:</b>		<b>Class</b>		07/01/2016		07/01/2017			
<b>County:</b>		540		327,267.00		339,033.00			
<b>State:</b>		540		327,267.00		339,033.00			
<b>Municipal:</b>		540		0.00 0.00		0.00 0.00			
<b>Tax Exempt:</b>		<b>Special Tax Recapture:</b>							
<b>Exempt Class:</b>		NONE							
Homestead Application Information									
<b>Homestead Application Status:</b> No Application									
Homeowners' Tax Credit Application Information									
<b>Homeowners' Tax Credit Application Status:</b> No Application					<b>Date:</b>				

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