



Montgomery
County Council

Committee: Joint

Staff: Pam Dunn, Senior Legislative Analyst; Glenn Orlin, Senior Analyst; Robert Drummer, Senior Legislative Attorney

Purpose: To make preliminary decisions – straw vote expected

Keywords: #subdivision staging policy, impact tax, recordation tax

ADDENDUM
AGENDA ITEM #15
November 10, 2020
Worksession

SUBJECT

2020-2024 Subdivision Staging Policy

Bill 37-20, Subdivision - Preliminary Plan - Adequate Public Facilities – Amendments

Bill 38-20, Taxation - Development Impact Taxes for Transportation and Public School Improvements - Amendments

Expedited Bill 39-20, Taxation - Recordation Tax - Amendments

EXPECTED ATTENDEES

Casey Anderson, Planning Board Chair

Gwen Wright, Tanya Stern, Jason Sartori, Lisa Govoni, Hye-Soo Baek, Eric Graye and David Anspacher, Planning Department

Meredith Wellington, Office of the County Executive

Essie McGuire and Adrienne Karamihas, Montgomery County Public Schools (MCPS)

Christopher Conklin, Gary Erenrich, and Andrew Bossi, Department of Transportation (DOT)

Mary Beck, Pofen Salem, and Veronica Jaua, Office of Management and Budget (OMB)

David Platt and Estela Boronat de Gomes, Department of Finance

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

N/A

This report contains:

Addendum

Pages

1

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MEMORANDUM

November 9, 2020

TO: County Council

FROM: Pamela Dunn, Senior Legislative Analyst
Glenn Orlin, Senior Analyst
Robert H. Drummer, Senior Legislative Attorney

SUBJECT: 2020-2024 Subdivision Staging Policy (SSP); Bill 37-20 - Subdivision, APF Amendments;
Bill 38-20 - Development Impact Taxes for Public School Improvements; and Expedited
Bill 39-20 - Recordation Tax Amendments

PURPOSE: Worksession

This addendum provides revised transition language for the Subdivision Staging Policy resolution. The modified text provides any project with a complete preliminary plan application the flexibility to choose to be reviewed under the updated 2020-2024 SSP with respect to schools rather than the 2016-2020 SSP. The effect of this would allow a project in a school service area currently under a staging ceiling limit for moratorium, where there is insufficient capacity for approval, to move forward under the new SSP standards where a Utilization Premium Payment may be required. For projects providing at least 25 percent affordable units working to file an application prior to February 26, 2021, the amended language is consistent with the grandfathering provision of Bill 38-20.

The SSP resolution regarding the transition for implementation would be modified as follows:

AP2 Transition

For any complete application for subdivision approval submitted before January 1, 2021 or any preliminary plan application filed prior to February 26, 2021 that includes at least 25% affordable units as defined in Sections 52-41(g)(1) through 52-41(g)(4) or 52-54(d)(1) through 52-54(d)(4) of the County code, the rules of the 2016-2020 Subdivision Staging Policy continue to apply, unless an applicant elects to be reviewed under the 2020-2024 Subdivision Staging Policy for schools (Sections S-1 through S-6) and the 2016-2020 Subdivision Staging Policy for transportation.