

Resolution No.: 17-185
Introduced: June 28, 2011
Adopted: June 28, 2011

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the Planning Board

SUBJECT: Amendment to County Subdivision Staging Policy regarding the White Flint Metro Station Policy Area

Background

1. Under County Code §33A-15(f), the County Council may amend an adopted County Subdivision Staging Policy by resolution after holding a public hearing.
2. A public hearing was held on this resolution on June 14, 2011.
3. This amendment is necessary to implement staging of the approved White Flint Sector Plan.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The 2009-2011 County Subdivision Staging Policy, as adopted by Resolution 16-1187 and amended by Resolution 16-1324, is amended as follows:

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Guidelines for Transportation Facilities

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TP2.2.1 Geographic Areas

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[Any proposed development located in the White Flint Metro Station Policy Area is exempt from Policy Area Mobility Review if that development, as a condition of approval of a preliminary

plan of subdivision, will be required to provide substantial funds to a new development district, new impact tax or special taxing district, or another comprehensive financing mechanism, to finance transportation improvements for that Policy Area. However, the traffic impact of any development in that Policy Area must be considered in any Policy Area Mobility Review calculation for any development that is not exempt under this paragraph.]

TL 2 Metro Station Policy Area LATR Standards

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[Any proposed development located in the White Flint Metro Station Policy Area is exempt from Local Area Transportation Review if the development will be required to provide substantial funds to new development district or new impact tax district to finance master-planned public improvements in that Policy Area. However, the traffic impact of any development in that Policy Area must be considered in any Local Area Transportation Review calculation for any development elsewhere.]

[[TA 6 Alternative Review Procedure for the White Flint Policy Area

TA 6.1 Exemption from PAMR and LATR

Effective July 1, 2011, an applicant for APF for any development that will be built within the White Flint Special Taxing District established under County Code Chapter 68C is exempt from TP Policy Area Mobility Review and TL Local Area Transportation Review.

TA 6.2 Effect on development outside of the White Flint Special Taxing District

The traffic impact of such development within the White Flint Special Taxing District must be considered in any TP Policy Area Mobility Review or TL Local Area Transportation Review calculations for any development outside the White Flint Special Taxing District.

TA 6.3 Planning Board to establish staging allocation guidelines

The Planning Board will approve guidelines establishing the protocol for allocating staging capacity under the White Flint Sector Plan.

TA 6.4 Staging Allocation Approval

A Staging Allocation Approval is a resolution from the Planning Board granting an applicant staging capacity under the White Flint Sector Plan. The contents of a Staging Allocation Approval, the effect of a Staging Allocation Approval, and any associated protocols will be established in Planning Board guidelines.

TA 6.5 Relationship to adequate public facilities in White Flint Policy Area

An applicant within the White Flint Policy Area must obtain a Staging Allocation Approval from the Planning Board. The applicant must submit a valid Staging Allocation Approval to the Department of Permitting Services with any application for a footing to grade or core and shell building permit. A Staging Allocation Approval and an APF approval have separate validity periods, and the expiration of one does not affect the validity of the other.

TA 6.5.1 Relationship to adequate public facilities in White Flint Special Taxing District

To the extent that the Department of Permitting Services is required under law to validate adequate public facilities for transportation, the Staging Allocation Approval shall satisfy this determination in the White Flint Special Taxing District.]]

TP 2.2.1 Geographic Areas

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Any proposed development that will be located in the White Flint Metro Station Policy Area but not located in the White Flint Special Taxing District created under County Code Chapter 68C is subject to both TP Policy Area Mobility Review and TA 6 Alternative Review Procedure for the White Flint Policy Area. Any proposed development that will be located in the White Flint Special Taxing District is exempt from TP Policy Area Mobility Review and must proceed under TA 6 Alternative Review Procedure for the White Flint Policy Area. The traffic impact of any development that will be located in the White Flint Special Taxing District must be considered in any TP Policy Area Mobility Review calculation for any development that will be located outside the White Flint Special Taxing District.

TL 2 Metro Station Policy Area LATR Standards

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Any proposed development that will be located in the White Flint Metro Station Policy Area but not located in the White Flint Special Taxing District created under County Code Chapter 68C is subject to both TL Local Area Transportation Review and TA 6 Alternative Review Procedure for the White Flint Policy Area. Any proposed development that will be located in the White Flint Special Taxing District is exempt from TL Local Area Transportation Review and must proceed under TA 6 Alternative Review Procedure for the White Flint Policy Area. The traffic impact of any development that will be located in the White Flint Special Taxing District must be considered in any TL Local Area Transportation Review calculation for any development that will be located outside the White Flint Special Taxing District.

TA 6 Alternative Review Procedure for the White Flint Metro Station Policy Area

TA 6.1 Staging Allocation Regulations

The Planning Board must adopt regulations, subject to Council review as if they were adopted under method 2, to specify the criteria and procedures that the Planning Board must apply to allocate staging capacity under the White Flint Sector Plan. The Planning Board must allocate capacity on a first-come-first-served basis before the applicant submits an application for a building permit.

TA 6.2 Staging Allocation Approval

A Staging Allocation Approval is a resolution adopted by the Planning Board granting an applicant a certain amount of staging capacity under the White Flint Sector Plan. The content and effect of a Staging Allocation Approval and any associated criteria and procedures must be specified in the regulation adopted under TA 6.1.

TA 6.3 Relationship to adequate public facilities finding for schools

A Staging Allocation Approval and a finding by the Planning Board that certain school facilities are adequate to serve a proposed development have separate validity periods, and the expiration of one does not affect the validity of the other.

TA 6.4 Relationship to adequate public facilities for transportation

For a development that will be located in the White Flint Special Taxing District, a Staging Allocation Approval is a finding that transportation facilities are adequate for purposes of issuing a building permit under County Code Chapter 8.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council