



Bill 37-20 Subdivision - 2020-2024 Subdivision Staging Policy - Amendment September 15, 2020 – Public Hearing

Good evening President Katz, Vice President Hucker and members of the Montgomery County Council. On behalf of Gaithersburg's City Council, I would like to express our appreciation to the County's Planning Board for their comprehensive review and updates to the 2020-2024 Subdivision Staging Policy (SSP). We would also like to recognize and thank Montgomery Planning for inviting City staff to provide input and feedback throughout the process.

We commend the Planning Board for recognizing that the SSP should reflect the substantial changes in the demographic and development patterns that have occurred in the County over the last three decades. The City of Gaithersburg has undergone significant changes in this time period as well. The diversity of our population has grown exponentially; we are now a major regional location for bio-tech companies.

As you may know, the City adopted its own Adequate Public Facilities Ordinance (APFO) in 2007. Therefore, with the exception of the proposed recommendations related to impact taxes and recordation fees, the County's APFO requirements are not applicable within the City. Even so, the City Council and I believe we have a responsibility to consider the impact all of the changes to the SSP may have on our residents, as well as neighboring communities. It is our hope the County Council will consider the following comments and recommendations during your deliberations to adopt the 2020-2024 SSP.

Chapter Four: School Element

With regard to the school element, the City Council and I support the Impact Areas in general and specifically those designations – Infill Impact Areas and Turnover Impact areas within the City as they reflect established City designations.

We are also very supportive of changing the school adequacy test to review at the individual school level, for each and every elementary, middle and high school. Changing the projected school utilization from six to three years is another positive change. The individual school test will afford better identification of actual impacts resulting from development, regardless of jurisdiction and the change to three year utilization will enhance accuracy.

We also recommend the County Council support establishing the Utilization Premium Payments.

Chapter Five: Transportation Element

First, we would like to recognize the value and importance of incorporating the County's Vision Zero travel safety objectives into the Local Area Transportation Review (LATR) process, as well as reintroducing the policy area-level reviews to ensure the County's master plan balances transportation capacity and land use travel demand.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaitthersburgmd.gov • gaitthersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Laurie-Anne Sayles
Michael A. Sesma
Ryan Spiegel
Robert T. Wu

CITY MANAGER
Tanisha R. Briley



The City Council and I believe the County Council could further strengthen the SSP effort to incorporate Vision Zero and overall safety for all modes of travel, by allowing the use of the Transportation Impact Tax revenue to include infrastructure improvements related to safety. Such improvements could include pedestrian countdown timers, traffic calming devices or enhanced crosswalks.

Key Transportation Element Recommendations

Generally, the City Council and I support the intent of the nineteen recommendations. However, we would like to offer our observations and concerns with a few of the proposals.

We understand the Red Policy Areas outlined in Recommendation 5.6 are smaller geographic areas aligned around the metro stations and the proposed Purple Line stations. These areas are or are planned to be highly urbanized and do not reflect suburban style development and density. Additionally, these areas typically reflect higher transit and bike/pedestrian modal use. While this doesn't currently apply to Gaithersburg, we would note the proposed designations may have a negative impact on our neighboring communities, as well as the City's residents who travel to and from these areas. For these reasons, we would request further analysis be done to better understand the implications of Recommendation 5.6.

Recommendation 5.8 seeks to increase the intersection delay standards for transit corridor roadways in Orange and Yellow Policy Areas, which includes the City of Gaithersburg. We have shared our concern with Montgomery Planning that increasing intersection delay, may increase overall vehicular congestion in travel lanes connected with the BRT. Montgomery Planning points out that any increase in overall vehicular congestion in travel lanes, is balanced out by increased safety and promotion of BRT ridership. However, the fact remains vehicular congestion will be impacted. We urge the County to consider additional solutions to relieve the significant and daily travel challenges our residents face.

Chapter Six: Tax Recommendations

The final recommendations, regarding educational funding sources and the County Impact Tax and Recordation Tax, are applicable to development within the City.

As a City with a strong, longstanding commitment to education, we fully understand the need to manage scarce resources in order to fund it. The idea on the table, which would create more exemptions from the Impact Tax, but increase the recordation tax is certainly interesting, and has engendered a spectrum of viewpoints among our Councilmembers. We don't pretend to know specifically what tax and spend structure will yield the best bang for our buck, but we do know that economic circumstances right now are tough; many of our residents and small businesses are struggling, and if there are ways to supplement these efforts through budget cuts, the County Council should consider them. We urge the County Council to carefully examine the impact the proposed tax structure would have on property owners.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaitersburgmd.gov • gaitersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Laurie-Anne Sayles
Michael A. Sesma
Ryan Spiegel
Robert T. Wu

CITY MANAGER
Tanisha R. Briley



If the Council ultimately determines increasing the Recordation Tax is necessary, please consider including a provision that the County enter into a MOU with the City that a portion of the Recordation Tax would be allocated to the City's Housing Initiative Fund, which is our mechanism for building affordable housing stock within the City.

Lastly, we recommend the Council support the vesting of Impact Tax benefits of designated Enterprise and Opportunity Zones - as they exist today - over the course of the SSP implementation period (2020-2024) even if these programs are discontinued by the State or Federal Government during that period.

Thanks for your consideration. We look forward to continuing to work with you throughout this process.

Sincerely,

Jud Ashman

Mayor

jud.ashman@gaitthersburgmd.gov

301-466-5350