



Policy Element	2012-2016 SSP	2016-2020 SSP	2020-2024 Draft CGP	Policy Impact
3.1 Policy Name	Subdivision Staging Policy	Subdivision Staging Policy	County Growth Policy	Emphasizes growth over infrastructure and adequacy.
4.1 School Impact Areas	No impact areas, SSP policies apply to the entire county with the exception of Enterprise Zones and Former Enterprise Zones.	No impact areas, SSP policies apply to the entire county with the exception of Enterprise Zones and Former Enterprise Zones.	Classify county neighborhoods into School Impact Areas based on their recent and anticipated growth contexts: Infill, Turnover, and Greenfield.	Allows granularity in student generation rates and allows for unique (and inconsistent) treatment of the impact area types.
4.4 Annual School Test	The annual school test consisted of only cluster-wide tests of utilization.	The annual school test was conducted at the cluster level and for individual schools.	The annual school test will be conducted at the individual school level only.	Avoids situations where a few overcrowded schools push an entire cluster into moratorium. Only relevant in Greenfield Impact Areas.
4.5a Annual school test time frame	Five years.	Five years.	Three years.	Recognizes inaccuracies in student forecasting and uncertainty of CIP projects in the out years.
4.5b Adequacy Standards (thresholds) for individual schools	N/A – 120% cluster threshold.	ES – 110 seat deficit and 120% utilization MS – 180 seat deficit and 120% utilization HS – 120% utilization	ES – 115 seat deficit and 125% utilization MS – 188 seat deficit and 125% utilization HS – 125% utilization	Increase was proposed as a tradeoff for the shorter testing window and should not be considered on its own.
4.6 Application of school test, establish adequacy for the entire year.	Each individual project measured against “staging ceiling,” or available capacity.  <i>This 2007 addition was intended to result in cumulative tracking of approved projects; it was never implemented correctly, even though Council acknowledged the error in 2018.</i>	Each individual project measured against “staging ceiling,” or available capacity.	School test establishes each school service area’s adequacy status for the entirety of the applicable fiscal year, does not test against staging ceiling.	Planning Board “ <i>may only approve a preliminary plan when it finds that public facilities will be adequate to support and service the subdivision,</i> ” but this fails to measure against remaining capacity; also fails to trigger premium payments and moratoria when schools exceed thresholds over the course of a year.
4.9 Moratoria	Countywide	Countywide	Greenfield impacts Areas only (7.2% of MoCo).	Fails to propose any new policy for 92.8% of the county.
Eliminated Recommendation  <i>Should be reinstated with rubric for Planning Board review and adequacy assessments for services areas &gt;120%</i>	Planning Board must deny an application when there is inadequate infrastructure (120%).	Planning Board must deny an application when there is inadequate infrastructure (120%).	Planning Board MAY deny an application when there is inadequate infrastructure (120%).  Planning Board prefers not to assess adequacy, they don’t want discretion over this.	Doesn’t comply: Planning Board “must find, consistent with the adopted [County] Growth Policy, whether all applicable public facilities will be adequate to support the proposed development.”
4.10 Existing moratoria exceptions with modifications	Age-restricted units, projects of 3 units or fewer.	Age-restricted units, projects of 3 units or fewer.	Age-restricted units, projects than generate less than one student at an overutilized school (2-7 units).	Uses regional SGRs to determine how many units can be built without impacting the school. Student impact is always rounded down (.99 = 0).
4.11 New exception for areas in moratorium (Greenfield only)	N/A	N/A	Exception for a project if there is a nearby school at or below 105%.	Divorced from reality of MCPS boundary changes; theoretical capacity.



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4.13 Calculating student generation rates.	Single-family units – 10 yr Multifamily – all-time	Single family and multifamily – all-time	Single family and multifamily – since 1990 One rate for multifamily high-rise and low-rise, eliminate distinction.	1990+ yields lower rates for multifamily units; one rate for multifamily results in 66% lower rates for low-rise.	
4.15 Design Review Committee	Invite MCPS to participate.	Invite MCPS to participate.	Compel MCPS to participate.	Moot if Planning Board refuses to deny applications under any circumstances.	
4.16 Utilization Premium Payments	Over 105% utilization, School Facility Payments are required at 60% of applicable impact tax.	School Facility payments eliminated in exchange for 120% applicable impact tax.	Over 120% utilization, Utilization Premium Payments are required at 15-25% of applicable impact tax.	UPP is lower than historical rates, and it is triggered at higher utilization.	\$
6.1 Impact Taxes for Multifamily Units	Two rates for multifamily low-rise and high-rise.	Two rates for multifamily low-rise and high-rise.	One combined rate for multifamily low-rise and high-rise.	The countywide SGR for multifamily low-rise goes from drops from 0.393 to 0.113 (-66%).	\$
6.2 Impact Tax Rate Calculation	90% of the unit's school construction cost impact, plus applicable School Facility Payment of 60%.	120% of the unit's school construction cost impact (100% plus 10% for land, plus 10% to offset the elimination of School Facility Payments.	100% of the unit's cost impact, discounted to 60% in certain areas, and increased to 120% in others. Infill areas are already 29% lower due to new SGRs before 40% off.	Discounted projects will cover only 52% of their school construction cost impact, and none of the land cost. Impact taxes should be consistent and cover 100% of costs. Reduction should not be considered without UPP.	\$  \$
6.3 Impact Tax Credit for Facility Improvements	N/A	N/A	Allow a school impact tax credit for any school facility improvement constructed or funded by a property owner with MCPS's agreement.	If administered well, could result in more economical improvements, more "bang for the buck."	\$
6.4 Surcharge on large units	Surcharge of \$2 psf on units larger than 3,500 square feet.	Surcharge of \$2 psf on units larger than 3,500 square feet.	Eliminate surcharge on units larger than 3,500 square feet.	SGRs are not higher for larger units. (Revenue loss not quantified. )	\$
6.5 Enterprise Zones	Impact tax exemptions in former Enterprise Zones.	Impact tax exemptions in former Enterprise Zones.	Eliminate impact tax exemptions in former Enterprise Zones.	Discussed in 2016. Should be approved.	\$
6.6 Opportunity Zones	N/A	N/A	Impact tax exemptions in Opportunity Zones.	Offsets gains from Enterprise Zones, assuming 6.5 passes.	\$
6.7 Exemptions for projects with 25% affordable units.	N/A	100% Impact Tax exemption for all units in a project with 25% affordable housing.	Must be MPDUs and apply lowest countywide rate to market rate units.	This an improvement to the current policy, and still a good incentive if impact taxes aren't too deeply discounted.	\$
6.8 Apply impact taxes on a net impact basis	Apply impact taxes on a net impact basis, excluding units demolished and replaced.	Apply impact taxes on a net impact basis, excluding units demolished and replaced.	Apply impact taxes on a net impact basis, excluding units demolished and replaced.	Consistent with the approach we have now.	\$
6.9 Increase Recordation Tax	N/A – not part of the SSP	N/A – not part of the SSP	Progressive modifications to the recordation tax to increase funding for schools and affordable housing	The SSP/CGP should cover all impact costs to school in itself, and not deplete other revenue streams.	\$



Helps schools



Hurts Schools



Increases revenue



Decreases revenue