

Submitted May 10, 2022

Approved May 11, 2022

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 06-2022
Wednesday, March 23, 2022**

The City of Rockville Planning Commission convened in regular session
via WebEx at 7:00 p.m.
Wednesday, March 23, 2022

PRESENT

Suzan Pitman - Chair

Andrea Nuñez Sam Pearson
John Tyner, II

Present: Nicholas Dumais, Senior Assistant City Attorney
Jim Wasilak, Chief of Zoning

Chair Pitman opened the meeting at 7:00 p.m., noting that the meeting was being conducted virtually by WebEx due to the coronavirus pandemic. Mr. Wasilak announced the upcoming reopening of Rockville City Hall on March 28 and noted the possibility of in-person meetings of the Commission in the near future.

I. PRESENTATION

A. Discussion on Proposed Parkland Dedication Requirements, Including Fee-In-Lieu of Dedication and Impact Fees

Mr. Wasilak presented parkland acquisition options that the city is currently considering through the development process. He detailed that the discussion of parkland dedication had been ongoing for a number of years and had included the production of a study and recommendations on providing dedicated parkland. Mr. Wasilak mentioned that this presentation would be a review of various options and staff's recommendation for the options would be presented at the Commission's next meeting.

Mr. Wasilak continued that, due to significant development and redevelopment occurring within the City and surrounding areas, the City has had limited ability to keep up with demand for new parks and recreational facilities. He added that currently the city does not have a specific standard or dedicated funding to assist in meeting increasing demands and that existing "Open Area" and "Public Use Space" requirements don't satisfy current needs. He added that many of the city's adopted policies and plans, such as the 2040 Comprehensive Plan, have provided guidance on additional development of parkland areas. He summarized that the overall goal of establishing such parkland requirements would be to have a consistent, standardized tool to use regularly as new development occurs to give the City an opportunity to more carefully manage the demands

placed on the parks and recreation system, and to reasonably ensure that new capacity can be provided to meet new demands.

Mr. Wasilak then explained the various examples of policies and regulations to address parkland demands such as establishing requirements for the dedication of land specifically for parkland and/or providing a fee-in-lieu of land dedication, and establishing a parkland impact fee. He added that some details to further consider for parkland dedication and/or fee-in-lieu could include whether to permit off-site dedication, provision of on-site amenities and a private open space credit. Mr. Wasilak mentioned that the fees collected by the City would have to be spent within a set period of years from the date of receipt so that the applicant/developer would not request a refund. He also discussed a hybrid option that would involve a combination of impact fees, on-site dedication, fee-in-lieu and/or off-site dedication. He also shared examples of neighboring jurisdictions and the variety which they provide for parkland needs. Upon holding public outreach sessions on parkland dedication, Mr. Wasilak added that most attendees were strongly in favor of dedication over fee-in-lieu or a parks impact fee as the best way to achieve the goal of additional parkland in the City. He concluded by mentioning that next steps would include the filing of the zoning text amendment, review and recommendations by various boards and commissions, including the Planning Commission, public hearings and ultimately a final determination made by the Mayor and Council.

Commissioner Tyner inquired whether there were any concerns or issues which other jurisdictions noted in their conversations with staff. Mr. Wasilak and Mr. Dumais responded that in the City of Frederick, there was some pushback by developers when their parkland dedication requirements were implanted nearly 20 years ago, but in recent years, there have been no issues as most developer are aware and used to such requirements. Commissioner Tyner further emphasized that as the City develops standards for parkland dedication, it will be important to consider the cost to the City of not only acquiring, but maintaining such many parcels of land resulting from dedication.

Chair Pitman commented that in consideration of parkland, the scope of what is considered a “park” should be broadened to consider not only open field locations but locations such as rooftops and bridges as part of viable urban park spaces. She added that this broadening should include night usage of parks and associated lighting facilities to give users more access to such spaces and multi-purpose parks including the provision of more dog parks.

Upon inquiry from Commissioner Nuñez, Mr. Wasilak confirmed that the hybrid option would give staff flexibility and the Mayor and Council the ability to determine whether a site was feasible for parkland dedication and if not, require a fee-in-lieu. He emphasized that the Mayor and Council would receive a recommendation from the Director of Recreation and Parks but would make the sole final decision in such cases. Mr. Dumais added that staff is considering an option where all projects would be subject to a parkland impact fee, and for properties equal to or in excess of 5 acres which would have a certain minimum level of development would have a requirement to dedicate 10% of the project area towards parkland and such properties could apply a credit of the dedicated land toward the project’s impact fee. He added that this would

effectively eliminate developers for having to pay project impact fees when engaging in actual parkland dedications for these larger sites.

Commissioner Tyner commented that in considering the location of parks, beyond just the population of the surrounding community, the siting of the park should consider the level of activity of the population in a particular area, such as the frequency of users at a community center and other community facilities, to consider if a proposed park will be adequately used. Mr. Wasilak concurred with Commissioner Tyner's comment and emphasized that the Commission could look at such specifics in its review of various development applications.

II. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Wasilak reported that the next meeting would be on April 13 in which the discussion of parkland dedication would continue with the addition of Recreation and Parks staff. He added that he anticipated staff would be presenting refined recommendations for the Commission's consideration.

Mr. Wasilak also noted that future meetings could be available for hybrid meetings and he added that the City Clerk's office was developing some guidelines for having hybrid meetings of in-person and virtual participation via the WebEx platform.

- B. Old Business** – Chair Pitman requested that a courtesy review be provided to the Commission in order to review the proposed parking lot at the King Farm Farmstead.

- C. New Business** – None.

- D. Minutes Approval**– Chair Pitman asked if there were any changes needed to the minutes of the Commission's February 23, 2022 meeting. Commissioner Tyner made the motion to approve the February 23, 2022 minutes. The motion was seconded by Commissioner Pearson. The motion carried unanimously 3-0, with Commissioner Nuñez abstaining.

- E. FYI/Correspondence** –None.

III. ADJOURN

There being no further business to come before the Planning Commission, Commissioner Nuñez moved, seconded by Commissioner Pearson, that the meeting be adjourned at 8:00 p.m. The motion was approved unanimously.

Respectfully Submitted,



Commission Liaison