

Follow up questions and comments from Montgomery County Civic Federation meeting on Thrive 2050 on October 12 2020

I. Prepared questions not completely answered, need clarification or due to time constraints, not asked (yellow highlights are from questions asked but needing additional clarification).

1. Since Chairman Anderson is planning to work on additional edits and changes to the document we ask that you provide the public with 60 days to review the revised Thrive 2050 Plan before the Planning Board’s public hearing.
2. Where will the money to implement Thrive Montgomery come from? We see in the proposed and recent increases in the recordation tax and proposed split rate property tax for “underutilized” properties described in Thrive (3.2 and 7.3) as an effort to transfer the costs of infrastructure and services from commercial to residential property owners. This follows on the elimination of most impact taxes in the growth policy (SSP). Bottom line - homeowners and renters are hit hard to finance the extensive proposals here. Why such an unbalanced burden? Board Chair says the opposite is true; the burden is really being transferred to developers and commercial interests. Can you elaborate on how that is so?
3. How does Planning propose to achieve the suggested changes to the tax structure to achieve a split-rate property tax—where land is taxed at a higher rate than improvements in order to capture increased value of land after up zoning? (Ref. Actions 3.21 and Policy 7.3.3)

Isn’t the property tax structure controlled by the state with and would have to be changed statewide?

Board Chair says split-rate property tax won’t impact SFH zones. But what happens when SFH zones disappear, and properties along transit corridors, for example, are upzoned to CR or other higher density zones? Will split-rate property tax be implemented? We need more clarification.

4. Could you clarify the impact on different parts of the county of various tools described in Thrive 2050, from ZTAs to eliminate some detached single-family home zoning to land value capture taxes on “underutilized” properties?

For example, Rockville, Gaithersburg, and other municipalities have their own zoning authority or power to overrule ZTAs. HOA neighborhoods have covenants which trump any effort to upzone their properties. The bulk of the denser, liberalized zoning and increased taxes will mainly fall on downcounty older unincorporated neighborhoods. Is it equitable to implement upzonings and subsequent “land capture value” split property taxes in one neighborhood, and not in another protected by an HOA?

5. What tools would Thrive Montgomery 2050 give you that you don’t already have?

What tools will be used to reach goals and objectives outlined in Thrive 2050?

Director Gwen Wright stated her preference is to implement Thrive through master and sector plans. She does not believe countywide ZTAs and LMAs are the appropriate tool. What is the view of the Board Chair?

Since it is the Department's intent to upzone some or all single family zoning, what is your plan to notify property owners that you propose to rezone their property?

Also related to notification, we have received complaints that notices were not sent by the Planning Department to Civic Associations when public projects are proposed in their neighborhoods even though they are correctly on the mailing list. Do you plan to review and revise your notification policies and ensure that everyone in the Department is using the same policy? When you change policies, what steps are you taking to inform the community of your changes?

6. How and under what authority is the Planning Department envisioning adding community schools to compact communities?
How does Planning propose finding more land for schools particularly in downcounty areas that are targeted for infill?
Does Planning envision the disappearance of the cluster school system and magnet or immersion programs in order to increase walkability?
7. Thrive 2050 treats older residents - a growing demographic - inconsistently. On one side, increasing the number of walkable communities will serve able bodied seniors well but without ensuring the availability of full services – like medical care and transit – may diminish their quality of life. On the other side, for most seniors aging in place on fixed incomes, increased property taxes will force them out of their homes and probably out of the county. How can you improve the recommendations for equity for all seniors?
Planning says millennials and senior populations have similar goals. Unaddressed is the challenge of aging in place on a fixed income when property values and taxes constantly increase every year.
8. What is the first priority of Thrive 2050? Housing or transit? Attainable housing or affordable housing?
9. Could you define attainable housing and talk about how the market can be regulated to achieve attainable housing in a market economy?
10. What metrics will you use, at what intervals, to determine a) that you are on the right path to the goals and b) that you have succeeded in actualizing the narrative of the document? (The narrative is a really utopian vision that doesn't seem to take into account human nature and failings.)

11. Can you explain the anticipated population and acreage of a compact community along a corridor? What are the services, transportation, and other public facilities that would need to be contained in the community in order for it to be considered complete?

II. From the Chat

1. Equity and resilience cannot be achieved by the tired old trope of "smart growth" or compact development. As remnant natural areas are relentlessly sacrificed for yet more cookie cutter mixed use developments, community rates of asthma, heart attacks / strokes and heat illness increase worsening health inequities and lessening resilience.
2. We learned many years ago from the Go Montgomery County Council that growth does not pay for itself. There is always subsidy, how much depends on impact fees collected and we see less commitment with collection of impact fees today that we have in years past
3. Another concern with this development model is accessibility. Taking Pike & Rose as an example, you cannot access the "street side" businesses from the handicapped parking area, nor can you drop someone off near those businesses. Rockville Town Square has similar issues.
4. If you are proposing upzoning of some single family properties, are they not subject to split rate property tax for underutilized potential?
5. How does (this plan) shift the burden (from residents to developers), if the developers are constantly being forgiven their impact taxes?
6. We have seen a shift in County Council support on CIP to promote areas in the down county in order to facilitate growth, so you simply cannot say there is no cost to the County as a whole

If we abandon projects in the Mid County and Up County areas to promote higher density growth in the down county then there is a shift and a disproportionate cost to residents depending on where they live. When I say abandon projects I am speaking of CIP projects to support the growth proposed.

7. Tree protection laws don't apply to developers in any significant way. Home redeveloped one block from me, cut five trees on the property and installed a 100-foot long driveway on a 6 percent grade right to the street. Driveway is a completely unimpeded flow to street, 300-yards from Rock Creek.
8. My fear is the green we get in these high density communities is artificial like we are seeing in Bethesda today. Except it will be all over the county which will encourage heat islands but more.

9. Is getting more use out of athletic fields code for using more synthetic turf? Climate change should have already placed a moratorium on the use of ST - it off-gasses methane and ethylene over the entire life of the pitch.
10. The draft plan mentions the “natural environment” in 9 different locations, using terms such as “protecting and preserving its natural environment” or “fighting to protect the natural environment”. Protecting and preserving our natural environment should not include “stream restorations” (with some exceptions such as “daylighting” piped streams and concrete culvert removal) which convert sections of natural stream valleys into artificial, engineered stormwater conveyances. There are upland (out of stream valley) alternatives that would protect our natural areas and streams by controlling stormwater within previously disturbed areas.
11. Since our current infrastructure (water, power, SWM, roads / bridges, street trees, schools) is woefully inadequate for the current population, and climate change will create new order of magnitude stressors for infrastructure, how will you realistically support these denser communities?
12. Will "complete communities" include urban agriculture, net zero stormwater standards, water supply, distributed power systems, composting, and other sustainable practices? It is a fallacy to call high density green and sustainable when it must be supported by long-distance hauling bringing resources in and carrying waste out. Manhattan could not exist without landfills in New Jersey and a forested water supply.
13. One aim is to change the current pattern of development to prevent undesirable effects on the natural environment. The county zoning now allows replacing individual houses of modest size with mansions and concrete driveways, which drastically reduce the amount of permeable, natural land and frequently create stormwater runoff for neighboring properties. When and what kind of modification of zoning will change this?
14. The aim of eradicating greenhouse gas emissions is unrealistic as long as the state permits the main provider of electricity in the county to use primarily non-renewable sources for power generation.
15. The county should stop equating proximity to MARC with proximity to Metro stations as an advantage for nearby development unless the level of service on MARC is much increased.