

Montgomery County Civic Federation
P.O. Box 1123
Bethesda, MD 20827-1123

Montgomery County Council
100 Maryland Ave
Rockville, MD 20850
June 12, 2025

Dear Councilmembers:

I am writing on behalf of the Montgomery County Civic Federation regarding ZTA 25-02, to allow multifamily development on lots zoned for single family housing on specified corridors. The member delegates of the Civic Association agree with the goal of developing more workforce and income restricted housing. We share concerns about affordability challenges and inequity in the economy, and we adopted a resolution over a year ago with suggested strategies to improve housing availability and affordability targeted to those most in need. At the same time, we share with you several areas of significant concern with the current bill that we ask to be addressed by amendments or clarifying language before the bill is adopted by the Council.

Lot consolidation: We appreciate public comments from Councilmembers that new developments would be limited to lots that “front on” corridors and do not extend into the neighborhoods bounded by corridors. Evidence that this was the clear intent of the bill’s sponsors is reflected in the Planning staff’s contemporaneous map of eligible properties. The map designates only those lots that “front” on a corridor, and have an address on the corridor, as eligible for optional method development under this bill. There is however nothing in the pending ZTA language that would prohibit lot consolidation or “chaining” beyond lots fronting on the corridor under this ZTA. Amendments are needed to clarify that only those lots **currently** fronting on a corridor, with a current address on the corridor, will be eligible for optional method expedited consideration under this ZTA.

- Lots that are ineligible for upzoning should not be made eligible by consolidation with an existing eligible lot.
- Lots behind and not fronting a corridor, corner lots fronting on a side street, or any lot currently without an address on the corridor, must be ineligible and remain ineligible regardless of any subsequent consolidation or address change.
- Reject any amendment to allow corner lots that front on a side street to be included or made eligible by an address change to the corridor.
- Amend the bill to make clear that horizontal consolidation of multiple lots along a corridor into one big lot does not make the new larger lot eligible under this ZTA.

Access to properties and parking: Traffic congestion and cut through traffic in the interior of neighborhoods must be minimized.

- Reject any amendment to reduce parking requirements. Preserve two spaces per multiplex and one space per apartment.

- Vehicle access must be from the corridor. On corridors that are state roads, the state may be resistant to curb cuts. One common entrance from the corridor should be permitted for the block of residences and/or a service road entrance permitted in front.
- The requirement that parking be located behind the front line of the building should be removed. Residents on interior blocks that back up to the corridor developments are rightfully concerned that their backyard may soon abut an adjacent parking lot with associated stormwater runoff from paved parking, noise, lighting and unhealthy automobile emissions. Locating parking in front of the buildings makes it easier to direct stormwater to the roadway storm drains and preserves green space and trees for backyards. There are many examples of successful multi-family developments on corridors with parking in front of the buildings.

Stormwater management: We were disappointed that Planning staff withdrew their initial climate recommendation to bar waivers of stormwater management considerations. We agreed with their initial recommendations including a need to look at stronger rules for larger multi-family properties. As the county grows, storm water management has been a steadily increasing problem. The county has a responsibility to carry out a permitting process that protects the environment and meets climate goals, furthers community health and safety and does not undermine the integrity of nearby properties when it approves denser development. The ZTA should include provisions making stormwater management on sites addressed by this ZTA non-waivable. Stormwater runoff can cause significant property damage and pollutes waterways.

Site plan reviews: Reject language to downgrade site plan review to administrative staff review. Site plan reviews provide a path for public review and comment and that process and promotes transparency in the process.

School impacts: The impact of development on schools must be evaluated accurately and funding for construction and/or improvements must move forward concurrently. School overcrowding has been a persistent problem for decades and the existing formula for calculating development impact on schools is clearly flawed. For example, the formula calculates little to no impact of children from apartments which is clearly inaccurate. Just one example-- Bethesda Elementary is so overcrowded that students were offered mid-year transfers to neighboring schools.

We concur with the positions of the Citizens Coordinating Committee for Friendship Heights outlined in their recent letter and specifically highlight their proposals to maintain a stable inventory of homes built under the benefit of this expedited approval process for workforce housing:

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- that the Council should adopt the Maryland state standard that the sale price of a workforce housing unit be controlled for 40 years. A workforce housing unit shall otherwise be subject to the same standards contained in Chapter 25B-26. This keeps units affordable for middle-income workers, a key objective of the legislation.
- prohibit workforce housing units to be used as short-term rentals.

Master planning vs optional method: The MCCF remains strongly committed to the master planning process. Making significant changes to a neighborhood works best through master planning, where both the specific features and problems of a particular area can be identified, considered and where possible addressed, such as narrow roads, access for emergency vehicles,

serious storm water management problems, parking, traffic, and commercial or ancillary uses. We are disappointed that the master plan process has been set aside for corridor developments, and we believe these corridor developments would be better considered over time under the master plan process. If the Council proceeds outside of the master plan process, it must commit to considering at least all the elements above in the optional method process.

Finally, our members remain frustrated by the lack of an impact study for this ZTA to ensure sufficient consideration of its effects on water, sewer, traffic, emergency services and school capacity. They also are frustrated by the failures of the county to prioritize high yield housing developments such as White Flint and areas near Pike and Rose. Our members are rightfully asking why it's necessary to make these incursions into established neighborhoods while sites with far greater development potential languish. In downtown Silver Spring alone, there are approvals or opportunities to build the equivalent of three Pike and Rose developments. We understand there are about 35,000 units in the pipeline right now, and while some of those approvals have grown old, some have asked for amendments in recent years indicating continued interest in moving forward.

This bill also is moving forward at a time of great economic uncertainty in the wake of extensive government layoffs and collateral damage to local businesses. Housing supply is already increasing, and prices are moderating. And recently there has been a mismatch between what is built and what consumers and advocates say they want, with little focus on examining that mismatch and addressing real demand. Advocates of denser housing often point out that home purchases lead to wealth building and generational wealth—an important goal. Notably, however, 95% of the multi-family housing built between 2017 and 2024 in downtown Bethesda and Silver Spring have been rental housing units and not homeownership opportunities. Encouraging construction of new units for ownership is badly needed. Sadly, we have heard of no plan or for promoting more construction of ownership units.

Thank you for considering our views.

Sincerely,

Cheryl Gannon
President
MCCF