

"Federation Corner" column
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MCCF on a positive note

by Wayne Goldstein, MCCF President
and Jim Humphrey, Chair, Planning and Land Use Committee

As a preface to this week's column and in the spirit of the holiday, we offer heartfelt thanks to the Sentinel for publishing this weekly column and providing MCCF with a public platform from which to advocate on behalf of county residents.

In a letter to the editor in the November 15th Sentinel, a reader stated that the two of us offer nothing but "mean-spirited criticism of the current (county) administrations, whoever or whatever they are." This reader also made a challenge: "Provide us with a solution rather than just endless bad-mouthing." So, as co-authors, this "dynamic duo," (as the reader named us) will detail some of the positive recommendations the Federation has made in recent years.

Affordable housing

Over five years ago, MCCF began urging the Council to eliminate the ability of developers to buy out of their requirement to offer at least 12.5% of units in new residential developments as Moderately Priced Dwelling Units (MPDUs) affordable to those earning up to 60% of area median income. At the time, developers were buying out MPDUs for as low as \$13,000 per unit, although language in the law stated the amount should be sufficient to provide "significantly more units in the same or an adjacent planning area." We appeared almost weekly at times at the Planning Board and elsewhere the first year to publicize this outrage through testimony. A bill to eliminate MPDU buyouts was then introduced in January 2003, but died in Council committee. A new bill to end the buyouts, introduced in June of this year, has not yet been considered in committee. We believe our efforts have been largely successful over the long term, because the price of the buyouts inexplicably rose and became fewer and farther between the more we protested.

The three hundred or so MPDUs created each year are offered as either sale or rental units. Rather than initially offering all sale units to MPDU applicants looking to buy affordable housing, the MPDU policy first allows the Housing Opportunities Commission (HOC) and other non-profit housing groups to buy up to 40% of these units, with most then managed as rentals. We know that HOC and the others originally followed this policy because the amount of time a sale MPDU used to remain as an MPDU was short and their actions helped prevent the loss of many units. However, the time period that sale MPDUs remain in the program was greatly extended, so this policy is no longer needed. Since there are thousands of individuals waiting for an MPDU sale unit, many on the list for years, and since one of the goals of the MPDU program is to provide an opportunity to first-time buyers looking to build equity in a home, MCCF this year urged that applicants, not organizations, get first crack at all MPDU sale units. However, both the County Council and the County Executive have rejected MCCF's recommendation at this time.

County growth

While most residents believe that the county growth policy does and should focus development around Metro stations in order to prevent sprawl in rural areas, it is the zoning placed on properties in area master plans throughout the county, and approved by the County Council, which dictates what type of development is allowed and where. In May, MCCF urged officials to employ a tool available on the U.S. EPA website to develop a model of what the county would look like if properties were built out to the maximum density and use allowed by the zoning already in place. We believe this factual analysis would be helpful in crafting a more useful growth policy and improving community master plans. The Council and County Executive initially rejected our suggestion, awaiting an opinion from the Planning Board, which has yet to respond.

Environment

The county's forest cover decreased from 45% in 1973 to 28% in 2000, a loss of 54,000 acres of forest with more being lost since 2000. The Montgomery County Interagency Forest Conservation Team was established in 2000 to write a forest preservation strategy. Although never formally disbanded, the group stopped meeting after releasing two documents. On 4/10/06, MCCF passed a resolution calling on officials to protect and increase forest cover. In the summer of 2006, the county Planning Department convened a task force to look at implementation of the Forest Conservation Law; and, although the MCCF representative suggested the group issue a final report, it was adjourned in January 2007 without making recommendations. The Executive Branch is now creating a Forest Conservation Advisory Committee. MCCF has regularly spoken out in favor of a stronger Forest Conservation Law with better enforcement, a stronger county Clean Water permit, a Green Building program, a Green "Road Code", and a tree ordinance.

Site plan enforcement

Following allegations of developer violations of the approved plans for Clarksburg Town Center made by a citizen group in that community, MCCF published its own study in August 2005 asserting the approved plans for at least eight other projects throughout the county had been violated. The government and the press gave much initial attention to this study. MCCF recommended regular onsite investigation of projects under construction to verify adherence to approved plans, which is now being done. MCCF has also supported efforts to require and now to retain Planning Board approval for all site plan amendments to make sure that we never move back toward the problems that developed in Clarksburg.

Government service delivery

Since 2004, MCCF has urged the county to adopt a CountiStat program, a way to report, measure and improve the delivery of government services, modeled on Baltimore's CitiStat program which has been emulated across the nation. We even invited then-Mayor O'Malley to one of our meetings to talk about CitiStat. We are very pleased that the new County Executive is committed to creating such a program and we look forward to regularly attending the evaluation sessions, which should be starting in the near future.

In coming weeks, we will be offering an astonishing and promising solution to the impact of Dan Snyder's home on the C&O Canal National Historic Park and discussing the miracle of "smog-eating" concrete to combat air and water pollution. A regular reader of our column knows that we often engage in "good-mouthing" and that even our toughest criticism is meant to help stop harmful behavior and policies by government officials and agencies so that helpful behavior and policies have a chance to replace them. We know that the county government is listening.

MCCF will consider submitting for this column any 800-1000 word article by an MCCF member, a non-member civic association, or a community leader, on a topic important to their community--email to: waynemgoldstein@hotmail.com