

Montgomery County Civic Federation
President@montgomerycivic.org
July 21, 2025

Montgomery County Council
100 Maryland Ave
Rockville, MD 20850

Dear Councilmembers,

I am writing on behalf of the MCCF about ZTA 25-02, to be considered by the Council this week. We appreciate the improvements made by Committee, particularly amendments to exclude flag lots and through lots, rejecting an amendment to include corner lots and maintaining the optional method review for all units.

We are disappointed that other important issues that residents have raised were dismissed by the Committee. Further action by the Council is needed to protect resident property and water quality from water runoff, limit lot consolidation and density, avoid parking and traffic congestion, protect the environment and tree canopy, ensure green space buffers between corridor developments and adjacent homes, provide homeownership opportunities, and prevent displacement through elimination of naturally occurring affordable housing.

The ZTA 25-02 reflects the defects that arise from a truncated and rushed process, working outside the master plan process without community vision and buy-in, without direct notice to property owners and without study of all important considerations listed below. We urge you to postpone consideration of this ZTA until additional work can be done to address these issues or to vote “no” on this bill.

Process and Master Planning: We object to housing proposals that make significant changes to residential neighborhoods outside of, or in conflict with, the master plan process. Working through a master plan process, where the specific features of an area can be considered, such as narrow roads, access for emergency vehicles, serious stormwater management problems, parking and traffic, infrastructure and school capacity will lead to a better result. The master plan process also invites community discussion and vision for the future. Blanket zoning measures outside of the master plan process fly in the face of the Planning Board’s long-standing and foundational commitment of including residents in land use and zoning decisions:

“Community conversations help develop a vision for the plan, discussing how to improve future community conditions, infrastructure, the built environment, amenities, and more. Planners also review best practices and apply in-house and external expertise to explore possibilities for the community.” and...

“to ensure that potential development aligns with the community’s needs and with the master and functional plans that overlay the area. Existing plans are deeply community-informed and reflect intensive and increasingly diverse and equitable local input. Reviewing developments ensures that every proposal aligns with community needs, legal requirements, the vision for the neighborhood’s future (as expressed through community-informed master and functional plans), and Montgomery County’s priorities.”¹

ZTA 25-02 bypasses the master plan process, ignores considerations of infrastructure, built environment, amenities or a community vision. Please restore the master plan process.

Lot consolidation and density: The Committee decided to allow consolidation of 3 horizontal lots on a corridor and greatly increase the potential size and massing of buildings that in many cases will be adjacent to single family homes. Lot sizes vary considerably in the county, with some lots exceeding 20,000 sq feet. We urge you to retain

¹ <https://montgomeryplanning.org/development/development-review-process/> and <https://montgomeryplanning.org/master-planning-process/>

the original stated intention of developing lots individually with “missing middle” scale housing and prohibit lot consolidation. An alternative would be to devise limits on the number of units and total square footage of consolidated lots to keep new developments in scale with the surrounding community.

Stormwater management: Stormwater management rules require that stormwater must be managed on-site, and projects must mitigate and attenuate runoff for 5-, 10-, and 100-year storm events. These rules are routinely waived even though variances are to be limited to cases of “exceptional hardship.” In fact, Planning Board member Mitra Pedoeem stated during Planning Board consideration of ZTA 25-02 that “none of this will be built without a waiver” indicating that waivers will be the norm and not limited to “exceptional hardship”. The Planning staff initially recommended non-waivable stormwater requirements, considering a persistent and growing problem of water runoff and associated property damage, erosion and water pollution, but the recommendation was withdrawn at the Planning Board meeting considering this ZTA. Some examples are very severe, like the life-threatening event in Luxmanor that led to an abrupt flood of 6 feet of water in basements, and the intervention of the Army Corps of Engineers, or the mud slides and streams of water on private home sites in Olney. Early last week, residents of Luxmanor were placing sandbags around their property to protect their homes. Communities all over the county are battling stormwater problems. Flooded basements and outdoor areas are not unusual or unique situations. The Council must take action to halt the waivers of water management rules. Developers or owners of properties must be responsible for managing water on their lot. It is unfair to grant a waiver and allow water to flood neighboring homes, shifting the expense of mitigation and repair onto nearby homeowners.

Parking: Establish parking requirements of 1 spot per bedroom including studios and make this rule applicable to lots currently subject to ZTA 23-10. The expedited process is sufficient financial incentive for developers to build parking for new developments. The Council needs to avoid increasing parking congestion in neighborhoods.

In addition, we urge you to remove the mandate in the ZTA that parking must be located behind the front line of the building. There will be no discretion allowed under this language for Planning to place parking in front of a development, despite many successful multi-family developments around the county with parking in front of the front line. Existing homes that are directly behind these corridor lots, will find their backyard abutting a parking lot, with noise, emissions, lights, and permeable surface leading to water runoff. Doing this also rules out quiet green space backyard for the residents of these new corridor developments for recreation, play, gatherings and relaxation. The staff report cites “visual relief of pedestrians” as a reason to mandate parking behind a building, prioritizing aesthetics for passers-by over those living in the properties. The ZTA should direct that parking be placed to optimize green space between adjacent properties and for the benefit of residents in new developments.

Homeownership and affordability: Proponents of expanding multi-family housing often state an interest in providing opportunity for public employees and other middle-income workers to purchase a home. However, the reality is that 95% of the multi-family housing built in Silver Spring and Bethesda between 2017 and 2024 was rental units and not ownership units. There is no tool or strategy here to incentivize construction of housing for sale within the workforce housing program. We request that you expand the required percentage of workforce housing units and set aside a generous amount as units for sale, creating the opportunities that proponents say they want.

We urge you take steps to limit the loss of naturally occurring affordable housing. The market incentive for developers will be to buy the lowest priced properties and build more expensive market rate housing, and this puts at risk communities that rely on the lower cost properties. The risk of replacing properties with higher cost properties is real and there is no strategy or plan for avoiding this. The RESJ analysis makes suggestions to increase the amount of workforce housing and lower the AMI to protect vulnerable communities, and these suggestions should be included.

We urge you to pause this process to consider all issues, or vote “no” on the proposal.

Sincerely,

Cheryl Gannon, President