

MINUTES OF THE JOINT LAND USE/LONG RANGE PLANNING COMMITTEE MEETING 2-7-2022

The meeting was called for 7 pm on Zoom. Present were Dedun Ingram, chair; Kathy Flaxman, Sybil Freedman, Tandra Leonard, Eric Murtagh, Joe Rubin, Steve Seidel, Stuart Sessions; and Ellen Cornelius Ericson and Irene Lane, Council liaisons.

Chair Dedun Ingram called the meeting to order at 7:02 pm.

Minutes of the January meeting: Eric moved to approve as circulated. Seconded, passed.

Thrive Montgomery 2050: Dedun updated the committee. The process has slowed down. Listening sessions were held at all of the Citizen Advisory Board meetings in January. Comments and questions were collected and compiled to be shared with the full County Council. We are waiting to see the issue put on the County Council agenda and for work sessions to be scheduled.

A committee member noted that she attended one of the listening sessions and observed that those speaking favorably of Thrive were in favor of the overall goals, while those speaking negatively were not opposed to the goals but were questioning the means of getting to the goals.

Irene reported that she and Mayor Barney Rush have met with various members of the County Council including Hucker, Albornoz, Katz, Friedson, and Glass, to go over the points made in the letter sent by the Town, as well as to talk about the Farm Women's Market project. All expressed appreciation for the letter and agreed with our recommendations in principle. We emphasized the need for Thrive to acknowledge use of the Master Plan process to implement Thrive's goals because the Master Plan process produces more targeted land use changes and accommodates community input.

Attainable Housing Initiative: Dedun reported that this also has slowed down. Meetings originally scheduled for late January were moved to February and now have been moved again. Planning staff is organizing a panel of experts to present on "Lessons Learned: A conversation on Expanding Housing Types" On February 24. The next Planning Board meeting to feature the AHI will be March 25 and this is expected to be the last one, so it is anticipated that the final form of a Zoning Text Amendment will be presented.

The Committee will research upzoning initiatives around the country. Dedun has provided a list of some potential resources; the Committee was encouraged to review them and to find other relevant resources. The committee also will consider what modifications of the Town's building regulations may be needed if multi-family housing types are approved for the R-60 zone. Committee members were asked to decide which of the 2 topics they'd like to work on:

1. Effectiveness of Up-zoning: Limiting our dive into this to the impacts of upzoning on housing supply and housing types; impacts on housing prices and/or costs (e.g., transaction prices, property values, rents, construction costs); impacts on affordability; and impacts on gentrification/displacement,

2. Building Code Best Practices for Converting Single-Family Neighborhoods to Multi-Family Housing: Work on this topic would be limited to considering what changes we might want to make to the Town building regulations (setbacks, height, FAR, lot coverage, parking, impervious surfaces, etc.), the Town's stormwater regulations, and the Town's tree canopy regulations if the county changes the zoning code to allow multi-family housing in our neighborhood. The goal being to recommend changes that would minimize disruption for residents next door to a home that is going to become a duplex, triplex, quadplex, etc. Examining building regulations that other communities have adopted may help us develop the recommendations.

Stuart will develop a template that can be used to plug in relevant information pulled from the upzoning studies. We'll develop a template for the second topic as well.

Keeping residents informed: Updates on Thrive and AHI were pulled from the weekly Town updates because very little has happened on these fronts recently. One resident was asked for updates, possibly in the form of an online session. Irene offered to put together a 30-minute info session/Q&A and has reached out to the resident. Some committee members thought that at some point, residents would appreciate a live presentation with a Q&A. We decided to do this after we get a timetable for Thrive.

Planning Board and procedures: County Council President Albornoz sent Planning Board Chair Anderson a letter chiding the Planning Board for violating ethics procedures, including: 1) no lobbyists have been registered with the Planning Board as required, 2) the Development Review Committee has not provided information to the public about how to view its virtual meetings, and 3) review of amendments to approved plans was being placed on the Planning Board's Consent agenda which didn't allow for public comment as required by zoning law. In response to the letter, there is an item on the Feb. 10 Planning Board agenda for review of Revised Rules of Procedure. However, it's very difficult to determine the changes being proposed because the revised rules were not "red-lined".

Farm Women's Market project: The draft Capital Improvement Project (CIP) budget does not include the expected allocation for this project. An amendment to the CIP is possible. There will be a County Council meeting on February 9 at which Mayor Rush will testify. The Bethesda Implementation Advisory Committee and other Chevy Chase communities have written in support of the park creation. If the county does not find the entire \$17 million; perhaps we can reach out to foundations for some of the money. Final cost estimates are still not known – e.g., the number of parking spaces has still not been finalized. EYA Bernstein wants to break ground in Fall 2023 and would like to have assurances with respect to funding; if not a go, they have a very different plan.

Accessory Dwelling Units: Dedun reported that it seems unlikely that The Accessory Dwelling Units (ADUs) bill that is to be introduced in the state legislature will pass in its current form. If passed, the bill would allow ADUs in all single-family neighborhoods by right which is already the case for the Town and Montgomery County. The bill in its current form is problematic from the Town's viewpoint because it would mandate there be no rear or side setback requirements

for ADUs in existing structures and no rear or side setback requirements of more than 4 feet for ADUs in new structures.

Balancing Town Building Regulations. The Committee was asked to think about tweaks to the Town's regulations that might promote better coordination of the Chapter 4 building regulations, the stormwater regulations, and the tree canopy regulations and bring Town staff and at times, the Town Council, into plan review earlier. Better coordination of these three elements could result in better project planning – deliberate discussion about when it is better to grant variances for building regulations versus for tree removal versus for stormwater management. The Land Use portion of the joint committee was asked to look at Chapter 4 of the Town code and think about language tweaks.

4-H. The buyers of the 4-H property will present initial concept plans on Thursday, February 17 at 7 pm.

Tasks.

Dedun will send the link to the February 24 panel on the Affordable Housing Initiative.

- Committee members should let Dedun know which of the two AHI topics they would like to work on.
- Land Use committee members should think about tweaks to Chapter 4 to encourage better coordination of the town's building regulations, stormwater regulations, and tree canopy regulations.
- Stuart will develop a template for use in evaluating upzoning studies.

Next meeting of the committee will be Monday, March 7.

The meeting adjourned at 8:24 pm.