

MCP-Chair

From: Melissa McKenna <mckennaforeverpta@gmail.com>
Sent: Monday, July 20, 2020 10:56 PM
To: MCP-Chair; Anderson, Casey; Fani-Gonzalez, Natali; Cichy, Gerald; Patterson, Tina; Verma, Partap; Sartori, Jason; Wright, Gwen; Govoni, Lisa; Graye, Eric
Subject: Concern regarding 2020 SSP Revision/County Growth Policy--invalidating APFO standards

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Dear Planning Board and Staff,

I appreciate the thousands of hours staff have put into the 2020 Subdivision Staging Policy (SSP) Revision and the weekly work sessions and thorough discussion that the Board has had, but as Worksession #5 progressed on July 16th, I must admit that I was deeply dismayed and disturbed at the conclusions reached.

The Subdivision Staging Policy is how the County's Adequate Public Facilities Ordinance (APFO) is supposedly upheld: by measuring the adequacy of infrastructure and ensuring that the impacts of new development are accounted for and addressed in the development plan to maintain adequacy. To quote the Board's website:

At the time of Preliminary Plan, an Adequate Public Facilities finding is made to determine whether the existing transportation and school networks can handle the intensity and types of uses proposed. Preliminary Plans are reviewed by staff and submitted for action (approval or disapproval) by the Montgomery County Planning Board. Board approval of the plan is necessary prior to preparation of a record plat.

[\(https://montgomeryplanning.org/development/development-applications/preliminary-plan/\)](https://montgomeryplanning.org/development/development-applications/preliminary-plan/)

Approval is not automatic. Instead, the Board brings its best judgment to bear to determine if a proposal meets the criteria spelled out in the APFO. However, that is not what I heard on July 16th. Instead, decisions will be left to other bodies, and plans that clearly will NOT meet APFO will nonetheless be approved. Some tests and measures seem to have been "tweaked" to ensure that developments could be approved regardless of exceeding adequacy.

Modifying the school test to a 125% school capacity threshold in greenfield areas for moratoria will allow the two current applications in Clarksburg to go forward. That area already cannot keep up with the construction and occupancy of developments approved many years ago. How is this possible when Clarksburg ES is at 200% of capacity, nearby schools are at or above capacity, the scheduled funding for the relief of a new school has been delayed by a year, AND it has been proven that greenfield development of single-family detached homes generates the greatest number of students?

During the meeting, Mr. Sartori explained, "When we decide no moratoria, we have made that [adequacy] determination. We don't think there is a point where [school] infrastructure is inadequate at all." It will be interesting to see how the parent community views this determination.

To be fair, the failure of residential building moratoria is not limited to this body. Look at the County Council and their budgetary approval of the MCPS Capital Improvements Program. Their ability to insert

placeholder projects with just enough funding for phantom classroom space—to keep a school area out of moratorium so that development projects may move forward—has destroyed the ability for moratoria to work as intended. Additionally, Council prioritizes MCPS projects to avoid moratoria (Northwood, Woodward, and Crown HSs) over existing crisis-level overcrowding (Clarksburg ES).

It was also made very clear at the meeting that the prioritization of Vision Zero in effect means that measurements of a proposed development's effect on roadway capacity and any mitigations suggested to improve this effect are no longer important. As Mr. Sartori said, "[Plans] may not solve vehicle capacity issues and that's OK. The Board can still approve a project ... if mitigation strategies pursued don't actually solve the roadway capacity issues."

To put it bluntly, this is not OK. Vision Zero is an important program, but this county is already home to some tremendously crowded streets, and adding more cars to those streets affects residents' lives whether they chose to drive, bike, or walk. Commuting aside, people need their cars to drive their kids to school or the doctor or practice; to go grocery shopping or run errands; and to go shopping or dine at the stores and restaurants that make up this county's economic base. How are they going to do that if new development, especially outside urban areas, add to an already bad traffic situation?

Chairman Anderson was adamant in his assertion that whatever mitigation strategy is selected, "the Board will do nothing to make it more difficult for bikers, pedestrians, or transit." That's an admirable goal; however, we can't lose sight of the people who take to our County's roads every day. As the allowable number of vehicles on the road climbs, acceptable signal delay time lengthens, and commuting and transit times increase, vehicle drivers are making increasingly dangerous choices. Nothing good will come of it. Eventually fire and police emergency response times, an APFO metric, will lengthen.

When it was announced that the SSP would soon be renamed as the County Growth Policy, I worried that the name might send the wrong message. However, if we are to have a policy that does nothing to mitigate the traffic impacts from new development or even pretends to recognize and respect school capacity limitations, it seems to me that the new name perfectly captures the priorities of the County.

Sincerely,
Melissa McKenna