



OFFICE OF THE COUNTY EXECUTIVE



Feb. 6, 2023

Delegate Lesley Lopez
Chair, Metro Washington Committee

Delegate Lopez:

Thank you again for convening a meeting of our respective staff on January 20, to discuss the best path forward on the development review process (“development review” or the “process”) in Montgomery County. Throughout the meeting, we found many points of agreement, including the recognition that the current process presents opportunities for improvement. Additionally, the hearing for MC-PG 104-23 produced discussion on the current development review process and economic competitiveness with local jurisdictions. In an effort to pursue and define these improvements, with your leadership, the County Executive and the Chair of the Montgomery County Planning Board enter into this letter of intent with the Montgomery County House Delegation on a plan to collaborate and find possible recommendations for further improvements to the process.

In the spirit of collaboration, and with the intention to best serve the residents and business community of Montgomery County, we agree to work together in support of the following principles:

- ❖ Montgomery County residents and applicants for development approvals deserve the best and most efficient process, while neither minimizing public participation, Racial Equity and Social Justice, nor compromising on safety, transportation access, or environmental standards in approved plans.
- ❖ Montgomery County has the assets to be the best County in the region for economic development and improving the Development Review process will help ensure a better economic development environment for all.
- ❖ All parties are striving to create the best Montgomery County that we can and recognize that every person’s past experience tells a story that needs to be respected.

To best achieve success for Montgomery County, we pledge to take the following steps:

1. By May 1, 2023, an informal workgroup (hereafter referred to as the *Development Review Process Workgroup*) will be formed of the following parties:
 - ❖ A representative from one of Montgomery County Planning Department's area planning Divisions that conducts development reviews
 - ❖ A representative from the Montgomery County Planning Department's Intake and Regulatory Coordination Division
 - ❖ A representative from Montgomery Parks
 - ❖ A staff representative of the County Executive's office
 - ❖ A staff representative of the County Council as designated by the Council President
 - ❖
 - A representative from the Department of Permitting Services
 - A representative from the Department of Environmental Protection
 - A representative from the Department of Transportation
 - A representative from the State Highway Administration
 - A representative from the Washington Suburban Sanitary Commission
 - ❖ Three (3) representatives of the Development community agreed to by the County Executive (or designee), and Planning Board Chair, including one who develops commercial/industrial projects, one who develops multi-family/mixed use projects, and one who develops single-family projects
 - ❖ Three (3) representatives of the broader community agreed to by the County Executive and Planning Board Chair, including one from Upcounty, one from Midcounty and one from Downcounty (as these areas are defined on the Montgomery Planning website)
 - ❖ The Director of the Montgomery County Office of Racial Equity & Social Justice or their designee
 - ❖ A representative of Senator Ben Kramer
 - ❖ Representatives from the utility companies including but not limited to Washington Gas, Verizon, and Pepco should be included as resources and invited to provide relevant input at appropriate points in the workgroup process

We ask that in your capacity as Chair, you serve as Chair of this informal workgroup to ensure the spirit of collaboration and process improvement guides the workgroup.

2. The Development Review Process Workgroup will hold three public meetings in May and June to gather public comment regarding the current development review process. One shall be held at the Executive Office Building in Rockville, one at the Planning Department in Wheaton, and at least one shall be held virtually to

maximize participation. We pledge to work with the Delegation on how to best advertise and ensure ample time for online sign up to maximize participation.

3. The Development Review Process Workgroup will review data and testimony, and discuss in at least two public working sessions the following:
 - a. A review of Development review timeliness- using data provided by Planning staff and Executive Branch staff for each of the last five years
 - b. A review of any State law provisions with respect to deadlines for development review
 - c. A review of the steps that must be taken for a development project to be approved, as set out in the Administrative Procedures for Development Review, approved by the Planning Board and County Council in 2017, as may be amended, to implement the requirements of Chapter 50 and Chapter 59 (Zoning Ordinance rewritten in 2014), and any subsequent refinements of deadlines for development review
 - d. A review of current development review timelines and what would be needed to hit benchmarks; identify areas where timelines can be shortened, in comparison to surrounding jurisdictions
 - e. A review of any reports provided by Council President Glass, or the Council's Economic Development Committee
 - f. Challenges and opportunities for participating in the development review process
 - g. Review of opportunities to better align functions in County and State government as well as M-NCPPC.
 - h. Methods to work out conflicting issues during the development review process, possibly using the Conflict Resolution Guidelines
 - i. Review of Planning Board workload in terms of timing for the development review process
 - j. Market trends affecting timing of development review
4. This group will finalize a consensus agreement on a path forward and deliver it to the Montgomery County Delegation by October 15, 2023.
5. If State or County legislation is needed, the parties will work collaboratively with state and county partners to suggest changes.
6. If an impasse is reached on prospective legislation, the Montgomery County House Delegation will use its leadership position to help find consensus or solutions.

We appreciate the opportunity, and the Delegation's willingness to lead on this critical issue. We look forward to working collaboratively to improve this process on behalf of all who live, work, and play in our shared jurisdiction.



Marc Elrich
County Executive



Jeff Zyontz
Planning Board Chair