



May 21, 2009

5104 Elm Street, Bethesda MD 20814 (301)652-6359 email - theelms518@earthlink.net

PLANNING BOARD TESTIMONY ON DRAFT HOUSING ELEMENT OF GENERAL PLAN

I am Jim Humphrey, testifying on behalf of the Montgomery County Civic Federation as chair of the Planning and Land Use Committee.

- We believe that the Number 1 Goal of the Housing Element should be preservation of existing affordably priced housing, both sale and rental units, while insuring units are maintained in good condition. Instead, a half-hearted recommendation for "preservation of affordable housing," which appears to place the burden on non-governmental entities, is buried as the 14th of 28 goals in the document. The most affordable housing units are those that already exist, since housing on redeveloped sites is almost always priced higher than that which currently exists. In addition, in environmental terms, existing housing has a smaller carbon footprint than redeveloped housing, regardless of how energy efficient that new housing may be.

As claimed by the National Trust for Historic Preservation, "the greenest building is the one which already exists." Richard Moe, President of the Trust, cites impressive figures--

- about 80 billion BTUs of energy are embodied in a typical 50,000-square-foot commercial building, equivalent to 640,000 gallons of gasoline.
- If torn down, that building becomes 4,000 tons of debris--enough to fill boxcars of a train nearly a quarter of a mile long--which needs to be transported to a landfill.
- Then, when a new building is built, the resource consumption, pollution, and greenhouse gas emissions start over with manufacture and shipment of new materials to the site.
- Finally, according to Mr. Moe, "even if 40% of the materials are recycled, it takes approximately 65 years for a green, energy-efficient new office building to recover the energy lost in demolishing an existing building." So that new building had better be designed to last a lot longer than 65 years.

- The second and just as important goal of the new Housing Element should be preservation of the character and quality of life of existing neighborhoods. A recommendation within this goal should be the creation and application of standards needed for preservation of residential neighborhood character (such as maintaining established setbacks, and limiting size and mass of structures, the percentage of lot which can be covered by impervious surface--structures and paved surfaces--and the number or percentage of mature trees allowed to be removed for a teardown/rebuild project).

- This draft Housing Element contains the same tired assertions that the county needs more housing, especially affordable housing, which citizens have heard for years. But there are no facts provided to back up the assertion. In truth, the entire world changed eight months ago when the global economy nearly collapsed. That collapse was touched off not only by unscrupulous mortgage lending practices, but also by a glut in the housing supply that sent prices into a free fall. Yet this document simply repeats outdated assertions, using years-old data and flawed developer-driven concepts. Do not forget that, in large part, it was the development industry that drove the country into the current economic crisis. It would wise for the Board to start listening more carefully to residents, and not developers, for a change.

- The "fact" (and I use that term loosely) on page 6 that "91% of the County's residential zoning capacity has been reached" is an audacious untruth. There are around 360,000 dwelling units existing in the county, and another 80,000 or so could be build under existing zoning. So, in fact, only 82% of the current residential zoning capacity has "been reached" (a term that is undefined).

And if the claim is that 91% of the residential capacity the county could possibly accommodate has already been zoned into master plans then that's also untrue, according to Chairman Hanson. When he addressed the Civic Federation last December, Mr. Hanson was asked whether anyone on staff or the Board had spent any time considering an appropriate optimum scale for the county. His response was that he didn't think there was one. So, if you believe we could just keep on growing and try to cram, say, 5 million people into this county, then only 25% of the residential zoning capacity has been reached in master plans. The "fact" on page 6 is undefined and useless.

- The projection on page 6 that "by 2030, the county will need about 72,000 new housing units" is not grounded in any fact or survey-based demographic assertion. The Council of Government's 2030 Forecast claims another 1.3 million people will be moving to the Washington region by 2030. But this is nothing more than a calculation of the population that can be accommodated by the number of new housing units that could be built under zoning in place in the jurisdictions within the region. In a twist on the line from the movie Field of Dreams, the reality is "if you build it, they will come...maybe." Or you will worsen the glut in the housing supply and prices will continue to fall.

- Montgomery County is already the most densely populated county in the 5th most densely populated state in the union. So, what is the point in cramming hyperdensity into every corner of an already crowded county?

Is the goal to gain additional revenue in order to solve the county's fiscal crisis? You should be smart enough to realize that growth never results in a net revenue benefit. The only reason that county government officials believed growth resulted in a fiscal benefit is because, for decades, tax revenue from growth was diverted into the General Fund instead of paying for maintenance and replacement of the infrastructure needed to accommodate the growth. That's how the county ended up in the fall of 2005 with a 20-year backlog for maintenance and replacement of infrastructure. If there was a net revenue benefit from the growth which took place over the past two decades, then how did we end up with a \$630 million budget shortfall for the upcoming fiscal year, the largest in county history, and projected shortfalls of \$370 million and \$400 million for the next two fiscal years?

The goal of hyperdensification cannot be the environmental benefits it will bring. Tree canopy coverage countywide has decreased from 47% in 1973 to only 28% in the year 2000, while the percentage of impervious surface land cover has increased. Stream quality has continued to degrade, as well. Your own staff admits that even in environmental special protection areas, such as Clarksburg, the negative impact of development on the Ten Mile Creek watershed will not be fully felt until all subdivisions called for in the area master plan have been built and in place for years. And then it will likely be too late to undo the damage.

So what is the point of continually increasing the number of housing units, population, and jobs in this county? Until the Planning Department and this Board can answer these questions, then perhaps you should stick to the development approval business and leave the planning to those wiser and better qualified.

Finally, the idea that every planning effort (master plan revisions, the zoning ordinance rewrite, the growth policy, and now the Housing chapter of the county's General Plan) can be shoe-horned into a format to address the same four elements is seen by many as a kind of misguided marketing ploy. While Design, Connectivity, Diversity and Environment may be laudable planning objectives in proper context, their application to every aspect of the Planning Department's work program has led to oversimplification which is reminiscent of some much-beloved college graduate program thesis theory being misapplied to absurd extremes.

NOTE: There is a disconnect between the claimed objectives of the rewrite and the likely impact of proposed policies.

In a March 20, 2008 memo to the Board, Planning Department staff noted "high land prices have had a significant impact on the types of housing products built in the County, leading many to believe that the County is not providing the full range of housing choices for its residents and employees throughout their lives." The first stated goal of the proposed revised Housing Element is to "build the majority of new housing in transit-oriented locations," where imposition of high density mixed-use zoning will result in rising land prices that will lead to the demolition of existing, affordably priced apartments in these locations (Takoma/Langley Crossroads, Battery Lane in Bethesda, the Falklands North parcel).

Again, the first stated goal is to "build the majority of new housing in transit-oriented locations." But the revised Housing Element states on page 6 that "with only four percent of the County left undeveloped, there is little room for Greenfield development," and on the next page notes that "little vacant land remains to meet the future housing needs of the County." That four percent of the county left undeveloped is not located in transit-oriented locations. So, why isn't a dual goal of the new Housing Element to offset the creation of new housing in transit centers, where you are proposing increased density, with a decrease in allowable density of development on the 4% of Greenfield land remaining, to protect those rural areas from so-called sprawl development? Otherwise, added density in transit center areas will be in addition to sprawl development, not instead of it.