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MCCF Testimony to Council on large retail store legislation - ZTAs 12-01 and 12-02,
and Bill 4-12

I am Jim Humphrey, Chair of the Planning and Land Use Committee of the Montgomery County Civic Federation, testifying on behalf of the Federation. At their March 12 meeting, MCCF delegates adopted the following resolution.

"The Federation would support Council approval of ZTA 12-01 and ZTA 12-02 if all large retail stores and combination retail stores addressed in the legislation required Special Exception approval, regardless of their location."

We believe Special Exception approval would give community members and adjacent neighbors the needed opportunities to seek legally enforceable conditions regarding such issues as vehicular accesses to a site and vehicular and pedestrian circulation patterns on the site, and on elements affecting compatibility (such as the location of buildings, parking, loading bays and trash dumpsters on a site, setbacks, landscape buffering, lighting, and hours of operation). Site Plan approval by the Planning Board does not insure the same level of protection since it is possible for the Planning Director to approve changes to the conditions and compatibility elements we noted above, under the existing Limited Site Plan Amendment procedures. Such Amendments are approved by the Board as part of the Consent Agenda, with no opportunity for public comment.

The Planning and Land Use Committee I chair made no recommendation to MCCF delegates on Bill 4-12, deeming issues of pay and benefits offered by private employers to be outside the purview of our committee. However, Federation delegates at the March 12 meeting introduced and adopted an emergency resolution urging Council approval of Bill 4-12. The delegates' vote was based on their belief that it is appropriate for the County to require minimum wage and health insurance for employees of large retail stores if that store is located on property for which grants in excess of \$100,000 are received from the Economic Development Fund or on property sold or leased by the county under an urban renewal plan.

I should note that there was some discussion of whether the term "reasonably comparable" is a legally enforceable term, in the section of the bill calling for provisions of health insurance coverage to be reasonably comparable to those offered County employees. As always, we thank you for considering the views of the Civic Federation on this matter.