

MEMORANDUM

TO: County Council

FROM: *MF* Michael Faden, Senior Legislative Attorney

SUBJECT: **Public Hearing:** Bill 1-10, Development – Coordination, Oversight

Bill 1-10, Development – Coordination, Oversight, sponsored by Councilmembers Trachtenberg and Knapp, chairs of the Management and Fiscal Policy and Planning, Housing and Economic Development Committees, and Councilmembers Berliner and Andrews, was introduced on January 19, 2010. A Planning, Housing and Economic Development (PHED) Committee worksession is tentatively scheduled for April 5.

Bill 1-10 requires the County Executive to designate an employee in the Executive's or Chief Administrative Officer's Office as development coordinator for each approved development district and each geographic area where a newly revised master or sector plan has authorized intensive new development or redevelopment. Each coordinator would perform similar coordination functions as former Assistant Chief Administrative Officer Bill Mooney performed for the Silver Spring redevelopment. Each coordinator can be an existing employee; this Bill does not require the Executive to create a new position unless he decides that no current employee can perform this function.

In Council staff's view, this Bill, if enacted shortly, would require the Executive to designate coordinators for the Clarksburg Town Center development district, which has been approved but not implemented, and for the White Flint sector once that revised sector plan is approved. The Bill would not require a coordinator to be designated for the two existing Germantown development districts because the required County infrastructure for those districts has been largely if not entirely completed. Depending on the intensiveness of the development allowed under the final plan, a coordinator could be needed for the Gaithersburg West plan area. For other master and sector plans, the need for a coordinator would depend on the level of development or redevelopment allowed in the plan.

This packet contains

Bill 1-10
Legislative Request Report

Circle

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Bill No. 1-10
Concerning: Development -
Coordination, Oversight
Revised: 1-13-10 Draft No. 2.1
Introduced: January 19, 2010
Expires: July 19, 2011
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Trachtenberg, Knapp, Berliner and Andrews

AN ACT to:

- (1) provide further coordination and oversight of master-planned development;
- (2) provide further coordination and oversight of development districts; and
- (3) generally amend the law governing coordination of development.

By amending

Montgomery County Code
Chapter 2, Administration
Section 2-25
Chapter 14, Development Districts
Section 14-16

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 2-25 is amended as follows:

2-25. Planning implementation.

* * *

(c) Coordination of master-planned development. The Executive must designate an employee in the Office of the Executive or the Office of the Chief Administrative Officer as the development coordinator for each planning area for which a newly revised master or sector plan has authorized intensive new development or redevelopment. Among other duties, the Coordinator must:

- (1) coordinate the financing and development of County infrastructure in that planning area;
- (2) advise the Executive, the Council, the Chief Administrative Officer, County Department heads, the Planning Board, and any other appropriate government agency, of any action needed to expedite the financing and development of County infrastructure in that planning area;
- (3) serve as primary point of contact for residents and businesses located or that could potentially locate in that planning area and the developer of any development located in that planning area; and
- (4) take or recommend any other action needed to assure that County infrastructure keeps pace with private development in that planning area.

Sec. 2. Section 14-16 is amended as follows:

14-16. Administration of district; Termination.

* * *

(d) The Executive must designate an employee in the Office of the

28 Executive or the Office of the Chief Administrative Officer as the
 29 Development District Coordinator for each development district for
 30 which the Council has adopted a resolution declaring its intent to create
 31 a development district under Section 14-6. Among other duties, the
 32 Coordinator must:

33 (1) coordinate the preparation of the Fiscal Report for the
 34 development district as required by Section 14-8;

35 (2) coordinate the financing and development of County
 36 infrastructure in that development district;

37 (3) advise the Executive, the Council, the Chief Administrative
 38 Officer, County Department heads, the Planning Board, and any
 39 other appropriate government agency, of any action needed to
 40 expedite the financing and development of County infrastructure
 41 in that development district;

42 (4) serve as primary point of contact for residents and businesses
 43 located or that could potentially locate in that development
 44 district and the developer of any development located in that
 45 development district; and

46 (5) take or recommend any other action needed to assure that County
 47 infrastructure keeps pace with private development in that
 48 development district.

49 (e) The Executive must report to the Council not later than January 15 and
 50 July 15 of each year on the progress made during the preceding 6
 51 months, and the significant steps to be taken during the following 6
 52 months, regarding each development district for which the Council has
 53 adopted a resolution under Section 14-6.

54 [(d)] (f) * * *

LEGISLATIVE REQUEST REPORT

Bill 1-10

Development –Coordination, Oversight

DESCRIPTION: Requires the County Executive to designate an employee in the Executive's or Chief Administrative Officer's Office as development coordinator for each approved development district and each geographic area where a newly revised master or sector plan has authorized intensive new development or redevelopment.

PROBLEM: Suboptimal coordination of County infrastructure financing and provision in some intensive development areas.

GOALS AND OBJECTIVES: To coordinate the financing and development of County infrastructure for each development district and each planning area where a newly revised master or sector plan has authorized intensive new development or redevelopment.

COORDINATION: County Executive, Planning Board

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Michael Faden, Senior Legislative Attorney, 240-777-7905

APPLICATION WITHIN MUNICIPALITIES: Applies only if a municipality is located in a development district or does not have its own planning authority.

PENALTIES: Not applicable

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