

TO: County Council, Montgomery County Maryland

FROM: Carol A. Jones and John Pendergrass, Silver Spring MD

RE: Comments on the Draft Silver Spring Downtown and Adjacent Communities (SSDAC) Plan

DATE: February 25, 2022

We have been residents since 1993 in the SOECA community, east of Wayne Avenue, a location included in the Plan's "Adjacent Communities". As environmental professionals and proud Silver Spring residents, we have the following comments on the SSDAC Plan.

Summary: This Plan has serious and fundamental flaws that need to be addressed.

- *There is no evidence provided to suggest that the strategy to increase density in the "Adjacent Community" fragments added to the DTSS in this Master Plan will achieve its stated goal of increasing affordable housing; indeed the Plan is based on an economic development approach that could widen racial and social inequities (based on the preliminary OLO Racial Equity and Social Justice Review of Thrive 2050).*
- *Further, both through acts of commission and omission, the Plan will further exacerbate the low – and dramatically declining – tree canopy in Downtown Silver Spring (DTSS) and adjacent residential areas, causing serious harm to the environment, public health, and nature-based amenities essential to a vital Silver Spring community.*
- *To remedy this, plan elements must be revised to explicitly protect existing trees, prohibit any expanded building footprint or lot coverage through up-zoning, not allow green roofs as a replacement for trees, preserve all existing park land or pocket parks, and drop proposals for sidewalks on both sides of the street on minor roads (in adjacent communities) with one lane of traffic each way.*

We offer specific comments and recommendations.

The Plan should focus on Downtown Silver Spring: remove the fragments of contiguous long-standing neighborhoods ("Adjacent Communities") from the Plan

- The arbitrarily selected lots and blocks plucked from their natural communities should be removed from the DTSS Master Plan and restored to the North and West Silver Spring Master Plans, where those communities properly and have long belonged. To achieve coherent community planning, any rezoning should take place within the context of the appropriate Master Plan.
- The stitching together of adjacent residential community fragments with the CBD makes no sense: Distance from a transit station as the basis for inclusion does not define a community. The CBD and contiguous residential communities are very different types of land use.

Remove upzoning from identified R-60 "opportunity zones" (if Adjacent Communities are retained in the Plan), because it will not increase affordable housing but it will destroy green space and tree canopy

- Allowing denser development will result in the destruction of large, mature trees as developers expand the building footprints to the maximum allowed and pave over green space to expand parking, resulting in harm to the environment, public health and nature-based amenities essential to a vital community.
- Increasing housing diversity and affordability are the stated goals of the recommendations to up-zone properties currently zoned R-60 on Bonifant west of Cedar, Cedar between Bonifant and Wayne, the lot of the former Silver Spring library, the site of the Springvale retirement center, Ellsworth Park, and elsewhere; however, there is no evidence offered to support such an outcome from the recommended increase in density.
 - The “missing middle” report cited in the plan acknowledges that increasing the availability of other forms of housing beyond single family homes will do little if anything to increase the availability of affordable housing (or “attainable” housing); some of the new housing may be more expensive, as we see in the Ellsworth Heights townhouse development, where town houses are selling for over \$1 million.
 - In its preliminary Racial Equity and Social Justice (RESJ) review of Thrive 2050, the Office of Legislative Oversight (OLO) found that this approach of increasing density is likely to only increase racial and social inequities.
- If any increased density is allowed in the adjacent blocks, it much be accompanied by meaningful affordability requirements to provide 25%-50% affordable units
- Alternatively, to expand housing supply and achieve housing diversity, we recommend focusing on the substantial opportunities that exist in the CBD.
 - For one, the Plan could focus on the substantial affordable housing in that area that needs to be preserved – both to preserve what we have, as well as to expand on it.
 - According to the May 2020 Pipeline by Master Plan report,¹ the SS CBD has plenty of potential to expand housing stock, with over 400 approved but unbuilt multifamily residential units. Further the high level of vacancies in office and retail space identified in a Planning staff study for Thrive 2050 should be under active consideration for adaptive reuse as residential units as well as for office space.²

Remove by-right construction of multiplex dwelling units through zoning text amendments, which bypasses community input and leaves the County without infrastructure funds.

- By establishing higher-density development “by right”, builders would not have to seek Planning Board approval or public input when changing land use to multiplexes. This eliminates the opportunity to address any negative impacts to the environment or physical infrastructure through those fora.
- With by-right construction, the county also loses control over funding sources (such as impact fees) for infrastructure needs.

Protect the existing - and restore the missing - tree canopy

With its Climate Action Plan and MyGreenMontgomery programs, Montgomery County has stated it is committed to climate mitigation and to sustainability. Tree canopy cover is critical to both. Yet tree

¹ See September 2021, Montgomery County, Pipeline by Master Plan Report, <https://montgomeryplanning.org/tools/research/developmentpipeline/>, cell P491.

² <https://www.montgomerycountymd.gov/OPI/Resources/Files/pdf/2021/CEStmtThrive-Montgomery-2050.pdf>, p. 5.

canopy is only 9% in DTSS and 38% in my neighborhood as of 2018 – among the three lowest rates of tree canopy among downtown areas through the county; further, it has been declining further with the major negative impacts from the loss of aging tree stock, Derecho 2012, utility tree trimming, as well as from Purple Line construction. See Figure 1 below illustrating a dispiriting series of tree stumps from the mature trees cut down along Wayne Avenue. The Map in Figure 2 below illustrates the heartbreaking amount of tree cover loss in SSDAC from 2009 to 2020. (Note: The tree cover in the Plan’s Map 27 [p. 149] presents an out-of-date rosier scenario, because the data are from 2018.)

It is well understood that the substantial decline in tree cover in the CBD is having major negative environmental impacts on climate change mitigation, human health through heat island impacts, water quality, and air quality. Indeed the County has identified low tree cover as a major issue in urbanized areas for more than a decade and has a number of disparate programs designed to address it.

And it is a *promising start* that the Plan itself does acknowledge the problem in a section identifying the dramatic heat island effects we are observing in the area, where street surface temperatures reached as high as 155 degrees Fahrenheit in 2020. [p. 146, and Fig. 59]

However, the plan only offers a few, limited strategies to address it. Further, a variety of proposed actions will have negative unintended impacts on tree cover, and need to be reconsidered in light of that.

Specific recommendations include:

- The County needs to develop an **Integrated Tree Plan**, which sets clear goals for tree cover in various areas (for public, commercial and residential areas), and appoint a **Tree Czar**, who will be responsible for overall accountability in achieving the canopy targets, as recommended in the Climate Action Plan. The Tree Czar would be responsible for coordinating across current programs and initiatives to accomplish these goals, and developing additional ones to ensure the County meets these goals.
 - **Require** 35% tree canopy cover for CBD – as the Bethesda Master Plan does – and disallow any exceptions for green roofs or other substitutes, rather than “encourage” green cover (as in the current draft)
 - **Require** 60-65% tree canopy cover for adjacent communities without exception for green roofs or other substitutes
- Require a tree impact analysis for policies, which explicitly takes into account the value of mature shade trees in lowering heat index, preventing stormwater runoff, and improving air quality
- Drop the recommendation for sidewalks on both sides of all streets in the Adjacent Communities zone.
 - Adding sidewalks impinges upon tree roots in the sidewalk zone, which leads to tree death, and loss of tree canopy.
 - The likelihood of public safety benefits needs to be **weighed on a street by street basis** before accepting this loss, *particularly* for minor roads with single lanes in each direction. For minor roads such as the 700 block of Dartmouth Ave or the 700 block of Bonifant St (which lost a LOT of trees when a sidewalk was put in on one side), putting in a sidewalk on the second side of the street would mean greater loss of canopy – for no discernible safety benefit.

Figure 1. Destruction of Mature Trees along Wayne Avenue for the Purple Line: A Sampling Adjacent to Whole Foods.

Source: Jones 2019.



Figure 2. Changes in Tree Cover, 2009-2020. Source: MNCPPC Planning staff

