



# Montgomery County Government

## MEMORANDUM

May 11, 1993

TO: County Council

FROM: Andrew Mansinne, Jr., Director  
Office of Legislative Oversight

A handwritten signature in cursive script, appearing to read "Andrew Mansinne Jr.", written in black ink.

SUBJECT: Office of Legislative Oversight Memorandum Report: Citizens's Land Use Information Officer - Information and Referral Services (Bill 21-89)

### I. PURPOSE

The purpose of this memorandum report is to evaluate the administration of Bill 21-89 that created a Citizen's land use information officer and established information and referral services.

### II. AUTHORITY

Section 2, Bill 21-89, requires that the Office of Legislative Oversight (OLO) evaluate the administration of the Act and recommend to the Council whether the land use information program should be continued.

### III. BACKGROUND

In February 1990, the County Council enacted Bill 21-89, Citizen's Land Use Information Officer - Information and Referral Services. The Act required that, subject to appropriation, the Montgomery County Planning Board must provide information and referral services on County land use and related regulatory functions. As part of the services, the Planning Board was further required to appoint a citizen's land use information officer within the Planning Department to provide public information, technical assistance, and explanations of County land use procedures. Bill 21-89 was effective May 17, 1990, and included a sunset date of June 30, 1993. (Bill 21-89 is codified as Montgomery County Code, Section 33A-17, Land Use Information Functions) (attached).

#### **IV. ESTABLISHMENT OF THE INFORMATION FUNCTIONS**

The FY91 budget request from the Planning Board requested \$63,000 (\$55,000 in salary and fringe and \$8,000 in capital outlay) to fund the Citizen's Land Use Information Officer at the mid-level salary grade. The Planning, Housing, and Economic Development (PHED) Committee recommended funding the position at the entry-level professional grade, lapsing the position three months, and reducing the capital outlay. The County Council concurred, and approved the FY91 budget for the Land Use Information Officer at \$33,250 (\$29,250 salary and fringe and \$4,000 for capital outlay).

Utilizing the reduced appropriation, the Planning Department created a position of Citizen's Land Use Information Specialist. The three major services required by the legislation were fulfilled by the Specialist:

1. Provided information and technical assistance to the public on the County's land use procedures, master plans, zoning, the development process, the annual growth policy, environmental planning matters, and other regulatory and legislative procedures relating to land use in Montgomery County.
2. Established and maintained a resource library on local and State laws and regulations, the zoning atlas, master plans, and similar land use reference documents.
3. Received land use regulations from other County departments, and maintained a current list of persons, together with their location and phone numbers, to whom inquiries related to land use matters could be made.

#### **V. CURRENT INFORMATION FUNCTIONS**

The Planning Department is continuing to provide these services in a decentralized manner; however, the Citizen's Land Use Information Specialist position no longer exists. In October 1992 (FY93), the person was transferred to a vacant position in the Zoning, Design, and Preservation Division, and the vacated position was designated as the one to meet a Council-directed budget reduction in FY93. The services previously performed by the Specialist are now provided in a variety of ways:

1. Providing land use information and technical assistance to the public is considered by the Planning Department to be the obligation and responsibility of each employee, and not the assigned responsibility of a single information specialist. Over the past months, employees have received formal training in customer service and cross-training to provide backup.

2. The Information and Publications Desk, located at 8787 Georgia Avenue, Silver Spring, continues to be the central point for dispensing land use information and related documents. Technical assistance comes from technicians of the appropriate planning division. Any land use inquiry or request requiring details beyond that available at the Public Information Counter are referred to the staff of the relevant planning division (or legal staff if appropriate) in Maryland-National Capital Park and Planning Commission (M-NCPPC) or to another public agency.
3. The resource library created by the Citizen's Land Use Information Specialist continues to be available to the public on a decentralized basis throughout the Planning Department. Also available is a published directory of relevant agencies and staff contacts in the Planning Department and in other County and State agencies. Updating the information in the resource library is the responsibility of the Planning Department division chiefs.

#### VI. CONCLUSIONS

1. In July 1990 (FY91), the Planning Board created a position of Citizen's Land Use Information Specialist to provide the functions enumerated in Bill 21-89, Citizen's Land Use Information Officer - Information and Referral Services.
2. Those functions specified in Bill 21-89, codified as Montgomery County Code, Section 33A-17, Land Use Information Functions, continued to be provided by the Citizen's Land Use Specialist until October 1992.
3. Although no longer using a single person, since October 1992, the Planning Board has continued to provide the land use information and technical assistance functions through the community relations and Planning Department staffs.

#### VII. RECOMMENDATIONS

1. Montgomery County Code, Section 33A-17, Land Use Information Functions, should be amended and extended beyond its current June 30, 1993, sunset date.

2. The amendment to Code Section 33A-17 should eliminate the requirement that the Planning Board create a position of Citizen's Land Use Information Officer; however, the amendment should require that the information and technical assistance functions presently enumerated in Code Section 33A-17 continue to be the responsibility of the Planning Board to provide.\*

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\* Note that Montgomery County Code Chapter 33A, Planning Procedures, is currently being reviewed for other amendments to bring it in conformance with recent State legislation concerning the role of the County Executive in the planning process.

AM/cca  
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Enclosure: Montgomery County Code Section 33A-17.

cc: Gus Bauman, Chair, Montgomery County Planning Board  
Robert Marriott, Jr., Montgomery County Planning Director  
Michael Faden, Senior Legislative Attorney  
Marlene L. Michaelson, Senior Legislative Analyst  
Ralph Wilson, Senior Legislative Analyst  
Stephen B. Farber, Council Staff Director  
Deborah Snead, Assistant for Audits and Evaluations

EXTRACT

Montgomery County Code, Section 33A-17

**Sec. 33A-17. Land use information functions.**

(a) Subject to appropriation, the Planning Board must provide an information and referral service on County land use and

related regulatory functions. As part of this service, the Planning Board must appoint a citizen's land use information officer within the planning department to provide information and technical assistance and otherwise explain County land use procedures to interested members of the public. The services to be provided include information on:

- (1) master plans, including pending amendments;
- (2) zoning, including pending cases;
- (3) subdivision control, including pending applications;
- (4) annual growth policy and related regulatory requirements;
- (5) federal, state, and local environmental regulations; and
- (6) related administrative, regulatory, or legislative procedures applicable to the Planning Board, Office of Hearing Examiner, Historic Preservation Commission, Board of Appeals, other County regulatory agencies, Washington Suburban Sanitary Commission, and County Council.

(b) The planning department must maintain a resource library that contains:

- (1) relevant laws, regulations, and administrative procedures;
- (2) appropriate zoning and other maps;
- (3) administrative and legislative hearing schedules;
- (4) significant administrative and judicial land use decisions; and
- (5) master plans, policy documents, planning studies, and other appropriate reference materials.

(c) All County departments, offices, and agencies must provide the planning department with:

- (1) requested materials (other than confidential documents) to ensure the availability to the public of current information, and
- (2) the location and telephone number of the person or persons to whom inquiries may be referred. (1990 L.M.C., ch. 23, § 1.)

Editor's note—Section 33A-17 was added by § 1 of 1990 L.M.C., ch. 23. Section 2 gave a sunset date of June 30, 1993.