



WELCOME BACK!

DPS HAS NEWS FOR YOU!



Constructive Comments

DPS

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A Message from the Director Diane R. Schwartz Jones

As we welcome 2014, on behalf of all of the members of the Department of Permitting Services, we wish our customers and communities a joyful, healthy and prosperous New Year. We have had a very busy year processing plans, improving accountability, participating in policy development; improving service delivery and moving ourselves into the world of electronic permits and plans.

I am very proud of Permitting Services employees who have made so many improvements for our customers and communities and who have provided so much service over the past year. The hard work and dedication of many has launched Permitting Services on a trajectory for 2014 that will bring even more improvements and positive changes.

We have had a very busy year serving our customers. We processed more than 50,744 different permits and licenses for more than 26,000,000 square feet of new

construction, additions, renovations and tenant improvements and sediment control plans for 48,378,097 square feet of land development activities. To do this, we have reviewed nearly 85,000 plans and completed 141,443 inspections covering building safety, environmental protection, public safety, and zoning and site plan compliance. We have also handled 4,777 enforcement complaints and responded to 67,623 MC311 service requests.

In addition to a robust year of plans reviews, inspections and permits issuance, I want to highlight some of our accomplishments over the past year:

- **Policy and Program Development –**
 - *Trees* -- We have worked closely with the County Executive, the County Council, the Department of Environmental Protection, the Maryland Department of Natural Resources, the building industry and the environmental community in the development and implementation of bills and regulations that will protect and ensure replacement of roadside trees and tree canopy. The presence and health of trees will improve air quality, reduce heat radiation from asphalt, and provide a better feel and pedestrian experience within communities. We have hired an Urban Forester who will oversee implementation of these bills, including development of a technical manual, training of plans reviewers, inspectors and the building community so that a fair and responsible balance can be struck that will result in new homes and development while responsibly conserving our resources for future generations.
 - *Stormwater Management and sediment control* – The Department has received an extension of enforcement authority from the Maryland Department of the Environment to continue Permitting Services' enforcement of sediment control and stormwater requirements. This delegation follows a review of the Department's successful implementation of stormwater laws and regulations. On a related note, we also promulgated new regulations to better control sediment from open construction sites.
 - *Water Quality Monitoring* – together with the Department of Environmental Protection, and as an outcome of the *Streamlining Initiative*, the Land Development Division helped draft a recently adopted law change that provides for the transfer of water quality monitoring from the builder/developer to the Department of Environmental Protection.
 - *Design for Life* -- County Executive Leggett and Council Vice President Leventhal proposed a package of benefits to encourage

development of housing and retrofits that will make homes more visitable and livable for everyone. This program is expected to incentivize and increase the stock of housing that can accommodate different accessibility needs and increase opportunities for individuals to remain in their homes. The Divisions of Building Construction and Customer Service have been feverishly working on regulations, forms and business processes to implement Design for Life and to establish a partnership among the Commission on People with Disabilities, the design, construction and real estate community and the Department to promote the creation, marketing and recognition of successful projects with features that make homes more accessible.

- *Energy Code and Residential Code* -- Building Construction has implemented new energy and residential codes that are intended to make structures safer and achieve less energy consumption. Many of our customers participated in new codes development and training. The Maryland Energy Administration reviewed the Department's implementation of new energy code requirements and found that the projects reviewed overwhelmingly met requirements both for plans reviews and inspections.
- *International Green Construction Code* – this Code was adopted by the State of Maryland. The Building Construction Division has been reviewing the Code and engaging in extensive outreach to stakeholders to formulate how to adopt this code in Montgomery County.
- *Zoning Rewrite* – The Division of Zoning and Site Plan Enforcement has been fully engaged in the County Council's deliberations on the proposed zoning text amendment that would adopt a revised zoning ordinance.
- **Accountability and responsibility improvements –**
 - *Automation Fee Rollback* – We cut the automation fee from 10% to 5% - a 50% reduction -- for all permits and licenses. This cut was retroactive to July 1, 2013. For our customers who paid fees between July 1 and September 9, 2013, you can expect to receive a refund in the mail, if you have not already received it. This translates to an estimated \$2 Million in annual savings to our customers.
 - *Type 5A Woodframe Midrise Construction Fee reduction*-- The construction industry identified a disproportionate impact in the fee calculation for this type of construction. Working with the industry, we reviewed the fee calculation. This review resulted in a change

to the fee calculation for this type of construction, resulting in *hundreds of thousands of dollars* of permit fee savings per project.

- *Deferred Collection of Impact Taxes* – in accordance with a law change deferring payment of impact taxes by 6-12 months, we modified our permit and inspection tracking systems to implement the change.
- *New Headline Performance measures* –we revised our headline performance measures to more accurately reflect our performance in different areas and to create performance measures for areas that did not have them. The new measures are completed and will be launched this spring.
- *Streamlining* – The Streamlining Initiative is a cross-agency effort that has developed service improvements that are being implemented and tracked as we continue to work to identify additional improvements. To date we have made many changes including signature delegation for complete one stop shop document processing at DPS; water quality law amendments; whittling down of record plat notes and processing times, developing form agreements to resolve overlapping easement issues; development of checklists, etc. The list goes on -- and we are not done.
- *Payment office* – Plans have been completed and construction will begin shortly for a new payment office to centralize point of payment and collection of financial instruments.
- **Process improvements**
 - *Electronic Permits* -- We have had electronic systems for managing plans, tracking and processing of permits and inspections and for filing of complaints and information requests for many years. This past February we brought electronic permits -- or "epermits" as many call it -- to your desktops in your offices and homes with the roll out of epermits for certain electrical permits and deck permits. Currently, approximately 42% of our electrical permits are issued on-line without the need for the customer to come to DPS. This, combined with administrative changes, has allowed the Department to work through and completely eliminate what had previously been an extensive backlog of electrical permits and licenses. And, with 42% of electrical permits being issued on-line, our customers save time, gas and trees. More time provides more opportunities for business and avoided costs of staff spending time at the Department of Permitting Services, awaiting permits. With 66,000 customers being served at the Permitting Services intake counter during the past year, the savings from the convenience of desktop permit application and issuance is significant. We are currently developing epermits for residential permits and right-of-way permits to create a unified electronic permit application, plans review and issuance experience.

- *Electronic Plans* -- We developed and are piloting electronic plans intake, review, processing and permit issuance for new home construction and right-of-way permits. While electronic plans are being tested for residential and right-of-way permits, we are already in development for electronic plans for commercial permits.
- *New Division of Zoning and Site Plan enforcement* – we combined our zoning and site plan sections into a new Division to maximize resources and, among other things, to provide improved complaints handling and resolution. To more effectively manage code enforcement issues in the field, we have also received delegation of certain concurrent authority from DHCA.

We are busy in and out of the office. The 141,442 inspections that we conducted last year include approximately 25% more inspections than in the prior year. These inspections help to ensure the safety of those who live or work in the County. And some of these inspections involve moments of valor for work by DPS inspectors. In 2013 Permitting Services inspectors were some of the first to respond to scenes where a building or structure was dangerous for the occupants or the public. Permitting Services inspectors were called to inspect when a car drove into a busy store, a bus drove into a home, trees fell on roofs and when a slab of a commercial garage partially collapsed. In these situations we are among the first to the scene to assess the stability of the structure and help provide guidance on how to stabilize the building to improve the safety of the County's emergency response teams as they rescue or recover victims of the accident. We review these damaged structures to ensure that the public is removed from harms way and we work with the owners and their design teams as the damage is repaired.

In 2014 we plan on expanding electronic permits and plans, train our staff and our customers in the use of these systems, launch the new tree protection programs and Design for Life, propose codes that will improve public health and protect the environment. We will roll out our new headline performance measures so that the public can better see how we are performing and we will continue with implementation and expansion of streamlining. It has been a pleasure to serve you in 2013 and we look forward to doing even more in 2014!



[dataMontgomery](#)

Direct access to County datasets in consumable formats is available here, offering the public an opportunity to review and analyze raw data, and the opportunity to use it for a variety of purposes. Visit

data.montgomerycountymd.gov.

to view permit data from the Department of Permitting Services.

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Permit Processing Improvements and Reminders

DPS Goes GREEN Electronic Plans Submission

DPS has been working hard to bring electronic plans reviews and permits to our customers. We launched epermits for electric permits and standard decks in 2013 and began development of services for electronic plans submission and reviews. DPS is pleased to announce that on December 1, 2013, we launched a pilot program for “**ePlans**” a web-based application for electronic plan submission and review using ProjectDox software. Currently, the system is being tested with a handful of applicants.

ePlans allows for comments to be made directly onto the electronic plans and for subsequent revisions to be overlaid and highlighted in a different color. With the built-in checklists and the ease of tracking revisions, reviews will become more streamlined and the quality and efficiency of applicant submissions and DPS reviews will increase. ePlans is expected to improve the plan review cycle, save customers time and money through the convenience of on-line submission, and save trees and protect air quality. ePlans will eliminate vast volumes of paper and with the companion epermits reduce vehicle emissions and gas consumption through on-line application processes that will eliminate or minimize the need to come to DPS offices. This will leave more time for our customers to pursue other opportunities.

During the pilot phase of this new program the first two permit types that will be accepted for electronic plans review are new home building permits and right-of-way permits.

Public information sessions to explain how electronic plans review works and the benefits of ePlans are scheduled for February 14, 2014 and February 28, 2014. Please check our website for more information. Training sessions for people involved with applications for single family new home construction and right-of-way work are ongoing and information is provided below on how to sign up for training.

Beginning March 1, 2014 DPS will invite others interested in using ePlans for new home building permits and right-of-way applications. The initial launch of this process will require the applicant to come to DPS to begin the permit application process and pay the filing fees. Future enhancements will allow the applicant to perform the application process online at the DPS website.

There are three steps to get started with the ePlans process:

1. Apply for your permit (in the future you may do this online through the DPS website).
2. DPS Permit Technician staff will review your application.
3. Upon acceptance of your application, you will receive an email invitation to upload electronic plans and supporting documents.



As mentioned above, training is required to use eplans. A user manual is in development and will be posted on our website. In the meantime, customers who want to participate in ePlans will need to attend a DPS training session before they will be allowed to submit plans electronically. Training sessions for building permit customers is conducted every other Tuesday beginning January 21, 2014. Training sessions for right-of-way permit customers will be conducted every other Tuesday beginning February 11, 2014. The sessions are from 9:00 a.m. – 12:00 p.m. Please check the DPS website “eplans” for registration information and sign-up.

DPS website: <http://www.montgomerycountymd.gov/permittingservices/>

According to the ProjectDox green calculator assuming four submissions during the permit review process, for each permit issued using eplans, the following savings can be expected:

Miles driven	104 miles
Gas	6.93 gallons
Cost of fuel	\$23.92
Driving time saved	4.163 hours
Carbon monoxide	5 pounds
Hydrocarbons	1 pound
Trees	.08

Annually, the following benefits may be realized assuming 3000 permits:

Miles driven	312,000 miles
Gas	20,800 gallons
Cost of fuel	\$71,760
Driving time saved	12,480 hours
Carbon monoxide	15,119 pounds
Hydrocarbons	1,993 pounds
Trees	239



Wonder why your application was rejected?

DPS has compiled a list of errors and omissions found in permit applications. Review this list before submitting your application.

<http://permittingservices.montgomerycountymd.gov/DPS/pdf/CommonDPSPlanErrorsAndOmissions.pdf>

Maryland National Capital Park and Planning (MNCPPC) has compiled a list of Common reasons why they disapprove Building Permit Reviews

<http://permittingservices.montgomerycountymd.gov/DPS/pdf/CommonReasonsWhyMNCPPCPlanningDepartmentDisapprovesBuildingPermitReviews.pdf>

Stormwater Management for Single Lot Development

Passage of the Stormwater Management Act of 2007 and subsequent revisions to Chapter 19 of the Montgomery County Code resulted in new requirements for stormwater management for single family house construction. This means all new house construction, and all additions that result in disturbance of 5,000 square feet or more, are required to provide stormwater management through Environmentally Sensitive Design (ESD) techniques, to the maximum extent practicable, in order to comply with the requirements of the Maryland Department of the Environment (MDE) and DPS. This can present some unique challenges due do lot size, topography, soil types and other factors.



All projects in Montgomery County that require stormwater management must be submitted for review as engineered sediment control plans and must include stormwater management design details and computations, along with a simplified soil testing report. DPS has developed documents that can provide design guidance and consistency of approach for designers who are preparing these plans for submission and review. The documents may be found on the DPS web site

<http://permittingservices.montgomerycountymd.gov/DPS/waterresource/WaterResourceDocuments.aspx>) and should be consulted prior to commencing design of a new project.

For questions or additional guidance in preparing plans for submission to DPS, please contact Mark Etheridge at mark.etheridge@montgomerycountymd.gov



Did you know sediment control permits are now transferable?

To transfer ownership of a sediment control permit, the following must be submitted to DPS:

- A completed sediment control permit application. The disturbed area on the new application must be the same as per the original application.

Application should be a REVISION TO PREVIOUSLY APPROVED SEDIMENT CONTROL PLAN noted as OTHER: PERMIT TRANSFER

- Replacement sediment control bond in the amount of the original bond.
- Written correspondence from the original permit holder requesting transfer of the permit and return of the original bond to the original permit holder. The original bond will be returned once the replacement bond has been accepted by DPS and the permit has been transferred.
- Revised plan set showing new ownership. New permit holder must also sign the Owner/Developer Certification on the plans. No other revisions may be made to the plans.
- Minimum plan review filing fee. The fee for a revision to a sediment control permit for ownership change is the minimum permit fee.

When these items have been accepted for processing, DPS will review and approve the plans and return them, along with a transmittal, to the new permit holder. New permit holder will return copies of the approved plans, as described in the transmittal. Once the plans have been returned, all related fees have been paid, and the replacement bond has been accepted by DPS, the new sediment control permit will be issued.

NOTE:

- Permit must be in good standing prior to transfer. Expired permits may not be transferred.
- The expiration date of the new permit will remain as per the original permit.
- Floodplain District Permits (FPDP) are not transferable. If the project requires a FPDP the new permit holder must apply for a new FPDP.

- The new permit holder must furnish to DPS proof of validity of all other associated permits, as shown on the Related Required Permits table on the sediment control plan set.
- All fees paid by the previous permit holder are non refundable.

If you have questions or require additional information, please contact Mark Etheridge at mark.etheridge@montgomerycountymd.gov.

DPS Dashboard

DPS Dashboard for Permit Processing Metrics

The following metrics were reported to the Montgomery County Council on December 2, 2013 in response to Council Resolution No. 17-859 – Consolidated Report for Development Applications. The report data is from the first quarter of FY14 (July 1, 2013 – September 30, 2013).

Location Explanation

BC Bins - # days waiting to be reviewed by DPS Division of Building Construction
 BC Plan Review - # days of DPS Division of Building Construction reviewed plans
 Applicant - # days waiting for applicant to submit additional information and/or revise application and plans

Fire Protection Systems Permits – 460 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
BC Bins	13,156.00	28.60	30.43
BC Plan Review	841.00	1.83	
Applicant	208.00	0.45	
Total (Days)	14,205.00	30.88	

Commercial Building New Construction Permits – 83 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
BC Bins	2,037.00	24.54	48.07
BC Plan Review	1,953.00	23.53	
Applicant	3,087.00	37.19	
Total (Days)	7,077.00	85.27	

Commercial Building Addition Permits – 32 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
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		Permit	
BC Bins	1,006.00	31.44	43.38
BC Plan Review	382.00	11.94	
Applicant	656.00	20.50	
Total (Days)	2,044.00	63.88	

Residential Building Addition Permits – 178 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
BC Bins	1,349.00	7.58	15.76
BC Plan Review	1,456.00	8.18	
Applicant	884.00	4.97	
Total (Days)	3,689.00	20.72	

Residential Building New Construction Permits – 401 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
BC Bins	3,578.00	8.92	20.95
BC Plan Review	4,824.00	12.03	
Applicant	6,508.00	16.23	
Total (Days)	14,910.00	37.18	

Location Explanation

LD Bins - # days waiting to be reviewed by DPS Division of Land Development
LD Plan Review - # days of DPS Division of Land Development reviewed plans
Applicant - # days waiting for applicant to submit additional information and/or revise application and plans

Sediment Control Permits – 98 Permits Issued; 15 outliers

Location	Total (Days)	Average # Days per Permit	# DPS Days
LD Bins	2,887.00	29.46	29.79
LD Plan Review	32.00	0.33	
Applicant	4,724.00	48.20	
Total (Days)	7,643.00	77.99	

Sewage Disposal Permits – 23 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
LD Bins	222.00	9.65	9.87
LD Plan Review	5.00	0.22	
Applicant	0.00	0.00	
Total (Days)	227.00	9.87	

County Well Permits – 46 Permits Issued

Location	Total (Days)	Average # Days per Permit	# DPS Days
LD Bins	557.00	12.11	12.13
LD Plan Review	1.00	0.02	
Applicant	0.00	0.00	
Total (Days)	558.00	12.13	

DPS is in the process of developing reports for other record plat reviews and right-of-way permits which will be included in future consolidated reports.

Legislation Status

DPS Proposed Executive Regulations In the Works

The following Executive Regulations have been advertised in the Montgomery County Register and will soon be forwarded to the County Council.

Advertised in the September 1, 2013 Montgomery County Register

MCER NO. 13-13 Automation Enhancement Fee

MCER NO. 15-13 Schedule of Fees for Permits, Licenses and Inspections – Method 3

Advertised in the November 1, 2013 Montgomery County Register

MCER NO. 19-13: Fire Safety Code – Fire Protection Systems

MCER NO. 20-13: Fire Safety Code – Building Construction

Advertised in the December 1, 2013 Montgomery County Register

MCER NO. 14-13: Schedule of Fees for Permits, Licenses and Certifications– Method 2

MCER NO. 22-13: Tree Canopy

MCER NO. 23-13: Streets and Roads – Roadside Trees Protection – Building Permits

MCER NO. 24-13: Streets and Roads – Roadside Trees Protection – Sediment Control Permits

MCER NO. 25-13: Streets and Roads – Roadside Trees Protection – Right of Way Permits

Proposed Changes to Executive Regulations 19-13 Fire Safety Code – Fire Protection Systems 20-13 Fire Safety Code – Building Construction

DPS is in the process of adopting 2 new Executive Regulations that adopts and modifies certain standards published by the National Fire Protection

Association (NFPA). The adoption of these Regulations will allow Montgomery County's reference codes and standards to remain current with the State of Maryland.

The Fire Safety Code-Building Construction Regulation adopts the 2012 edition of NFPA 1-The Uniform Fire Code, 2012 edition of NFPA 101-The Life Safety Code(as adopted by the Maryland State Fire Prevention Code), 2010 edition of NFPA 130-The Standard for Fixed Guideway Transit and Passenger Rail Systems, 2011 edition of NFPA 214-The Standard on Water Cooling Towers, 2012 edition of NFPA 720-The Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment and the 2010 edition NFPA 850-The Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations.

In addition, the Fire Safety Code-Fire Protection Systems Regulation adopts and modifies the NFPA standards involved with the installation, testing and maintenance of certain fire protection systems as required by the Montgomery County Building Code, the Montgomery County Fire Safety Code and the Maryland State Fire Prevention Code. These standards include the 2010 edition of NFPA 13-The Standard for the Installation of Sprinkler Systems, 2010 edition of NFPA 13D-The Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes, 2010 edition of NFPA 13R-The Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, 2010 edition of NFPA 14-The Standard for the Installation of Standpipe and Hose Systems, 2010 edition of NFPA 20-The Standard for the Installation of Stationary Pumps for Fire Protection, and the 2010 edition of NFPA 72-The National Fire Alarm and Signaling Code.

For additional information, please contact:

The Fire Safety Code-Building Construction Regulations: Hemal Mustafa 240-777-6226; hemal.mustafa@montgomerycountymd.gov

The Fire Code-Fire Protection Systems: Joe Felton 240-777-6208; joe.felton@montgomerycountymd.gov

Contemplating the International Green Construction Code (IGCC)

On May 10, 2011, Governor Martin O'Malley of Maryland signed into law the state's adoption of the International Green Construction Code (IGCC) enabling the adoption of the IGCC by all local governments across the state. The Department of Permitting Services is reviewing the IGCC in preparation for discussion of its adoption.



The proliferation of green standards, codes, and green building practices shows how the industry is embracing and evolving the design, construction, materials, and building management programs forward to create a built environment which is safe, comfortable, and sustainable.

In September 2008 Montgomery County adopted the Green Building Law which requires new construction over 10,000 square feet to meet LEED® (Leadership in Energy and Environmental Design) certification standards. The United States Green Building Council (USGBC) developed the LEED rating system to encourage conservation and sustainability by incorporating emerging green building technologies.

USGBC, in partnership with the International Code Council (ICC), the American Institute of Architects (AIA), ASHRAE (Formerly the American Society of Heating Refrigeration and Air Conditioning Engineers), and the Illuminating Engineering Society (IES) has developed the International Green Construction Code (IGCC). The IGCC is the first model code to include sustainability measures for the entire construction project and its site, from design through construction, certificate of occupancy through its life cycle. The new code is expected to make buildings more efficient, reduce waste, and have a positive impact on health, safety, and community welfare.

The IGCC is an overlay to the existing set of International Codes and includes provisions of the International Energy Conservation Code, various ASHRAE standards and the National Green Building Standard (ICC-700) and incorporates ASHRAE Standard 189.1 as an alternate path to compliance. The IGCC creates a baseline for new and existing buildings, establishing minimum green requirements for buildings and complementing voluntary above-code rating systems such as LEED.

According to the *Green Jobs Study* by the USGBC, “*Green construction creates jobs and contributes to economic growth.*” The global construction consulting firm, Davis Langdon, states: “*There is no significant difference in the average life cycle cost for green buildings as compared to non-green buildings.*” We have reached out to many of you and will keep you updated as this process continues...

Good News! Design for Life Tax Incentives

If you are considering purchasing, building or remodeling a home in Montgomery County and are thinking about adding features to make the home accessible, it just got more affordable with help from Montgomery County! You may be eligible for property tax credits or Development Impact Tax for Public School Improvement credits. [Bill 5-13 Property Tax Credit – Accessibility Features](#) effective July 1, 2014 was a collaborative effort by the County Executive and the County Council to encourage homeowners, builders and developers to make single family dwellings and units in multifamily dwellings accessible. Accessibility

features not only help persons with disabilities but they also benefit homeowners who choose to age in place in their homes.

The tax incentive program is available for: i) nine accessible features; ii) Level I (Visit-Ability) Accessibility Standard improvements; and iii) Level II (Live-Ability) Accessibility Standard features. The nine accessible features are described in Bill 5-13 and the standards are detailed in the Design for Life Guidelines currently being revised. DPS will begin accepting applications for the tax credit on March 1, 2014. Property tax credits per dwelling unit per year range from \$250 to \$3,000.

Development Impact Tax for Public School Improvement credits will be available for 1 new single family and townhome construction that achieves Level I Accessibility. The credits will be set out in an agreement and, depending on the extent of program participation, will range from \$500 to \$2,000 per tax year with a \$10,000 maximum per application paid over multiple tax years. Credits will be available beginning July 1, 2014.

Developers and builders constructing Level I and Level II accessible homes will be invited to be part of the Design For Life Certification Program. The certification program will be developed by DPS and provide levels of certification with the following benefits: fast-track permits for Design for Life units; include partnerships to promote the projects, developers, builders and designers who participate in Design for Life projects; and help raise awareness about the need for and production of housing with Design for Life features.

More information on the Design For Life Tax Incentive Program and Certification program can be found on the DPS website.



Design for Life working group meets to discuss the draft executive regulation on 12/6/13.

Tree Bill Implementation March 1, 2014

The County Council passed two bills last summer which involve permits and trees. Both take effect on March 1, 2014.

The first bill (Bill #35-12, Tree Canopy Conservation) only involves certain sediment control permits. If you are applying for a sediment control permit to do work on a piece of property that is not covered by a forest conservation plan which has been approved by the Maryland National Capital Park and Planning Commission you may have to comply with its provisions. Basically, when applicable, you will have to plant trees and/or pay a fee in lieu of planting. The number of trees required or the amount of applicable fees relates directly to the amount of land disturbance necessary for your construction project.

The second bill (Bill #41-12, Roadside Tree Protection) applies to building permits, sediment control permits, and right of way permits whenever the proposed permitted activity involves the removal, disturbance, or pruning of a tree within the County's right of way. Please note that this also includes any disturbance to the root system, either directly by the construction activity or by parking cars or storing equipment within the root zone. Tree roots quite often spread onto adjoining properties. Such activities will require a right of way permit from the Department. This permit may be combined with other right of way construction activities.

Tree protection plans are required as a part of the permitting process whenever root systems are disturbed or whenever the branches of a tree are pruned. The removal of a roadside tree will typically require the planting of a replacement tree and the payment of a fee. The planting of additional trees within the right of way also requires a permit from the Department. DPS will coordinate County requirements with the Maryland Department of Natural Resources which administers the Maryland Roadside Tree Law.

Fees collected for the Tree Canopy Conservation bill will go into a fund administered by the Department of Environment Protection and will be used to plant trees throughout the County. Fees collected when a roadside tree is removed will go into a fund administered by the Department of Transportation and will be used to plant additional roadside trees.

Executive Regulations for both bills are being reviewed by the County Council. Again, both bills take effect on March 1, 2014.



Permit Fee Changes

Woodframe Mid-Rise Construction Rate Change



In September 2013 County Executive, Isiah Leggett, convened a group of developers and builders to look at the permit fee structure for mid-rise multi-family wood frame construction (Type V). In November 2013 this working group recommended a new fee structure for Type V construction. That new fee structure has been adopted by DPS.

Unlike other types of commercial construction, the costs for each mid-rise wood frame multi-family building, which are typically developed as multiple buildings connected by firewalls, seldom reaches the \$8 million threshold (at which point a significantly lower fee rate kicks in). These projects, however, generally involve more DPS reviews and inspections than other types of commercial construction. A consensus was reached within the group to reduce the threshold to \$4.5 million for the lower fee to be triggered. This is a 44% reduction to the threshold and will result in fee reductions on current projects of up to \$410,144 per project.

DPS has enacted a temporary fee regulation (14-13T-AM) so that applicants with projects now under review or just issued by DPS may realize the reduced fee immediately. If the permits have not been issued DPS will recalculate the permit fees using the reduced fee threshold. If the permits have been issued, and all fees have already been paid, the applicant will receive a refund for the difference in the fee.

DPS Reduces Permit Automation Enhancement Fee



The Department of Permitting Services reduced the automation fee applied to permits from 10% to 5%. The new automation fee rate went into effect September 9, 2013; however the rate change was retroactive to July 1, 2013. All permits paid for and issued after September 9, 2013 received the 5% rate. If you paid for a permit on or after July 1, 2013, you will receive a refund for the difference in the automation enhancement fee you paid. Permittees do not have to apply for the refund, it will be processed for all eligible permits. The refund checks will be made payable and sent to the applicant of record on the issued permit. Customers should start seeing refunds beginning January 2014.

Partnerships

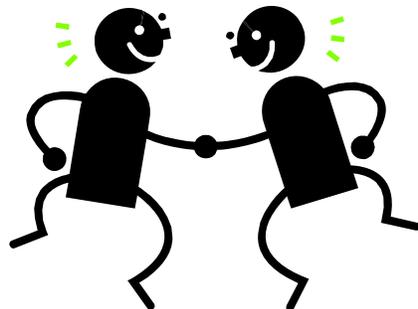
Enforcement Authority Streamlined by Agreement Signed by Departments of Permitting Services and Housing

As part of Montgomery County Executive Ike Leggett's continuing efforts to streamline operations and provide more efficient government operations, the departments of Permitting Services (DPS) and Housing and Community Affairs (DHCA) have signed a Memorandum of Understanding (MOU) that will allow for better coordinated housing code and zoning code enforcement. Inspectors will be cross-trained so that a single inspector can work with a property owner to achieve compliance when both housing and zoning violations are present. This is better for County residents and neighborhoods and a more efficient use of government resources.



Currently, DHCA inspectors are citing violations of Chapter 26, Housing and Building Maintenance Standards, of the Montgomery County Code and DPS inspectors are citing violations of Chapter 59, Zoning, of the Montgomery County Code. With the MOU in place – and following cross-training for both departments – inspectors from both departments will be able to cite certain violations under both chapters of the code. Staff training for both departments took place in January, 2014.

“Consolidating these operations and coordinating inspections by both departments directly speaks to my goals of ‘a responsive and accountable County government’ and ‘healthy and sustainable communities,’” said Leggett. “Granting all our code enforcement inspectors the authority to address violations to both chapters of the code makes good sense.”



DPS Employee Recognition

DPS Increases Contributions to The Montgomery County Employee Giving Campaign

The 2013 Montgomery County Employee Giving Campaign wrapped up on November 27, 2013. DPS employees made very generous contributions to the campaign with total contributions in the amount of \$7,549. This was a 75% increase over 2012; and the DPS increase accounted for almost 12% of the total increase countywide. The campaign featured a silent auction that saw spirited bidding on behalf of the DPS staff and lots of friendly competition between co-workers for the items that were offered. The proceeds from the auction were contributed to four deserving charities that make our community a better place to live and work. Thanks to all that were involved!



DPS employees scramble for silent auction bids.



DPS Giving Campaign coordinators, Gene Von Gunten, left and Derek Isensee, right congratulate Sunil Manocha, middle, winner of the silent auction for the Ipad Air.

DPS Reorganization Takes Shape – Please Welcome New Leaders

Director, Diane Schwartz Jones introduces leaders of the restructured DPS –
(Link to New [Organizational Chart](#) and [Functional Areas of Responsibility](#))



*I am very pleased to announce the hiring of **Hadi Mansouri** as the Department of Permitting Services **Chief Operating Officer**. As Chief Operating Officer, the Divisions of Building Construction, Land Development and Zoning and Site Plan Enforcement will report*

directly to Hadi. Hadi has long been a leader within the Department of Permitting Services. As Montgomery County evolves into a more urban county with different forms of development and redevelopment, Hadi is particularly well-suited to help lead the Department in the efficient delivery of unified, coordinated services reflecting progressive codes focused on safety and environmental sustainability. Hadi's knowledge and understanding will help DPS maintain its high quality of service delivery in a cost effective and efficient manner for our customers.

Congratulations to Hadi and I appreciate everyone's support as we continue to accomplish great things in DPS!

Diane

I am pleased to announce the formulation of a new division within DPS. This new division is the Division of Zoning and Site Plan Enforcement and is being created by combining the existing site plan and the zoning sections that previously resided within DPS's Building Construction Division.



It is with great pleasure that I introduce **Ehsan Motazed** as the **Division Chief** for the new Division of Zoning and Site Plan Enforcement.

The Division of Zoning and Site Plan Enforcement will elevate the level of attention to zoning and site plan enforcement which are critical to protecting the peaceful enjoyment and development based expectations of neighborhoods and communities. Land use within neighborhoods is a significant source of the complaints passed on to DPS by the County Executive's Office and Councilmembers from their constituents. As an independent division, under Ehsan's leadership, DPS will improve our focus on communities, review work distribution and identify efficiencies to determine how best to deploy our staff and other resources for enforcement. The Division will also identify and develop programs that will help to implement the intent of County zoning and development laws.

Please feel free to reach out to Ehsan to share concerns/thoughts that you have regarding community land use concerns as he pulls together the Division and develops new programs. Congratulations to Ehsan and I appreciate everyone's support as we make the new Division of Zoning and Site Plan Enforcement a reality and a respected resource that the County Executive and Councilmembers and the community look to for support.

Diane

2013 AWARDS

DPS Best

Each year DPS honors those employees who have demonstrated excellence in the performance of their jobs. These individuals and teams have significantly contributed to the accomplishment of Department programs as a result of exemplary teamwork, cooperation, and collaboration. This year award recipients are:

- Exceptional Service Award – this is the Department’s highest level of recognition of an individual or team’s outstanding support of the Department’s programs.

Award Recipient: Gregory McClain

- The Customer Service Award – is granted to individuals or teams of Department employees or volunteers who provided customer service excellence far and above that normally required. Qualifying service may involve official duties or voluntary activities that significantly contributed to Department initiatives and programs.

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Award Recipient: Maurice Stewart

- The Partnership Award – recognizes individuals, or teams of DPS employees or volunteers, who developed collaborative relationships with intergovernmental partners, or private sector Individuals or organizations that significantly contributed to the accomplishment of Department programs as a result of exemplary teamwork, cooperation, and collaboration.

Award Recipient: Electrical Permit Processing Team

- Fenwick Ashford
 - Adam Bigenho
 - Silvia Carretero
 - Valerie Cooper
 - Jacqueline Robertson
 - Deon Ridgeway
- Employee of the Year – selections for this award are made based upon the demonstration of the employee’s high standards, personal accountability and ethical behavior in support of departmental programs.

Award Recipients:

Amy Edwards – Administrative Professional of the Year

Anthony Toussaint – Inspector of the Year

Mariano de-la-Puente – Plan Reviewer of the Year

Roger Waterstreet – Plan Reviewer of the Year
Derek Isensee – Field Supervisor of the Year
Steve Thomas – Manager of the Year
Leonard Woods – Permit Technician of the Year

State Awards

Rebecca Mason – Permit Technician of the Year



We are proud to announce that the 2013 recipient of the MBOA “Permit Tech of the Year” was awarded to Rebecca Mason. Presenting the award is Phil Waclawski DPS manager and Treasurer of MBOA.

Established in 1971, the Maryland Building Officials Association (MBOA) is a professional organization with over 400 county and municipal code enforcement officials from across Maryland. Its mission is to promote professionalism and consistency in the application and enforcement of building codes throughout the State.

National Awards

DPS employees were among those receiving Achievement Awards from the National Association of Counties for the White Flint Implementation Program. DPS awardees included Reginald Jetter, Diane Schwartz Jones, Ehsan Motazedi, Atiq Panjshiri and Simin Rasolee. This award recognizes the achievement of facilitating implementation of projects envisioned in the nationally acclaimed White Flint Sector Plan through ongoing public and private sector collaboration.



Association Awards

Maryland National Capital Building Industry Association

Angela Clark, DPS Permit Technician, received the 2013 Malcolm Shaneman Quality of Life Award for meritorious service on behalf of the County from the Maryland National Capital Building Industry Association (MNCBIA). Through this award, the MNCBIA recognizes a staff person who works with the industry on a regular basis and provides a service to the citizens of Montgomery County in a cooperative and constructive manner as both the building industry and the regulators work to ensure great communities and homes in Montgomery County. This is the *second* time Angela has won this award for her outstanding service.

Apartment and Office Building Association of Metropolitan Washington

Diane Schwartz Jones received the 2013 Outstanding Leadership Award from the Apartment and Office Building Association of Metropolitan Washington.

Under Construction

DPS Payment Office

DPS is in the process of creating a payment office for centralized submission of checks bonds and other financial instruments. DPS requested an independent review of its processes for receipt of financial instruments and received the following recommendation from the Montgomery County Office of Internal Audit (MCIA) report on DPS Receipts and Financial Instruments process Controls:

MCIA is making five recommendations. One addresses the need to establish a Cashiering Function to serve as a focal point for intake, receipting and securing all receipts. The remaining recommendations address strengthening the reconciliation process, increasing efficiency through the implementation of a check scanning process, and enhancing the safeguarding of financial instruments stored in the Department.

DPS stated it concurred with the report's findings and recommendations. DPS received funding for the payment office in FY2014. Design was completed in November and construction is now beginning. DPS implemented the check scanning recommendation and has provided security enhancements for storage of financial instruments.

Below is the future home of the Payment Office coming early 2014. Please pardon us while we are under construction.



In addition to construction of the DPS Payment Office, DPS has relocated the Land Development information counter (below) to the left side of the fast track counter in the rear of the lobby. Wayfinding signage to follow.



DPS Visits Pike and Rose Construction Site



DPS Site Visit to Pike and Rose Mixed Use Development – Phase I
Left to Right: Don Briggs (Federal Realty), Mark Nauman (DPS), Diane Schwartz Jones (DPS), Evan Goldman (Federal Realty), Reggie Jetter (DPS), Ehsan Motazed (DPS)