

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE May 29, 2008

The Urban Growth Area Advisory Committee held a meeting on Thursday, May 29, 2008 at 7:00 p.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Conference Room 1, Hagerstown.

CALL TO ORDER

Chairman Richard Phoebus called the meeting to order at 7:00 p.m.

The following members of the Advisory Committee and Washington County Staff were present:

- Richard Phoebus
- Hank Livelsberger
- Jerry Ditto
- John Shank
- Harry Reynolds
- Mike Armel
- Jeff Cline
- Donovan Corum
- Dennis Miller
- Debra Eckard
- Mike Thompson
- Chris Cochrane

MINUTES

Mr. Armel made a motion to approve the minutes of the May 15, 2008 meeting as presented. Seconded by Mr. Miller. Unanimously approved.

OLD BUSINESS

The Committee continued its discussion of the 4th Draft of the TDR Subcommittee Report. Discussions began with regard to issues of waste water hook-up (EDU issues). Reference was made to the language written in the Incentives Subcommittee's 4th draft report. Several members expressed their opinion that a portion of the Incentives (subcommittee) report should be moved to the TDR (subcommittee) report and cross referenced in the Incentives (subcommittee) report.

- **Consensus:** The first two sentences of the 4th Draft of the TDR Subcommittee's Report under EDU-Nutrient Loading will remain in place. The last paragraph on page 3 of 5 of the Incentives subcommittee's 3rd report will be inserted after the previously mentioned sentences on pg. 6 of the TDR subcommittee's 4th report and will also remain in the Incentives (subcommittee) report.

The Committee began discussions with regard to credits being obtained for not installing a septic system outside the UGA. After a brief discussion, the committee agreed upon the following language to be inserted on page 6 of the TDR subcommittee's 4th draft following the two paragraphs that begin "The committee felt that the County in conjunction with the State of Maryland....."

- **Consensus:** There is precedent for this concept in the present practice of granting bonus EDU credits for removing an existing septic system out of service. We therefore believe that a similar

process should be used when development rights are sold, and thereby future septic systems are not constructed.

The Committee reviewed the final paragraph on page 6 of the 4th draft of the TDR Subcommittee's Report under the subheading "Present Agricultural Zoning in UGAs". After a brief discussion the Committee reached the following decision:

- **Consensus:** The aforementioned paragraph will not be changed.

The Committee then reviewed the section entitled "Issue – Buying – Selling TDRs". Mr. Ditto noted that the first paragraph is from White & Smith's presentation of their TDR Report to the Board of County Commissioners. It describes how the TDRs will be issued and Mr. Ditto's views on the subject. Mr. Ditto noted that the paragraph also refers to the charts he prepared and the explanation of those charts that will be used in the report. Members discussed the last two sentences in the first paragraph and reached a decision to replace them with the following language:

- **Consensus:** This type of program of buying or selling without actual execution of a permit may be an acceptable alternative to the state funded MALPP easements. There are those in the County that currently do not participate in the MALPP or other government easement programs who may be encouraged to participate in this TDR concept. This concept provides a tangible item to trade, much like the land itself, to generate income.
- **Consensus:** Other changes were suggested as follows: (Reference report) has been changed to (Reference **White & Smith's** report) and "The committee discussed this procedure and views it as to....." has been changed to "The committee discussed this procedure and views it as **too....**"

In the second paragraph, second sentence, the following language was agreed up.

- **Consensus:** This concept also offers the potential for land owners, in areas of the County who would not realize any revenue from the sale of their property until development reached their area, to participate.

The third paragraph was discussed and revised as follows:

- **Consensus:** To control TDR use, maintain a consistent value, as well as manage growth over time, TDR certificates or vouchers could be issued with deferred effective dates. The deferred effective date could be a time period determined annually by the County based on development needs or it could be set at given intervals of 5 , 10 or "X" years before the TDR could be used in the development process. Thus, the benefit of such a program could be realized regardless of the proximity of the "sending" area to the Growth Area.

The fourth paragraph was unchanged.

The Committee briefly discussed other paragraphs in the TDR Subcommittee's report that were previously marked for removal. These paragraphs will be moved to the supplemental report section entitled "Other Relevant Issues" for further review and approval by the Committee.

The Committee reviewed the paragraph entitled "Present Agricultural Zoning in UGAs".

- **Consensus:** The paragraph was unchanged from the 4th Draft.

NEW BUSINESS

Mr. Cochrane distributed a packet of information regarding proposed changes to the zoning and land use regulations of the Urban Growth Area. Mr. Thompson stated that the Comprehensive Plan recommended

that a few of the zoning categories should be eliminated; however, Staff would like to review these recommendations prior to making the changes. Mr. Cochrane noted there are duplicate uses listed in different categories. The duplicates will be changed to appear in only one category. Mr. Thompson briefly reviewed proposed changes to the map of the UGA.

NEXT MEETING

Ms. Eckard will provide a "Draft" of the Final Report prior to the next meeting for the Committee's review. The next meeting will be held on Thursday, June 12, 2008 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street.

ADJOURNMENT

Chairman Phoebus adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Richard Phoebus, Chairman