

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE July 26, 2007

The Urban Growth Area Advisory Committee held its first meeting on Thursday, July 26, 2007 at 9:30 a.m. in the offices of the Washington County Planning Commission, Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown, Maryland.

CALL TO ORDER

Chairman Richard Phoebus called the meeting to order at 9:35 a.m.

Mr. Goodrich welcomed all members of the Advisory Committee and thanked them for their time and participation in this endeavor.

INTRODUCTIONS

Mr. Phoebus asked each member to introduce themselves and the organization they are representing. The following members of the Task Force and Staff introduced themselves.

- Richard (Dick) Phoebus, Chairman, representing CHIEF (Hagerstown-Washington County Industrial Foundation)
- Ronald Leggett, representing the Washington County Farm Bureau
- Jeff Cline, Town of Williamsport Council, representing the municipalities
- Mike Armel, representing the Southwest Metropolitan Civic Association
- John Shank, representing the Washington County Citizens to Preserve Rights
- Gerald (Jerry) Ditto, representing the farming community
- Nancy Allen, representing the Pen Mar Association of Realtors
- Debi Turpin, representing the Home Builders Association of Washington County
- Henryetta (Hank) Livelsberger, representing Citizens for the Protection of Washington County
- Dennis Miller, representing the City of Hagerstown Planning Commission
- Robert (Bob) Garver, representing the Washington County Economic Development Commission
- Jill Baker, Senior Planner, Washington County Planning Commission
- Chris Cochrane, Planner, Washington County Planning Commission
- Steve Goodrich, Chief Planner, Washington County Planning Commission
- Debra Eckard, Administrative Assistant, Washington County Planning Commission
- Harry Reynolds, representing the Airport Advisory Commission
- Linda Irvin-Craig, representing Interfaith Housing Alliance
- Greg Murray, Washington County Administrator
- Dan Divito, Director of Permits and Inspections and Zoning Administrator
- Jennifer Kinzer, GIS Analyst, Washington County Planning Department
- Misty Wagner-Grillo, Planning, Washington County Planning Commission
- Michael Thompson, Director of Planning, Washington County Planning Commission

DISCUSSIONS

Mr. Phoebus asked Staff for the Board of County Commissioner's time schedule for completing the update. Mr. Goodrich noted the final task on the project list is a review and recommendation by Staff for proposed changes to the applicable text of the Zoning Ordinance and property assignments. He stated that Staff's goal is to have a preliminary review of the recommendations prepared by the end of the calendar year. Mr. Murray stated that the end of the year is an unofficial target date for the BOCC. The

County Commissioners are required to develop a recommendation/plan for equity by January 1, 2008. Mr. Phoebus recommended December 15, 2007 as a target date.

Mr. Phoebus summarized the tasks that have been assigned by the BOCC for the Advisory Committee.

- Receive citizen input during public meetings and make recommendations based on citizen remarks regarding zoning in the Urban Growth Area.

Mr. Goodrich stated that planning depends on citizen input. There will be a series of public input meetings for citizens to comment on zoning in the urban area. Tentative dates of Thursday, August 16, 2007 and Tuesday, August 28, 2007 have been set. The August 16th meeting will be held at the Hagerstown Community College, Classroom Building Auditorium, 7:00 p.m. Staff is encouraging members of the Advisory Committee to try to attend these public input meetings; however, Staff will prepare written summaries of each meeting. Formal notices and advertisements will be handled by the Staff.

Mr. Phoebus stated that the next four items of assigned tasks possibly represent topics for four subcommittees to study. The subcommittees would meet and discuss their particular topics and report their findings, suggestions and recommendations back to the entire committee for a group recommendation. These topics are as follows:

- Review Subdivision, Zoning and Adequate Public Facilities Ordinances to identify land use related obstacles to affordable housing. There are many regulatory issues that affect affordable housing.
- Review Subdivision, Zoning and Adequate Public Facilities Ordinance to identify opportunities for streamlining in those regulations as incentives for development in the growth area.
- Identify transferable development rights (TDR) receiving areas in the UGA if the decision is made to create a TDR program. (Tentative and dependent upon final results of study and County Commissioner's action). Mr. Goodrich stated that a consultant was hired by the County to analyze TDR's and if the program would be good for Washington County. The consultant's report should be finalized by late August or early September. A final report will be presented to the BOCC and copies will be made available to this Committee as soon as it is ready.
- Make recommendations or proposals on Workforce Housing Task Force recommendations regarding manufactured housing design guidelines and inclusionary zoning.

Mr. Phoebus suggested that the subcommittees might want to get background information and suggestions from outside sources that are familiar with their subject areas. Each subcommittee should appoint its own chairman and contact person.

Mr. Goodrich stated that Growth Area zoning recommendations and decisions may also be applicable to the growth areas around Boonsboro, Smithsburg, Hancock, Clear Spring, etc. Mr. Thompson recommended that a public comment period should be available at the end of each meeting. Mr. Phoebus agreed with the recommendation and stated that a public comment period for citizens would be part of the agenda for each meeting.

Ms. Allen asked if the UGA Advisory Committee could continue to receive the minutes of the Excise Tax Task Force meetings. She believes these minutes could be helpful to the UGA committee. Mr. Goodrich stated the minutes would be sent to each member via e-mail.

Mr. Phoebus began a discussion regarding a meeting schedule. The subcommittees should meet independent of the Advisory Committee. Mr. Ditto requested a presentation by legal counsel to determine how far the City can go to annex property and extend public services, such as water and sewer. Mr. Goodrich stated that the City only has legal jurisdiction within its boundaries; however, the County and the City must cooperate when defining areas and extending public services. The City recommends land use designations for properties in the County because the potential for annexation exists. Land uses should be as consistent as possible because if it is drastically different from the County's land use plan, problems could arise in the future. Mr. Phoebus suggested that a representative from the City should present a synopsis of the City's new Comprehensive Plan during the next meeting. Mr. Goodrich noted that the

City's Comprehensive Plan is available on the internet and suggested that members should review the document prior to the next meeting. Mr. Murray stated that the City has limited capacity in their treatment plant and determines loading allocations that must be taken into consideration by the City and County in their cooperative efforts to provide public water and sewer services. House Bill 1141's water resources element discusses capacity and loading issues for long-term growth and growth management, how it would be used, where the loading would come from, where the water comes from, and where wastewater goes. These issues will be a determining factor in long-term growth projections and what kind of zoning should be facilitated. Mr. Phoebus believes that a presentation regarding coordinating issues and elements that would affect them should be prepared for the next meeting. He noted the following issues need to be discussed: 1) the City's concept for zoning areas in the Urban Growth Area outside the City boundary and how it relates to the County, and 2) utility issues (the overall load allocated as part of the Chesapeake Bay initiatives). Members discussed daytime versus evening meetings. Ms. Livelsberger suggested evening meetings in order to allow for more public comments. The vote for daytime versus evening meetings was evenly split. Mr. Miller recommended the next meeting should be held during the day because City representatives would be invited to make a presentation of the City's Comprehensive Plan and there would not be a need for public comment. After a brief discussion, the next meeting was scheduled for Thursday, August 9th at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Hagerstown.

Mr. Phoebus discussed the proposed format for meeting agendas. He believes each meeting should include an educational session, updated subcommittee reports, and a general discussion session.

Mr. Shank asked if the growth area boundaries would be re-established during this process. Mr. Goodrich stated that Staff does not intend to look at each individual property and determine if it belongs in the Urban Growth Area or if it does not. The boundaries have already been established as part of the Comprehensive Plan. There may be obvious places where the boundary should be moved where development has occurred and should be included in the Growth Area or a long-term commitment to preservation has occurred and should be excluded from the Growth Area. Mr. Thompson noted that the Comprehensive Plan will be updated in 2008 and changes to the Growth Area might occur then.

Mr. Goodrich noted that most of the municipalities in Washington County have a Town Growth Area. Following the initial UGA zoning, representatives of the municipalities will be added to this Committee to examine the Town Growth Area. There was a discussion regarding the TDR receiving areas and all of the municipality's growth areas. Mr. Thompson noted that Smithsburg and Boonsboro have just begun updating their Comprehensive Plans and Staff felt it would be beneficial to wait on some of the municipality growth areas to incorporate the data used in each Town's Comprehensive Plan. House Bill 1141 addresses issues with regard to annexation procedures between the City, County and municipalities that would also need to be taken into consideration. Mr. Goodrich recommended a detailed presentation regarding annexation at the next meeting.

COMMENTS

Mr. Leggett expressed his wishes to get the committees formed as soon as possible and get reviews done.

Mr. Armel asked for names for the committees. Mr. Phoebus stated that he already had thought about names for them, as follows: Affordable Housing; Incentives; TDR's; and Workforce Housing. There was some discussion regarding the difference between Affordable Housing and Workforce Housing. Mr. Goodrich suggested Affordable Housing should deal with anything land use related that affects the cost of housing in general. Mr. Phoebus suggested combining the committees for Affordable and Workforce Housing. Ms. Turpin expressed her opinion that the two issues are vastly different when identifying land ordinance obstacles to the cost of housing, inclusionary zoning, guidelines for housing environments, etc. She does not believe the two committees should be combined. Mr. Armel requested a copy of the Water and Sewer Infrastructure Task Force report.

Ms. Allen expressed her concern that the efforts of this committee do not get put aside and recommendations presented to the BOCC would be implemented.

Mr. Miller requested a brief overview of House Bill 1141 at the next meeting.

Mr. Garver requested an overlay of the water and sewer districts and transportation planned for the Urban Growth Area. Mr. Goodrich stated there is a chapter in the Comprehensive Plan on transportation.

Ms. Irvin-Craig stated her opinion that one of the most critical elements being looked at by the Committee is that land use remains local and this should be kept in mind before taking on additional work by the subcommittees.

Mr. Reynolds inquired when the minutes would be made available to the committee members. Mr. Goodrich stated that minutes would be sent via e-mail prior to the next scheduled meeting. Mr. Reynolds suggested dividing up into subcommittees before leaving today's meeting.

The subcommittees were formed as follows:

- Affordable Housing: Linda Irvin-Craig
- Incentives: Mike Armel
Jeff Cline
Nancy Allen
Dennis Miller
Harry Reynolds
Debi Turpin
Henryetta (Hank) Livelsberger
Robert Garver
- TDR's: Jeff Cline
Ronald Leggett
John Shank
Gerald Ditto
Dick Phoebus
- Housing: Debi Turpin
Nancy Allen
Linda Irvin-Craig
Harry Reynolds

Following the formation of the subcommittees, it was decided to combine the Affordable Housing and the Housing subcommittees. Subcommittees are in charge of setting their own meeting schedule and choosing their chairperson.

Mr. Ditto began a discussion regarding voting procedures. Mr. Phoebus expressed his opinion that adopted issues that will be part of the Advisory Committee's recommendations to the BOCC should be decided by a majority vote. Mr. Goodrich noted that when this Advisory Committee was appointed, the BOCC stated that the Chairman would be a non-voting member. Mr. Goodrich stated that the Rural Area Task Force prepared a final report with their recommendations that had been voted on by the majority. There were also minority and individual opinions included with that report. Mr. Phoebus suggested that the Advisory Committee follow the same procedures.

ADJOURNMENT

The Chairman adjourned the meeting at 11:30 a.m.

Respectfully submitted,

Richard Phoebus, Chairman