

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE May 15, 2008

The Urban Growth Area Advisory Committee held a meeting on Thursday, May 15, 2008 at 9:00 a.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 9:05 a.m.

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

- Richard Phoebus
- Hank Livelsberger
- Jerry Ditto
- John Shank
- Linda Irvin-Craig
- Harry Reynolds
- Nancy Allen
- Mike Armel
- Jeff Cline
- Donovan Corum
- Ronald Leggett
- Dennis Miller
- Steve Goodrich
- Debra Eckard
- Jill Baker
- Chris Cochran

MINUTES

Mr. Armel made a motion to approve the minutes of the April 17, 2008 meeting as amended. Seconded by Mr. Miller. Unanimously approved.

OLD BUSINESS

In response to Mr. Phoebus' question, Mr. Goodrich announced that later in the meeting he will distribute a chart showing the current zoning categories and uses allowed in each zoning district and a chart showing the residential densities and dwelling units permitted in the various zones. At the next meeting, he anticipates having a similar chart showing the revisions to the existing categories and the proposed categories that will replace them. He also anticipates having some of the maps ready for presentation.

Mr. Phoebus began by discussing the preparation of the Final Report for the Board of County Commissioners. The Committee was given the charge to make recommendations on specific issues. Mr. Phoebus recommended that the Committee come to a consensus on the specific issues that were assigned. Members of the Committee who have comments that are different from the consensus report could prepare their own documentation that would be included as supplemental information. He believes this approach could be beneficial to the BOCC when reviewing the entire report. Ms. Irvin-Craig stated that each of the subcommittees looked at a lot of analytical information and by including this information,

it would assure the BOCC and the public that issues beyond those assigned were thoroughly researched and discussed. Mr. Ditto expressed his opinion that the committee needs to recognize there are “philosophical problems with the directions we are going, what we’re doing and saying where we want development to be based on PFA funding, rural village issues, the concept of development trends and what we’re going to do with development”. He believes that the City of Hagerstown will not be conducive to working with the County to use TDR programs. Additional sewer capacity will be needed for all development to occur in the UGA. Ms. Allen agrees with Mr. Phoebus regarding supplement viewpoints because there are a lot of complex issues that have been discussed and it should be included in the report. Mr. Miller suggested that the title for the proposed section of the report should be “Other Relevant Issues”. Several members liked his suggestion. Members discussed whether the individual’s name should appear on the supplemental documentation. Some members believe it would be helpful in case the Commissioner’s or others would have questions. Others did not feel it was necessary to associate names with the articles. Mr. Goodrich reminded members that the Committee will be giving a presentation to the BOCC and will have the opportunity to tell the Commissioners that issues beyond the assigned task were researched and discussed throughout this process.

- **Consensus:** A consensus report will be prepared specific to the tasks assigned by the BOCC relative to the following issues: housing, incentives, receiving areas for TDRs, and review of zoning recommendations within the UGA. A section will be included for other opinions.

Members discussed a general format for the final report to the BOCC. The report will include: an Executive Summary, a consensus report, other supportive information that will be provided by individual members (Other Relevant Issues), recommendations, and Acknowledgements.

Incentives Report

Mr. Armel distributed copies of the 4th Draft Report of the Incentives subcommittee with excerpts only from Items 7, 8 and 11. Beginning with item #7, Mr. Armel explained that the bold print was language from the previous draft and he added the brief paragraph after discussions during the previous meeting. There was a discussion that timely responses by the Fire Marshall are problematic. With regard to the suggestion that the County assume the Fire Marshall’s responsibilities, it was noted that the Fire Marshall would have to continue to be a state employee and the County would continue to implement the state regulations or would adopt stricter regulations. Mr. Goodrich stated he is not sure the County could assume the fire marshal under its jurisdiction; however, the committee could recommend more timely responses by the fire marshal. The City of Hagerstown has its own fire marshal that is an employee paid by the City. Members discussed using the word “recommend” rather than “consider”.

- **Consensus:** Change the first word in Item #7 from “consider” to “recommend”.

Mr. Armel began a discussion with regard to item #11. He noted that the phrase “with existing structures” has been added following previous discussions. Mr. Armel stated that discussions were “we aren’t doing this for vacant land”. Mr. Corum expressed his opinion that vacant land can be underutilized if it is paved without structures or the structures were previously razed or a building has collapsed. Members discussed the word “structures” that indicates a building is still on the property. Following a brief discussion, members agreed on the following language for item #11:

- **Consensus:** ESTABLISH FISCAL INCENTIVES (E.G. TAX CREDITS FOR A SPECIFIC PERIOD OF TIME) TO ENCOURAGE THE RE-USE OR REDEVELOPMENT OF UNDERUTILIZED PROPERTIES WITH EXISTING INFRASTRUCTURE AND/OR IMPROVEMENTS TO ENCOURAGE DEVELOPMENT WITHIN THE UGA.

Mr. Armel then began a discussion with regard to item #8. He noted that the words in bold are the same as the 3rd draft. In the first paragraph the parenthetical phrase “(i.e. utility systems capacity)” was added. Members discussed the phrase “viability of the utility”. Mr. Armel gave a brief explanation of the point the subcommittee was trying to make. After discussion of the language in bold, the committee agreed on the following language:

- **Consensus:** ADMINISTER EDU'S (E.G. WATER AND WASTEWATER SERVICES) WITH EMPHASIS ON ASSURING PROPER FISCAL PLANNING AND BUDGETING AND THE VIABILITY OF THE SERVICE.

Please note that the word "sewer" and/or any variation thereof shall be changed to "waste water".

A discussion continued on item #8. The next several paragraphs attempt to clarify the recommendation. Mr. Armel noted that the parenthetical phrase "for the existing systems" is important to the discussion that follows in the next paragraph. Members discussed the following paragraph relative to the "banking" of EDUs and felt that the paragraph needed further explanation. Mr. Armel then referred back to item #8 in the third draft of the Incentives subcommittee report. Following a brief discussion, members reached the following consensus:

- **Consensus:** The last paragraph on page 3 of 5 of the 3rd Draft will be inserted in the final draft of the Committee's report following the second paragraph relating to the "banking" of EDU's.

Mr. Goodrich distributed a chart showing the current zoning categories and uses allowed in each zoning district and a chart showing the residential densities and dwelling units permitted in the various zones. He briefly reviewed the chart noting the zoning districts (A, C, BT, IT, HI-2) that are going to be eliminated and those properties would be given a different zoning classification. The zoning classification "RR" (Rural Residential) is being proposed to be changed to "RT" (Residential Transitional). Mr. Goodrich noted that the PUD (Planned Unit Development) zoning classification will be split into "MU" (Mixed Use) and PR (Planned Residential) zoning classifications. The HI-1 zoning classification will be changed to "HC" (Highway Commercial). All changes are being proposed in accordance with the Comprehensive Plan for the county.

The second chart shows existing residential uses and permitted densities. Mr. Goodrich briefly reviewed the chart with the committee. Mr. Goodrich noted that the densities recommended in the Comp Plan vary from low density residential (4 units per acre), high density residential (12 units per acre), and mixed use (8 units per acre).

NEXT MEETING

The next meeting is scheduled for May 29, 2008 in the Washington County Administrative Annex, 80 West Baltimore Street. The time has been changed from 9:00 a.m. to 7:00 p.m.

ADJOURNMENT

Chairman Phoebus adjourned the meeting at 11:10 a.m.

Respectfully submitted,

Richard Phoebus, Chairman