

MINUTES

URBAN GROWTH AREA ADVISORY COMMITTEE January 22, 2009

The Urban Growth Area Advisory Committee held a meeting on Thursday, January 22, 2009 at 9:00 a.m. at the Washington County Administrative Annex, 80 West Baltimore Street, Conference Room 1, Hagerstown.

CALL TO ORDER

Chairman Phoebus called the meeting to order at 9:10 a.m.

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

- Richard Phoebus
- John Shank
- Harry Reynolds
- Linda Irvin-Craig
- Dennis Miller
- Gerald Ditto
- Nancy Allen
- Hank Livelsberger
- Donovan Corum
- Steve Goodrich
- Jill Baker
- Fred Nugent
- Mike Thompson
- Debra Eckard
- Jennifer Kinzer
- Meghan Hammond
- Bob Mandley, EDC

MINUTES

Mr. Miller made a motion to approve the minutes of the January 8, 2009 meeting as presented. Seconded by Mr. Reynolds. Unanimously approved.

OLD BUSINESS

Review of Map Corrections

A corrected map was distributed to each member at the meeting. Mr. Goodrich briefly reviewed the corrections that were made following discussions at the January 8th meeting. In addition, Mr. Goodrich informed the Committee that an area at the I-70/US Route 40 interchange (in the area of Site 20) was previously shown as HC (Highway Commercial); however, there was a boundary incorrectly shown on the map. Therefore, staff has changed the boundary and is recommending RM (Residential Multi-family) zoning, which would conform to the Committee's recommendation for Site 20.

- **Consensus:** The Committee agrees with Staff's recommendation for the correction of the boundary and zoning of Site 20.

Mr. Reynolds began a discussion regarding the extension of Eastern Boulevard at Old Forge Road. He suggested adjusting the UGA boundary line in this area in order to include a small triangular area that currently lies outside the UGA boundary (Site 30). Mr. Goodrich stated that the small triangular parcel is owned by an existing cement company and Staff is assuming that quarrying or other related activity would be taking place in that area in the future. Staff does not believe that quarry operations are appropriate within the UGA. Mr. Goodrich noted that some of the property may be transferred to another owner during the realignment of Old Forge Road. In that case, the property may be more appropriately suited for development. Ms. Irvin-Craig questioned that if the property were taken into the UGA, would it affect negotiations on obtaining right-of-way for the realignment of Eastern Boulevard. Mr. Reynolds questioned the size of the parcel. Ms. Hammond stated that the parcel is approximately 25 acres in size.

Ms. Irvin-Craig noted there are two small parcels (shown in yellow on the map) just to the southeast of the area in question that are included in the UGA and are zoned IM (Industrial Mineral). Mr. Goodrich stated that these two parcels are also owned by the cement company. He noted that one of the parcels (the parcel located to the left) has had its zoning adjusted through an individual rezoning application. (For purposes of these minutes, the parcel to the right and triangular in shape will be known as Site 31.)

- **Consensus:** The Committee recommends that the UGA boundary line at Site 30 should be adjusted to the east edge of the proposed extension of Eastern Boulevard and the parcel should be zoned RT (Residential Transitional) to be compatible with the surrounding properties.

Mr. Goodrich believes that Old Forge Road will be relocated during the realignment of Eastern Boulevard, which will affect the other parcel (shown in yellow on the map) previously discussed. Ms. Kinzer stated that the new alignment for Old Forge Road has already been planned to the north and indicated its proposed location on a map.

- **Consensus:** The Committee recommends that the growth area boundary should be adjusted to move Site 31, which is currently zoned IM outside the UGA boundary.

Mr. Ditto noted that on each of the sites designated on the map, the Staff's recommendations and the Committee's recommendations are separated by a "/" mark. He suggested that the "/" mark should be used in the title (i.e. "Staff/Committee") and also beside the colored boxes in the legend which show the zoning designations (i.e. "AP/AP"). Ms. Hammond stated she may not be able to change the comma in the legend to a slash due to the computer program being used to create the map. Mr. Ditto suggested showing streams and railroads on the map. Some members expressed their concern that adding streams and railroads may make the map too busy. Mr. Phoebus suggested creating an overlay to show streams and railroads. Ms. Hammond will create a separate map to show the streams and railroads.

Mr. Miller noted that the residential areas on a typical land use map are indicated in yellow and the industrial areas are blue or purple. The map being used for this project indicates industrial restricted and industrial general areas in yellow and residential areas are not yellow. He believes this is somewhat confusing for people that are familiar with land use maps. Mr. Goodrich stated that the color scheme is consistent with the color scheme used for the County's Comprehensive Plan adopted several years ago.

- **Consensus:** The Committee accepts the proposed map, with the suggested changes.

NEW BUSINESS

Review of Proposed Zoning Text

Mr. Goodrich began a discussion regarding the proposed text changes to current and new zoning designations. He distributed copies of the proposed text changes for the following zoning designations: the Mixed Use Floating zones, which includes Mixed Use Residential, Mixed Use Commercial, and Mixed Use Employment; Residential Transitional, Residential Multi-family, Business Local, Highway Commercial, and Office, Research and Technology. He also distributed a chart indicating the residential

densities in the growth area zones and proposed changes to the landscaping, parking and lighting requirements.

Mr. Phoebus began a discussion regarding presentation of materials to the County Commissioners. Members discussed submitting the map and text at different times. Mr. Goodrich expressed his opinion that the map and text should be submitted together. Members briefly discussed the format for the text of the report. Mr. Ditto reiterated his concern that in order to “upzone” from previous zoning designations in the UGA, TDR’s should be required to be purchased. He questioned the Committee’s stance on this issue in the Final Report previously sent to the County Commissioners. After a brief discussion, members decided to submit the map and text together at a future date.

Mr. Ditto suggested meeting on a more regular basis in order to complete their assigned tasks. He also suggested subcommittees – one to review the proposed text and one to write the report. Several members expressed their concern that the Chairman will not be present at meetings for the next several weeks if the committee meets on a weekly basis. A suggestion was made to meet weekly and discuss the proposed text during those meetings. It was decided that the committee will meet on a weekly schedule beginning January 29th. The meeting on the 29th will begin at 8:30 a.m. (rather than 9:00 a.m.) due to a scheduling conflict for the conference room. All other meetings will begin at 9:00 a.m.

Mr. Goodrich began a review of the Mixed Use Floating Zone text. He began by explaining that the district called “Planned Unit Development (PUD) is currently in the Zoning Ordinance and allows a mixture of residential uses and a limited amount of commercial development. The Comprehensive Plan recommends that a mixed use zone should be broken down into two separate districts - a mixed use zone for residential only uses and a mixed use zone for residential and commercial uses. The Comprehensive Plan also recommends improvements in the process and standards applied during the application of the zone. Due to economic changes and the Committee’s recommendations, Staff believes that a third mixed use zone should be incorporated to include employment opportunities.

Mr. Goodrich noted that the mixed use zone is broken down into three districts: MXR (Mixed Use Residential), MXC (Mixed Use Residential and Commercial) and MXE (Mixed Use Residential, Commercial and Employment). He explained each zone briefly and the uses permitted. Members reviewed a chart detailing the minimum and maximum limitations for permitted uses and densities within each mixed use zone. Members discussed the minimum area requirements being proposed for the MXR zoning district. Mr. Goodrich informed the Committee that other jurisdictions have a minimum area requirement for the same type of zone. Mr. Corum noted that a planned unit development was recently approved on a 10-acre parcel in Frederick County. Mr. Miller pointed out that the mixed use zone is being proposed for the Urban Growth Area and finding large tracts of land may be difficult. Mr. Goodrich reminded the Committee that there is an underlying zoning district, which will allow other uses. He also questioned if the developer would apply for a mixed use zone for smaller tracts of land due to the extra requirements to obtain the zone. Some members believe that it should be up to the developer to decide if a mixed use zone would be feasible for their particular property. Mr. Phoebus asked the Committee to further consider this issue until the next meeting.

Mr. Phoebus left the meeting at 10:45 and requested that Ms. Irvin-Craig take charge of the meeting in his absence.

Mr. Goodrich continued a review of the mixed use zone. He noted that traffic counts for existing roads within a one mile radius of the site and additional traffic to be generated will be required with the developer’s concept plan submittal. Another new requirement will require developers to provide a preliminary analysis of the effects of projected traffic on the road network within a one mile radius of the site. This will help provide information relative to road improvements that may be necessary as the developer moves forward. Mr. Corum questioned if the APFO (Adequate Public Facilities Ordinance) uses the same parameters (the one mile radius). Mr. Goodrich stated that the APFO requires more specific information for intersections and roadways. He noted that it may be beneficial to re-examine this section in conjunction with the APFO requirements to determine if more stringent requirements are needed. Mr. Corum believes that consistency between the two requirements would be helpful to the

developer. Members discussed referencing the APFO within the text in order to let developers know that there may be other requirements that will need to be met throughout the approval process. Mr. Goodrich stated that a complete traffic study is required for submittal of the Final Development Plan by the County's Department of Public Works.

NEXT MEETING

The UGA Committee will meet on Thursday, January 29th at 8:30 a.m. to further discuss the proposed text.

ADJOURNMENT

Ms. Irvin-Craig adjourned the meeting at 11:10 a.m.

Respectfully submitted,

Richard Phoebus, Chairman