

**BOARD OF COUNTY COMMISSIONERS / PLANNING COMMISSION
COMPREHENSIVE PLAN WORK SESSION
RUSSELL CONFERENCE ROOM * CARTER S.O.B., LEONARDTOWN, MARYLAND
Monday, March 1, 1999**

County Commissioners present were President Julie Randall and Commissioners Anderson, Guazzo, Mattingly and Raley. Planning Commission members present were Frank Taylor, Hal Willard, Bob Parkinson, and John F. Taylor. DPZ staff present were Director Jon Grimm; Planners Jeffrey Jackman, Sue Veith, and Mary Hayden; and Peggy Childs, Recording Secretary.

A list of attendees is on file in DPZ.

The session began at 6:40 p.m., with the Commissioners reviewing the Concept Map revised as a result of the February 23rd work session; i.e., the Critical Area designation has been removed and the Dameron Ag Overlay has been added. Commissioner Randall said, following this session, the Commissioners will assess whether another work session is needed, following which the County Commissioners will meet to hammer out instructions or remand the January Plan to the Planning Commission with their requests. Planning Commission Chairman Frank Taylor suggested this be the last work session, stating they been beneficial to both sides but we need to move forward as quickly as possible so the Planning Commission can prepare a Plan for presentation to the Commissioners.

Discussion continued on the revisions resulting from the work session of February 23rd and the February 19th recommendations of the Peer Review:

Volume I - Comprehensive Plan

Staff has added a statement at the end of each "vision," requiring annual reporting and biennial update to achieve the vision.

Volume II - Implementation Strategies

Page 5 Action 3, 1) and 2) - Add policy statement that the TDR program will not create any new bureaucracy. (Staff will contact Mr. Dyett to make sure we understand his proposal.)

Add clarification under Action 3 regarding setting up PDR Program (Action 33) and adding Open Space to designation of Transfer Tax Funds.

1) iii) - Fees should be higher than payment for TDRs. Ms. Guazzo has concerns that this will weaken the TDR program.

Page 16 Action 38 1) - Remove the words "a minimum of 18 feet in width;" make requirement in accordance with standards of Road Ordinance.

Vol. II Implementation Strategies under February 12, 1999 Memo

Page 3 Action 6, 1) and 2) Change to read, "Rezone designated *residential parcels* in the McIntosh Run (and St. Mary's River watershed) area ... to RPD" to clarify that no existing commercially-zoned parcels shall be downzoned under this action.

Vol. I - Comp Plan under February 12, 1999 Memo

Page 32 1.2.4.B - Change to read "... and to establish *incentives for* affordable Land prices for new farmers while addressing current landowner equity."

Page 5 Action 10 - Add provision to allow for public comment as part of the review of rural-residential subdivisions in the rural district - policy as well as implementation.

Considerable discussion was devoted to the provision for public comment. Action 10 already proposes an amendment to the subdivision application process to require posting of the property to be subdivided, however Commissioner Guazzo stated this thinks it is important to provide for public comment when major residential subdivisions are proposed in the rural district. Commissioner Raley suggested allowing public comment during the Planning Commission concept plan review. It was noted that citizens become frustrated when they find their comments or complaints do not necessarily impact subdivision approval. Ms. Guazzo pointed out that many developers will work with the community to resolve their issues in this situation. Mr. Grimm replied, in fairness to the applicant, he thought it would be important to state

that, after a certain phase of the process, no further public comment would be accepted. Mr. Willard noted that the proposal by staff to post the property would serve to notify adjacent property owners, but would not notify people who lived farther away.

The result of this discussion is that staff will provide suggestions to the consultant on how notice is given and comments are made, and request a recommendation to allow the public comment.

Page 5 Action 10 - Reiterate Section 48.7 - policy and implementation; i.e., that all lands in a development parcel, without preliminary plan approval, must meet all current zoning ordinance provisions at the time of bringing forward any new plan for that parcel.

Following a 15-minute break, each commissioner was given the opportunity to comment. Commissioner Randall began by responding to a previous comment made by Commissioner Guazzo, who referred to a mandate by the voters to control growth. Commissioner Randall said the mandate she felt she was elected under was not to stop growth or control growth but to manage it, and that's what she intends to do. Some growth is absolutely vital to our economy, Ms. Randall said, but she does think it needs to be managed and that what has gone on here in the last ten years has not been good for the county.

Planning Commission member John F. Taylor stated he has learned a lot from these work sessions but found some of the comments here at the table disturbing. There is a cultural preference for people to live in the rural districts, he said; they don't want to live in development districts, and this plan is designed to force them to live in the development districts if we possibly can. Mr. Taylor said we are saying we're going to save the farmer, but farming is dying in St. Mary's County; the average farmer can't afford the labor to make it work. We have farmers in their 60s who are farming because they love it, but they know if their farms fail they still have value in their land, and now we are tying that up, so the TDR program has got to work, but the only demand he sees it will create in the development district is for townhouses, and that will create a Waldorf for us. Mr. Taylor said he thinks the down-density of both the RPD and Ag Overlay are questionable moves for the citizens of the county.

Mr. Taylor also had a problem with the provision that would require posting of property for subdivisions - something the owner is allowed to do, by right. He said anyone who buys land next to 100 acres should be aware of the possibility that the 100 acres could be developed.

County Commissioner Joe Anderson disagreed with Mr. Taylor's opinion that farming is dying. He said he feels statements like that contribute to the difficulty we are having in preserving agriculture as a viable and important economic factor, and take away the choices of a whole generation who may want to do farming a little bit different and a little bit better when we go along with thoughts like that. Mr. Anderson said it is no secret that his "druthers" has been the January Plan but he was willing for that Plan to go under scrutiny to see if we could make it better. It will be interesting to see what Plan the Commissioners get back from the Planning Commissioners, he added, noting the County Commissioners can either accept that plan or reject it.

Commissioner Mattingly said he had found the September draft far too liberal and had been willing to go back to the January plan as a starting point, but he wasn't pleased with the restrictions in the January Plan either. He said he travels throughout the county and sees houses built 10-15 ft. apart and he believes a person ought to have an opportunity to live on a ¼-acre lot or a 3-acre lot, and that they should be readily available throughout the county. From what he has heard tonight, Mr. Mattingly said he sounds like we are adopting an Agricultural Plan and not a Comprehensive Plan, and he is concerned about where we are going with this and whether we have made any headway.

Rather than comment, Commissioner Raley asked several specific questions to help him determine areas which he feels should be looked at. His questions concerned fees-in-lieu in the Ag Overlay, different EIFs for different planning districts, several questions on Action 10, and Action 17. Referring to Action 13, 1) c) (Design standards to maintain rural character), Mr. Raley said he thought it was too specific and would not vote for it. Mr. Grimm responded that it could be rewritten to say, "Specify allowable standards." Regarding Action 19 "architectural and design guidelines" - Mr. Raley said he would prefer it be eliminated. Action 53 - under this proposal, mobile homes would only be allowed in the RPD, in "mobile home development communities," and on agricultural parcels.

Commissioner Guazzo responded to Ms. Randall that she thought her earlier comment went on to explain that you "control" growth by managing it to maintain the style of life that people move down here to expect, and in line with the Smart Growth initiatives. Responding to one of Mr. Raley's questions, she said under this Plan a 100-acre parcel in the Ag Overlay could have 10 lots - 5 minor subdivision lots and 5 farmstead lots, plus if there were children there could be 10 more lots. 40% of the RPD is in the Ag Overlay and 60% of the RPD won't change at all. In addition, she said the Secretary of Agriculture assures her that farming is not dead in the county or the state and she hopes we can achieve a balance (between agriculture and development).

Commissioner Randall referred to the minutes of the February 1st work session, where she requested the Planning Commission get together and come up with an additional section that speaks to farming. She said we want to send a clear signal through our Comprehensive Plan that we don't just want to look like farmland, we want to preserve the land as farmland.

Mr. Willard said he thought we had a good plan in January and he knows we have a good plan now because we've had some experts review it, point out some of the deficiencies and the ways to correct it, but in no way does he think this is a perfect plan. It will need some changes because this is an evolving county, but we need to get it enacted; then we can start revising it.

Mr. Parkinson said we should listen to John Taylor because he may be right. We have gotten into the position where we need infrastructure to support tobacco, or truck farming, or aquaculture as an alternative crop, and that is a high cost of infrastructure. The other thing he is not convinced of is that we're going to get the density we want, because people don't want to live in 5 houses per acre. Townhouses are starter homes for people and the next place they want to live is one house on a half-acre, two acres or more. Regarding the design standards, Mr. Parkinson said he appreciates Commissioner Raley's position, but communities look better with some kind of standard. He said he thinks we have a good plan and we should take this 2-year period and use it to do things we need to do

Planning Commission Chairman Frank Taylor said the work sessions have been beneficial but they need to end and the Planning Commission needs some direction from the County Commissioners so it can do its job to present a Plan the Commissioners will want to pass. It won't be a plan that everyone is in love with, but he thinks with the help of staff and the consultant, the kinds of solutions we need can come forward.

Commissioner Randall thanked the Planning Commission and said the County Commissioners will get together on Tuesday and hammer out some directions to the Commission.

The work session ended at 9:30 p.m.