Task Force on the Future for Growth and Development

AGENDA

July 15, 2008

I. Welcome/Administrative Matters (10 minutes)
   - Mr. John Coleman, Public Information Officer, MDP will brief the Task Force on the upcoming Listening Sessions.

II. Update: Infrastructure Assessment Workgroup (5 minutes)

III. Confirmation of Smart Growth Principles (30-45 minutes)

IV. Begin Discussion of Draft Recommendations (2 hours)

V. Public Comments

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Beverages/light snacks will be provided.

Next Meeting: July 28, 2008, 1:00 pm - 4:00 pm

Maryland Department of Planning
301 W. Preston Street
Olmsted Conference Room 11th Floor

Task Force on the Future for Growth and Development in Maryland
June 30, 2008 / 1:00 PM – 4:00 PM
The Maryland Department of Planning
Baltimore, Maryland

Meeting Summary

Attendance

Members: Jon Laria (Chair), David Beall, Karl Brendle, Sandy Coyman, Jan Gardner, Carol Gilbert, Richard Hall, Frank Hertsch, David Jenkins, Brigid Kenney, Gerrit Knaap, Dru Schmidt-Perkins

Attendees: Caroline Varney-Alvarado (DHCD), Marty Baker (MDOT), Peter Bouxsein, James Bridges (Baltimore Metro Council), Candace Donoho (MML), Alan Feinberg (CDC), Les Knapp (MACo), Susan Mitchell (MD Realtors), Sandi Olek (DNR), John Papagni (DHCD), Izzy Patoka (Governor's Office), Frank Principe (Baltimore Co. Gov't), Ron Spalding (MDOT-OPCP)

MDP Staff: John Coleman, Larry Fogelson, Mark Goldstein, Pat Goucher, Elizabeth Hughes, Jenny King, Marco Merrick, Matt Power, Sharon Reichlyn, Pat Russell, Eric Schmidt, Joe Tassone, Shelley Wasserman

Welcome/Introductions

The Chair, Jon Laria, welcomed everyone to the meeting.

Report: Terrapin Run Workgroup

Ms. Kenney presented the workgroup's findings in the Terrapin Run case. Copies of her memorandum were distributed, and she reviewed it for the Task Force. She stated that there was agreement amongst the workgroup members that the majority opinion minimized the role of the comprehensive plans, which are widely viewed as a very valuable planning tool.

In sum, the memo outlined three possible recommendations (refer to memo for details):

1) Make a statement about the opinion, noting issues it raises and reasserting the importance of the comprehensive plan, and especially noting language in Section 4.09 of Article 66B which was not taken into consideration by the Court of Appeals.
2) Recommend decision be clarified and limited by the General Assembly, by focusing on the definition of "special exception".
3) Recommend significant, targeted revisions to the law – make changes to the law to undo effects of the opinion.

Ms. Kenney noted that two of the workgroup members objected to the third recommendation because of concerns about unintended consequences. Mr. Laria noted that there was general

agreement on #1 and #2, and therefore asked whether it was necessary to pursue option #3 if consensus could not be reached.

Mr. Laria asked the Terrapin Run workgroup to flesh out each of the options beyond bullet points to include more narrative, for further discussion at the July 28th meeting.

Report: Infrastructure Assessment Workgroup

Members received a copy of Mr. Brendle and Mr. Coyman's Infrastructure Workgroup Progress Summary memo. Mr. Coyman said they hope to deliver a more conclusive report at the July 28th meeting. The workgroup is reviewing MDP's 2004 Infrastructure Survey. They will also discuss MDE's funding of water and sewer infrastructure and how it sets priorities. MACo/MML, through a survey, is gathering ideas on infrastructure issues and what types of infrastructure help smart growth. An important aspect is the consolidation of State and local infrastructure spending. Infrastructure spending needs to be characterized through the identification of infrastructure constraints; how money is spent, and the overall funding gap.

Mr. Laria asked for an explanation of the 2004 Infrastructure Survey and how it relates to the Task Force. MDP Deputy Secretary Matt Power briefly explained that the Survey is designed for the State to reach out to local governments. He said that the Survey is not a requirement, but voluntary therefore there are varying level of support. Mr. Power stated that the Survey has utility and value. It is also a huge task to undertake. It took one year to develop and get out and is an online survey. Mr. Power said the workgroup should look at the 2004 survey, figure out some inflation factors and identify what is needed. The results and findings should not have changed substantially since the last Survey.

Ms. Schmidt-Perkins asked if the Survey could be redesigned to get higher quality data. She suggested staying away from the "wish list" and instead concentrate on true needs. Mr. Hall agreed that MDP could talk internally about how to get a better picture.

Mr. Laria acknowledged concerns about "survey fatigue", but felt it is incumbent on the jurisdictions to respond on such a critical issue.

Mr. Hertsch suggested impact fees and exactions should be included for existing residential and new residential and business construction.

Data/Trend Information

Mr. Hall gave a presentation on Growth and Land Use Trends in furtherance of the request previously made by the Task Force

Mark Goldstein explained some of the job/housing information, discussing net commutation from 2000-2030. He noted that the bulk of job creation is in the inner suburban counties and that these jobs were largely service oriented.

Mr. Hall noted that Maryland as a whole is a net exporter of labor (470,000) and those coming in to Maryland to work is only about 180,000.

Mr. Goldstein stated that the patterns currently show that Marylanders do not live where they work. He went on to note that many counties in Maryland have a job to housing imbalance.

Mr. Knaap clarified that the projections MDP uses are based on land use policies of local jurisdictions and that they are not just economically driven.

Ms. Schmidt-Perkins asked if the recognition of gas prices were reflected in the presentation. She stressed the need to start looking at those numbers. She went on to state that given the current gas increases we have an opportunity now. The populous is scared and we need to sharpen policy tools to get the outcomes we need.

Mr. Hall discussed the status of Maryland's rural resource lands. The map shows where large contiguous lands are located. He then discussed the vulnerability of rural resource lands through a map to give a sense if the land is protected or not. Protection could be through easement, fee simple or strong rural zoning. One of the vulnerabilities is the fragmentation by rural growth. The threat to rural resources lands was also discussed.

Old Business: Parameters for a State Development/Housing/Transportation Plan

Mr. Laria asked the Department of Housing and Community Development and the Maryland Department of Transportation staff to give reports on the recent National Center for Smart Growth (NCSG) workshops.

Ms. Gilbert reported on DHCD's work session on June 12th. Representatives from MDP, MDOT, NCSG, NJ/MASS/DEL were invited. Ms. Gilbert stated that the workshop was very productive. Both Massachusetts and New Jersey have mandated an established housing program.

Ms. Baker reported on MDOT's work session on June 26th. She also gave an overview of MDOT's day long work session in partnership with the NCSG. The workshop explored the level of specificity of a transportation plan, how a plan might be implemented, and how agencies might cooperate and integrate their efforts

Review of Draft Report Outline

Mr. Laria asked for comments on the preliminary final report outline he had circulated prior to the meeting. He hoped that the outline would help identify gaps in the story the Task Force is trying to tell and where additional work is needed. He noted that, not surprisingly, more challenges than recommendations have been identified to date, but that the Task Force will need to start focusing on recommendations.

On July 15th, the meeting will focus on:

- Discussion of "What is Smart Growth?"
- Brainstorming recommendations for moving forward to build a catalog of potential recommendations

Ms. Gardner said members should focus on what has worked more than on what has not worked.

Mr. Laria said members will have an opportunity on July 15th to give an unlimited list of possible ideas and recommendations. He asked members to be prepared with at least 2-3 recommendations for discussion.

Ms. Schmidt-Perkins suggested coming up with five solutions or important steps to include; issues that are facing Maryland -- growth, energy, water, etc. She expressed concern that the Task Force not spend a lot of time creating a list of recommendations as this has already been done by many other interest groups.

Mr. Laria suggested the recommendations should include both larger, long-term goals as well as smaller items that can be fixed relatively quickly.

Mr. Laria also noted that any members who have lists of recommendations they wish to circulate ahead of time should do so.

Public Comments

None

Meeting was adjourned at 3:45 p.m.

10 Principles of Smart Growth

- Mix Land Uses
- Take advantage of compact building design
- Create housing opportunities and choices
- Create walkable communities
- Foster distinctive, attractive communities with a strong sense of place
- Preserve open space, farmland, natural beauty, and critical environmental areas
- Strengthen and direct development toward existing communities
- Provide a variety of transportation choices
- Make development decisions predictable, fair, and cost-effective
- Encourage community and stakeholder collaboration in development decisions

1992 Growth Act- The Visions

- Development is concentrated in suitable areas
- Sensitive Areas are protected
- In rural areas, growth is directed to existing population centers and resource areas are protected
- Stewardship of the Chesapeake Bay and the land is a universal ethic
- Conservation of resources, including a reduction in resource consumption, is practiced
- To assure the achievement of [the] above, economic growth is encouraged and regulatory mechanisms are streamlined
- Adequate public facilities and infrastructure under the control of the county or municipal corporation are available or planned in areas where growth is to occur.
- Funding mechanisms are addressed to achieve these visions

Please note Topical Areas for Discussion:

Land Use, Environment, Infrastructure, Revitalization, Preservation, Other

Recommendation	Who will implement?	When will it be implemented? Short, Medium, Long	Money needed? High, Medium, Low, No Cost	How will it be implemented? i.e. legislation, policy, etc.