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Elizabeth Rosborg
Chair, Citizen Advisory Committee

Plan2040
Citizen Advisory Committee (CAC)
Meeting Notes
July 15, 2020 - 5:00 PM
Virtual Meeting

CAC members present: Elizabeth Rosborg (Chair), Cate Bower, Anthony Brent, Bill Dodd, Thomas Fahs, Joel Greenwell, Melanie Hartwig-Davis, Patricia Huecker, Caren Karabani, Matthew Korbela, Amy Leahy, Patricia Lynch, Charles Mannion, Gary Mauler, Ellen Moyer, William Moulden, Kristin Pauly, William Shorter, Elizabeth Ysla Leight

County staff present: Christina Pompa, Deputy Planning and Zoning Officer; Cindy Carrier, Long Range Planning Administrator; Patrick Hughes, Long Range Planner; Michael Stringer, Long Range Planner; Mark Wildonger, Long Range Planner; Holly Simmons, Long Range Planner; Desirae Williams, Long Ranger Planner; Brent Efun, Long Range Planner; Lynn Miller, Assistant Planning and Zoning Officer; Lori Rhodes, Assistant Planning and Zoning Officer; Matt Johnston, Environmental Policy Director

Attendees: Jackie Chandler, Paul Christensen, Patricia Dailey, Marie Del Bianco, Wanda Eldridge, Ann Fligsten, Kate Fox, Aisha Heyward, Zoe Johnson, Sarah Knebel, Gina Matthews, Steve Miller, Matt Minahan, Ellen Moss, Russ Stevenson, Mark Thompson, Joan Turek, and six attendees who could not be identified

Introduction:
Ms. Rosborg, Chair

The meeting was called to order at 5:02 p.m. Ms. Rosborg announced that the material covered this evening would be available after the meeting for the CAC members only and would be presented to the public at a later date. She thanked the Office of Planning and Zoning (OPZ) staff for their efforts in preparing the information for the meeting.

Mr. Stringer reviewed the overall framework of the GDP. The Vision and Themes, Development Policy Area Map, Background reports, and the goals, policies, and strategies of the four sections of the GDP – Natural Environment, Built Environment, Healthy Communities, and Healthy Economy have been reviewed. Progress is continuing on the implementation plan and performance measures.

Instructions on how to view and understand the Planned Land Use Map will be discussed at this meeting and a link to view the map will be shared with the CAC soon after the meeting.

Discuss Resource Sensitive Areas Map:

Ms. Simmons; Planner

Ms. Simmons explained that the Resource Sensitive Policy Area, as defined by the CAC and staff, reads “Areas of natural, cultural, or physical features of special concern or significance within the County intended for conservation and preservation from the adverse effects of development. Development in these areas is guided by policies and regulations to limit or prohibit impacts of land use to sensitive areas.” This map will overlay the Development Policy Areas Map.

The map was developed by consolidating a number of different features that are roughly broken into two different categories. The first category are policies and internal guidance for specific areas of natural, cultural, and physical features. The second category corresponds to regulations within the County Code. Ms. Simmons presented the Resource Sensitive Policy Area Map as an online interactive map that gives users the ability to explore various features and elements. The interactive map allows users to turn environmental and cultural layers on and off as well as setting a base map preference. The map will be available to the public at a later date.

Resource Sensitive Policy Area elements that were used to inform land use change request applications and staff recommended changes include the adopted Priority Preservation Area, Critical Area Resource Conservation Area (RCA) designation, Bog Protection Area, Jabez Branch subwatersheds, and cultural and historical resources.

Other criteria that were used to evaluate the land use change request applications and staff recommended changes include the Development Policy Area Map, prior history of the parcel and compatibility with the surrounding planned land use.

Streams, steep slopes, wetlands, FEMA floodplains, and Habitat Protection Areas in Critical Areas are also included in the map and are regulated by the County Code. She noted that some of these layers include a regulated buffer. Ms. Simmons also explained that some layers indicate there may be an environmental feature in the vicinity, but there may be some inaccuracies. In some cases, during the development review process, applicants are required to verify the location of certain environmental features. Environmental features may also change over time. She also noted that these layers and the ones listed above are currently used by staff daily when evaluating development applications.

The Resource Sensitive Policy Area Map is only one tool the County has to ensure protection of environmental and cultural resources. The County also evaluated land that meets the criteria for Open Space and Conservation. In addition, the Natural Environment chapter outlines steps the County can implement for further improvement of County policies. The County will be updating the Green Infrastructure Master Plan in the near future. The Department of Recreation and Parks will also be updating their Land Preservation, Parks, and Recreation Plan this Fall. Some elements of the Resource Sensitive Policy Area such as Greenways, the Priority Forest Retention Area which will

indicate areas of forest interior dwelling bird species habitat, and also the County Inventory of Historic Resources will be added at a later date once the data has been updated. The Resource Sensitive Policy Area Map will continue to evolve as the County obtains and refines data.

Discuss Planned Land Use Map:

Mr. Hughes, Planner

Mr. Hughes explained how the Plan2040 Planned Land Use Map was developed. The purpose of the Map is to guide development patterns in the County based on Plan2040 Vision, Goals, and Policies. It is informed by the Development Policy Area Map and implemented through zoning, development regulations, and public investments. The Planned Land Use Map is required by the State Land Use Code. The Planned Land Use Map is implemented through the Zoning Code and Zoning Map. State law requires that the Zoning Map be consistent with the Planned Land Use Map. Subdivision and development regulations also implement Plan2040.

County staff completed a comprehensive analysis of the County starting with the 2009 Planned Land Use Map. Staff identified where there were inconsistencies with the existing land use, zoning, and the Development Policy Area Map and developed recommended changes. The changes are based on the following criteria: consistency with the Plan2040 Vision, the Plan2040 Development Policy Area Map, current zoning, prior zoning and/or land use decisions made by the County, the existing use of the property, compatibility with the surrounding planned land use, consistency with the sewer service area, consistency with the adopted Priority Preservation Area, whether the change provides public benefit, and public comments indicating community support/concern.

Mr. Hughes provided a breakdown of the amount of each land use designation in the County. Conservation is approximately 15%, over 36% is designated as Rural, 28% is Low or Low-Medium Density Residential, and approximately 4% is designated as Commercial, Town Center or Mixed-Use.

There are several changes to the 2009 GDP Planned Land Use categories that are recommended for Plan2040. A new Conservation land use designation will represent land that is publicly and privately-owned and is used for conservation purposes in perpetuity. This designation includes properties preserved through land trusts, platted floodplains, passive open space adjacent to platted floodplains, and passive parks and other conservation lands. A new Open Space land use designation will represent publicly and privately-owned outdoor recreation areas and include uses such as privately owned golf courses, campgrounds, ballfields and driving ranges. These two designations should be further refined during the Region Plan process. Publicly-owned properties such as County, State and Federal-owned lands not designated as Conservation, Open Space or Transit are designated as Public Use. This category replaces the Government/Institutional category. The Transportation and Utility rights-of-way category has been eliminated. The Low Density, Low-Medium Density, and Medium Density residential categories were analyzed and designated with a land use category that is based on the actual built density. The four Mixed Use designations are now combined into one category. The Small Business category is incorporated into the Commercial category.

There were also minor consistency changes where the 2009 GDP Land Use Plan did not accurately reflect existing development types and densities and are planned to remain through the planning horizon, areas where the Planned Land Use did not match parcel boundaries and where it did not reflect the existing zoning expected to remain through the planning horizon.

There were more specific planned land use changes identified as “Staff recommended changes”. These changes were made to better align land use with the existing use that is anticipated to remain and changes to align the Planned Land Use with the Development Policy Areas.

Staff received 189 land use change applications, though after seven were withdrawn, 182 applications were evaluated. Fourteen of those applications requested no change. Staff is recommending support for 12 applications that sought parcel boundary reconciliation. Staff is also recommending support for 58 applications, no support for 58 applications, and 10 are recommended for a different land use designation than was requested by the applicant. There are also 33 applications that will be held for further analysis during the Region Plan process. Ms. Rosborg reminded the CAC that this information is included in the Briefing Paper provided by OPZ staff.

Training on Online Tool to Comment on Planned Land Use Map:

Mr. Efunu, Planner

Mr. Efunu shared the Plan2040 Online Open House platform which the CAC will use to review and comment on over the next two weeks. These comments will be discussed at the next CAC meeting on July 29th. The Online Open House tool includes an interactive Planned Land Use Map with opportunities to comment on staff’s recommendations for the land use change applications and the staff recommended changes. The Online Open House tool will be available to the public in early August.

He explained that all the instructions to use the tool are provided on a sidebar. However, the CAC is asked to provide feedback if they run into any technical issues. Mr. Efunu noted that a video recording of the instructions would also be created for the public.

There are two different tabs for making comments on the Planned Land Use Map. The first tab is an opportunity to comment at the parcel level on land use change request applications and staff recommended changes. When the user of the map zooms in or pans, the planned land use changes - either the land use change request applications or the staff recommended changes, appear on the right hand side of the screen. The user may then click on the application or parcel and an information window appears on the right hand side of the screen. It includes the current land use designation, the requested land use designation (if applicable), staff recommendation, staff justification, total acreage, source of change request, change application (if applicable), and a link to a summary of the staff analysis. The staff analysis includes property information and a summary of the public comments. Land use change request applications are noted with a “LUCA” suffix and staff recommended changes are noted with a “SR” suffix. At the bottom of the information box, there is a comment box icon. Clicking on this box allows the user to comment on the property. Comments may only be provided by using the dropdown box to allow for a standardization of

comments. Users will also be able to see previous comments made. The agree/disagree/neutral option is to indicate the user's opinion on the Staff Recommended Land Use Designation. The comment options are based on the major themes OPZ has heard during the various public comment opportunities. Property owners who requested a land use change will be notified after this meeting. The County Council makes the final decision on the Planned Land Use Map as part of Plan2040.

Ms. Hartwig-Davis asked if form-based codes are considered in the Land Use Map. Ms. Rhodes explained that a clear strategy needs to be developed to implement form-based codes. The architectural perspective, type of form, and design would be needed considered as part of this implementation strategy.

Mr. Efuné explained that the user may provide an open ended comment by clicking on the "Comment on Planned Land Use Map" tab and scrolling down to the "General Planned Land Use Survey" hyperlink on the left hand of the screen. The link directs the user to a survey and the open ended comment section is at the bottom on the survey. Ms. Lynch requested the date of the map be added.

The "Planned Land Use Map" tab allows the users to use a slider tool to compare the 2009 Planned Land Use Map and the proposed Plan2040 Planned Land Use Map. Users may also click on an area to identify the Planned Land Use category and statistics. The legend for the maps can be found in the lower left hand corner of the map.

OPZ would like CAC comments on the Online Open House platform by July 27th so staff has time to compile data to present at the July 29th CAC meeting. This is not the last time CAC members will be able to comment on the Planned Land Use Map. CAC members will have the opportunity to comment when the Online Open House tool becomes available to the public. The public will have approximately four weeks to participate in the Online Open House. Mr. Stringer encouraged the CAC to take time to review the functionality of the Online Open House. He also shared the other tabs of the Online Open House tool, including an introduction, purpose, instructions, Vision and Themes, and a survey of the draft Goals. The policies and strategies were omitted for this public comment opportunity in order to keep the surveys brief. Ms. Rosborg complimented OPZ on the amount of work it took to produce the Online Open House tool. She emphasized the need for CAC to focus on providing comments on the platform, and not necessarily the land use change request applications. She also encouraged the CAC to advertise the Online Open House tool when it becomes available to the public in late July/early August. The Office of Community Engagement and Constituent Services will assist in advertising the Online Open House. Ms. Pompa added that CAC members may comment as individuals on the Online Open House when it is available to the public.

Ms. Hartwig-Davis asked how sea level rise factors into the Resource Sensitive Policy Area Map. Ms. Carrier said a sea level rise map will be included in Plan2040. She said additional sea level rise recommendations are included in Plan2040. Ms. Pompa said the Department of Natural Resources Chesapeake and Coastal GIS site identifies three scenarios for sea level rise. The County has not yet evaluated which sea level rise projection would be used.

Discuss Refinements of Plan2040 Vision Themes:

Mr. Stringer, Planner

Mr. Stringer thanked those CAC members who participated in the survey and provided feedback. OPZ refined the Vision Themes based on order, leading with resilient and sustainable communities; rewording the language for brevity and reducing repetition; including language about economic development; and recognizing the diversity of communities. Most respondents to the survey were supportive of the revised Vision Themes. Comments from the survey will be taken into consideration.

Administrative items: Adopt June 17, 2020 meeting notes; Next steps

Ms. Rosborg, Chair

Ms. Carrier reviewed the schedule. The CAC will provide comments on the Online Open House format and Planned Land Use Map for the next two weeks. The July 29th meeting will be held to review the Planned Land Use Map comments and discuss a CAC recommendation for the order that the Region Plans should be processed. The public will have access to the Online Open House tool in early August. The CAC will have an additional opportunity to meet to discuss the draft Plan2040 before it is made available for public review in September. August 26th should be held as the final CAC date. The State and surrounding local jurisdictions will review the draft Plan2040 at this time as well. Those comments will be available to the public. The draft Plan2040 is anticipated to be presented to the Planning Advisory Board (PAB) in October. The PAB meeting will include a public hearing. The PAB will then deliberate and make a recommendation to the County Executive. The County Executive will finalize the preliminary draft Plan2040 and send a proposed draft Plan2040 to the County Council for introduction in November. There will be several County Council hearings beginning in December with an anticipated adoption in February 2021. The CAC is expected to provide support for the Plan2040 at PAB and County Council. If a CAC member would like to dissent, OPZ asks that that individual let the PAB and County Council know that you are speaking as an individual. If a super majority does not agree to support Plan2040 or certain parts of it, OPZ will communicate this to the PAB and County Council.

The Region Plan order will be discussed at the July 29th meeting. The final order will be determined by the County Council as part of the Plan2040 adoption. OPZ has developed scenarios based on geography, number of outstanding land use applications, and growth pressure. OPZ will send these different options to the CAC for feedback. Ms. Rosborg suggested that the oldest Small Area Plan would be first. Ms. Pompa said three Region Plans would be done at a time. There are a total of nine Region Areas. Comprehensive zoning will be completed as part of the Region Plan process.

Mr. Brent motioned to approve the June 17th meeting minutes. Ms. Carabani seconded the motion and it passed 19-0. Mr. Shorter motioned to adjourn the meeting. Mr. Brent seconded the motion and it passed 19-0. The meeting was adjourned at 7:08 p.m.