

Elizabeth Rosborg
Chair, Citizens Advisory Committee

Plan2040

Citizens Advisory Committee (CAC)

Meeting Notes

November 6, 2019 - 5:00 PM

Chesapeake Conference Room, 2nd Floor

2664 Riva Road, Annapolis, MD

CAC members present: Elizabeth Rosborg (Chair), Anthony Brent, John Clark, Bill Dodd, Joel Greenwell, Patricia Huecker, Matthew Korbelak, Amy Leahy, Patricia Lynch, Charles Mannion, Gary Mauler, Ellen Moyer, Kristin Pauly, Allan Straughan

County staff present: Steve Kaii-Ziegler, Planning and Zoning Officer; Christina Pompa, Deputy Planning and Zoning Officer; Cindy Carrier, Long Range Planning Administrator; Patrick Hughes, Long Range Planner; Mark Wildonger, Long Range Planner; Margaret Kaii-Ziegler, Data and GIS Special Advisor; Rick Fisher, Data and GIS Senior Planner; Lynn Miller, Assistant Planning and Zoning Officer

Attendees: Tom Magenau, Steve Miller, Lily Openshaw

Review of GDP Scope, CAC Mission, Roles, Expectations, Etc.

Mr. Kaii-Ziegler said he understands the CAC has some confusion about the purpose of the General Development Plan (GDP). He asked the CAC if they could explain the purpose from their point of view. Ms. Lynch said it is a guideline for a publicly-written land use plan. Mr. Kaii-Ziegler clarified that a guideline is not law, but rather a general policy. Ms. Moyer and Mr. Kaii-Ziegler agreed that it guides policy. He encouraged the CAC to understand that the GDP is a Countywide comprehensive plan that addresses issues at a high-level or general view. He said he is concerned that the CAC is discussing issues at too fine of a level and not keeping a more general Countywide perspective. The task is to develop general land use policies for the County. He reiterated that there will not be comprehensive zoning after the GDP. Comprehensive zoning would occur with the Region Planning process. The Region Planning process will be a refinement of the GDP where citizen input will be able to help address specific and unique issues to each of the regions. With a current Long Range Planning staff of 8 (existing and positions to be filled), three Region Plans can begin immediately after the adoption of the GDP. There is a concern that because the CAC is spending too much time discussing issues at a finer level that would be better discussed during the Region Planning process, the May 2020 deadline for providing input on a draft GDP will not be met. He reminded the CAC that after the adoption of the GDP, implementation of the recommendations in

the plan will occur with continued amendments to the Code, additional plans such as the Region Plans, the Water and Sewer Master Plan and the Greenways Plan.

Mr. Kaii-Ziegler asked if what he has explained made sense. Ms. Leahy said that it did not make any sense. Ms. Pauly felt that much of policies will stay the same and asked where the inflection points would be different from the 2009 GDP and what the CAC can do. Mr. Kaii-Ziegler said the Office of Planning and Zoning (OPZ) has been providing the CAC materials to review. He asked if the CAC would be interested in reviewing complete chapters of the GDP, rather than the goals, policies, and strategies.

Ms. Leahy felt that the CAC is being hamstrung given various pieces of land use legislation the County Executive and County Council are proposing during the GDP process. She was concerned that this work is superseding the work that the CAC is doing. Mr. Kaii-Ziegler said the County Executive and the County Council will continue to produce legislation to address issues that have been identified. Ms. Leahy said she is still confused as to what the CAC should be doing. Mr. Kaii-Ziegler proposed that, given the timeframe, the current process of the CAC reviewing documents is not working and that it makes sense to review chapters of the GDP.

Ms. Rosborg said that noticing a few CAC members expression of confusion, that there may be others on the CAC that understand their role. Mr. Mauler disagreed with Ms. Rosborg's assessment that many CAC members are clear about what the CAC mission. He said that about a third of people in a committee typically do not contribute and that CAC others have come to him and said that he makes good comments. He said he is not seeing "out of the box" thinking from OPZ staff. He has heard from citizens that things are broken and that the County needs some "out of the box" creative thinking. He does not want to continue with the status quo process. He said many people who share thoughts on how the County should grow described the characteristics of Columbia, Maryland. He suggested the County invite a representative from the Rouse Company to share how Columbia was developed. He said many people would be upset if the CAC was disbanded. Mr. Kaii-Ziegler said he never made that statement and that it is concerning that that is how his description of the current state of the CAC is being interpreted. Mr. Kaii-Ziegler clarified that he is expressing the fact that the CAC is struggling with understanding the purpose of the GDP.

Mr. Mauler said he is talking about the process and wants to talk about how to get to the end product. Mr. Straughan said the CAC has had this discussion several times. There are some people who have been discussing issues in detail, but he thought that future meetings should focus more on the general issues of what the County should look like in twenty years. He didn't think policies belonged in the GDP. Mr. Kaii-Ziegler reiterated that the goals and policies are general. He said he wants to ensure that there is a process that makes the CAC feel that they are participating in a meaningful, effective, and efficient manner. He asked if it makes sense to change the process slightly and present full chapters of the GDP for the CAC to review. He suggested the full chapters would help provide context. Mr. Dodd asked if this would include draft maps. Mr. Kaii-Ziegler said that those could be a part of the review. Mr. Straughan agreed that that proposed process would be constructive.

Mr. Kaii-Ziegler said there may also have been confusion about what no net loss for trees means, but said that a policy that addresses that could be included in the GDP. In Maryland, the State has a goal of protecting its existing forests which is approximately 40% statewide. A no net loss law would mean that as development occurs, on each site, the County would require more afforestation on-site,

or if that is not feasible then the County may require more reforestation offsite, require higher fee-in-lieu, and stricter penalties if those requirements are violated. In regards to Modifications, if and when it is appropriate for a developer to clear forests, the mitigation would need to be greater than a one to one replacement. This will not necessary stop development, but it will change the paradigm.

Mr. Mauler would like to know the thought process and the vision of OPZ and the administration and how proposed policies will affect change. He would also like to see the recommendations have teeth. He said he the CAC has not had time to discuss the issues and understand each other's local communities' needs. Mr. Kaii-Ziegler said a draft GDP needs to be produced no later than May.

Ms. Moyer suggested that definitions of terms would be helpful. She said many resident's concerns were focused on transportation and the environment. Mr. Kaii-Ziegler said staff can provide definitions, but stressed that reviewing definitions may be too detailed for the scope of the CAC. Ms. Carrier reminded the CAC that there is a glossary that has been shared and that if the CAC wants anything else added, they should contact one of the staff to add to the glossary. Mr. Brent suggested that legal terms be noted.

Ms. Lynch has found the homework directions very confusing, specifically the level of detail of content. Ms. Pauly said everyone would like to have better outcomes. She said there was no kick-off meeting that provided information about the role, responsibilities, and mission of the CAC. She said the background report presentations did not have any context. She suggested OPZ communicate what is required of the CAC and guidelines to produce better outcomes. Ms. Carrier reminded the CAC that the first meeting reviewed the mission, roles and expectations of the CAC and that the listening sessions and 17 Visioning meetings identified the issues as well as the background reports that set the foundation for the goals, policies and recommendations.

Mr. Mannion suggested the CAC look at the 2009 GDP as a reference to what this GDP will look in the context of formatting and level of detail. He felt that what Mr. Mauler and Ms. Moyer were discussing are better suited for the Region Plan.

Ms. Lynch said her assumption in preparing and editing documents was to include details so there is context for discussion and the details would ultimately be edited out in the final version.

Mr. Kaii-Ziegler suggested that this piecemeal approach of reviewing just the goals, policies, and strategies is not working well. He stressed his concern about the timeframe it is taking to review the goals, policies, and strategies and that at this pace it is not reasonable to think that a draft can be prepared by May. Between May through September of 2020, the public will have their opportunity to provide comment on the draft plan. Then in the Fall of 2020, a GDP can be presented to the County Council.

Ms. Huecker asked when a different process would be proposed. Mr. Kaii-Ziegler said the proposal is for OPZ to produce a draft plan that considers and balances all the input staff has received through the various public outreach opportunities and present the draft chapters to CAC. Ms. Huecker disagrees that there cannot be a plan written that includes all the interests of the County. She asked if OPZ would draft a plan that would be specific to Anne Arundel County that contains all the components of a good GDP and work down. Mr. Kaii-Ziegler agreed that that is what OPZ is proposing.

Mr. Kaii-Ziegler asked what the CAC thought was their role was in serving on the GDP. Ms. Leahy said she thought it was to offer recommendations for small and regional plans and she did not understand how that fit into the GDP. Mr. Kaii-Ziegler said the Region Plans are more specific. Each Region Plan will take between two to three years to complete. The process will be similar to the GDP process, where there will be a CAC and implementation plans. The mission of the CAC is to work on the GDP, the Countywide plan, and not the Region Plans.

Ms. Moyer said she is having a hard time understanding Mr. Kaii-Ziegler's frustration. Mr. Kaii-Ziegler said he is concerned, not frustrated, that the CAC will not be able to meet deadlines with the current process and the confusion over what a GDP is and what the CAC role is. He used the example that it took the CAC three months to work through a Vision Statement. He emphasized that the CAC does not have time to contemplate detailed issues. He said the CAC needs to agree on more general issues in order to move forward. He is asking the CAC how they see a process where they can participate more meaningfully, but in a more efficient and timely manner.

Ms. Pauly said that she does not want the GDP to prohibit strategies that are envisioned to be discussed during the Region Plan process. She understands there are other functional plans, but she wants to ensure that the Region Plans can still accomplish what they need to do. Mr. Kaii-Ziegler said the Region Plans will supersede the GDP in that portion on the County if there is a conflict. If the GDP stays general, then there will be less chance of inconsistencies between the GDP and the Region Plans. Region Plans can be refinements of the GDP. Zoning is the primary implementation tool of the land use plan, and that takes place after the Region Plans.

Mr. Mauler disagreed and felt that the process is not appropriate and he wants to know how to provide input on that process. He said OPZ never gave a presentation on land use.

Ms. Huecker asked if OPZ would develop a GDP that would not prohibit the Region Plans from doing what the local community would want. Mr. Dodd confirmed and emphasized that would be true as long as the GDP stays general. Mr. Kaii-Ziegler said the Region Plans will offer recommendations on zoning and land use. Ms. Huecker said she is afraid of colors on maps that she does not want in her region. She is afraid that a developer will use the map as evidence to build what they want. Mr. Kaii-Ziegler said an adjacent County did five small area plans in six years that included a planning process with a great amount of citizen input. People felt good about the process and the plans. Mr. Kaii-Ziegler said he understands there is power in the Region Plans.

Mr. Mauler said that people do not understand the planning process, specially the appeal process. He said he would like to see a Columbia type of community in Anne Arundel County. He emphasized that he is not seeing any "out of the box" thinking. Mr. Kaii-Ziegler said that the Columbia example is not applicable for various reasons, notably because it is a Planned Unit Development built in the 1960s and not a County.

Ms. Leahy asked if Mr. Kaii-Ziegler could give an example of what staff would provide. Mr. Kaii-Ziegler said staff would provide draft elements in the GDP, similar to the format of the 2009 GDP. Ms. Carrier reminded Mr. Mauler that the CAC received a plan outline and a calendar of what would be discussed at each meeting. The CAC was scheduled to receive a background presentation on demographics and land use tonight as a context for finalizing the development policy areas which will be used in developing the land use plan. The delay of this presentation was due to waiting until the hired consultant had completed their report. The plan outline that identifies the chapters. The

next portion will be parts of the Planning for the Built Environment, specifically land use. She said she understands some of the confusion because the CAC has not reviewed the summary that will give context to the environmental goals, policies and recommendations. However, the CAC should be familiar with the context given that they were represented at the 17 Visioning meetings where they heard issues, were given a summary of all identified issues and were presented summaries of the background reports in late Spring 2019. Mr. Kaii-Ziegler offered that staff will present drafts of the chapters for the CAC to review that have more context. Ms. Lynch and Ms. Leahy agreed with that proposal. Mr. Kaii-Ziegler clarified that this may take longer between meetings, but it would be more helpful for the CAC's review.

Ms. Rosborg said she finds the conversation and exchanging of ideas more meaningful than reviewing the content by herself. Ms. Pauly said that the CAC could still proceed as planned. Ms. Rosborg said it would not be possible because staff would not be able to produce documents to review in a two-week period. She reminded Ms. Lynch that there is an outline. Ms. Leahy said additional context would be helpful. Mr. Kaii-Ziegler said the CAC may not be able to meet for a couple weeks, but there will still be free flow conversation. Mr. Kaii-Ziegler said staff needs the time to write the document.

Mr. Mauler said he would still like to meet on a two-week basis to discuss comments and agrees that more conversation is helpful. Mr. Straughan said the CAC is comprised of too many people to reach a consensus and agreed to meet monthly to review the chapters. Ms. Lynch agreed and clarified that the details would be addressed in the Region Plans.

Mr. Korbela said he needs more data and what went wrong during and after the 2009 GDP. He is also interested in learning how all the information collected during the 17 listening sessions and other public meetings is woven into the GDP. He felt the policies should be developed by the experts. Mr. Kaii-Ziegler said the information from the listening sessions will be reflected in the draft document. He said OPZ is listening to the advice and recommendations of the public, but this information will be balanced with expert positions. He reminded the CAC that the GDP will not make everyone happy, but the CAC and citizen input is critical to the process and implementation.

Mr. Mauler expressed his frustration with the time and effort put into the 2009 GDP. He likes the idea of an implementation plan that is included in the plan outline. He said there need to be recommendations from experts about what needs to change. He also raised the issue of why local experts are not included in development review, wants to look at scenarios, and take ideas from Columbia.

Mr. Kaii-Ziegler said OPZ will contemplate a best way forward that keeps the CAC on track while allowing for adequate conversation. Ms. Lynch sees a collaboration between the CAC and OPZ, where OPZ provides the framework for what is required and the CAC provides more detail. Mr. Kaii-Ziegler said OPZ needs to create a GDP that the County Council can support.

Ms. Leahy expressed disappointment with the Modification process. Mr. Kaii-Ziegler said the Modification process has changed dramatically. Mr. Dodd added that there needs to be an understanding of the Modification process and that not every modification is to skirt the rules. Modifications are a tool that can allow flexibility so as to not prevent a good thing from happening. Mr. Kaii-Ziegler agreed, and said better judgment has been used in granting them.

Ms. Rosborg said that based on this length of the discussion tonight, the originally scheduled presentation will be rescheduled. She felt the CAC should continue meeting twice a month and not switch to a monthly meeting schedule. She would like to continue as planned and not receive the additional information for context. She understands the goals for the CAC.

Ms. Leahy agreed with Ms. Rosborg, but would like more information. She thinks it is important to meet on a regular schedule in order to have more conversation. She admitted she is terrible at doing her homework.

Mr. Straughan agreed, but suggested OPZ needs to control the conversation when the discussion gets into too much detail. Mr. Clark and Mr. Mannion agreed to twice a month. Ms. Lynch would like to continue the dialog, but supports Mr. Kaii-Ziegler's recommendation of meeting monthly to review chapters. Ms. Pauly would like more information such as larger maps, overlay districts, greenway plans, and other plans that affect land use at a County-wide scale. Ms. Pauly asked to see the peninsula overlay district. Ms. Rosborg said peninsula overlays are not official. Ms. Pauly asked how they could be incorporated into the GDP. Ms. Carrier said this has been discussed during the policy area map meeting and that a policy could make it an overlay. The Policy Areas and Maps are included in the GDP.

Ms. Lynch said she is not willing to go back to the previous process. She wants a compromise to include a less complex effort on behalf of OPZ. Mr. Kaii-Ziegler said we can do that, but cannot be into April and only be two-thirds complete. A good CAC draft needs to be complete by May. Ms. Pauly suggested the CAC make up one meeting in order to stay on schedule. Ms. Lynch recommended we need a better process. Mr. Kaii-Ziegler asked the CAC to give OPZ two weeks to come up with a better process. The proposal will be presented at the next meeting.

Ms. Rosborg stressed the need for the CAC to do their homework for future meetings. However, there is no homework for the meeting on November 20th. Ms. Rosborg clarified that there is consensus to follow the original plan, but there will be recommendations at the next meeting.

Mr. Mauler questioned whether Mr. Kaii-Ziegler has reviewed the edits on the Environmental section. Mr. Kaii-Ziegler said he has and the CAC is in the ballpark, but questioned how many meetings the CAC should use to review the document. Mr. Mauler suggested that at the beginning of every meeting, OPZ remind the CAC about the schedule.

The meeting was adjourned at 6:50 p.m.