

GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, November 1, 2006, at 1:30 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	John Nelson-staff	William Atkinson
Dennis Margroff	William DeVore-staff	David Cotton
Jeff Messenger	Deborah Carpenter-staff	Megan Rhodes
Ruth Beitzel	Carolyn Matthews	Stephanie Martins
Gary Fratz	Gary Love	Karen Myers
Fred Holliday	Dr. William Pope	Charlie Thorne
Joseph McRobie	Paul Shogren	Edith Brock
		Chad Fike-staff

1. Call to Order – By Acting Chairman, Troy Ellington, at 1:30 pm.
2. The October minutes were unanimously approved as submitted.
3. Reports of Officers – None
4. Unfinished Business – None
5. New Business-

A. Update on the Build-out Analysis being performed by the Maryland Department of State Planning. John Nelson introduced Stephanie Martins and Megan Rhodes of the Maryland Department of State Planning (MDP) who are helping to prepare the building capacity analysis for Garrett County. Stephanie Martins presented a PowerPoint presentation illustrating the *Development Capacity Analysis of the Garrett County* along with a document labeled *DRAFT Garrett County Capacity Analysis*.

Ms. Martins noted that her office has been working with ERM and the County Planning Office regarding the build-out analysis and explained how some of this data has been compiled. Ms. Martins noted since the steep slope issue is significant in

Garrett County, parcels that have 30% or greater slope were taken out of the capacity analysis as being unbuildable.

As previously discussed in the preliminary report in September, the MDP's methodology does not account for infrastructure capacity or marketing constraints. These figures did not include consideration for sewer capacity, roads construction or upgrade, citizen objections or "not in my back-yard" issues and school capacity, which would be important factors for a total "build out" of the County. The study did include environmental constraints. The study includes necessary information such as the location of proposed and existing sewers and the location of the County's Priority Funding Areas (PFA's).

The capacity study includes restrictions by agricultural easements, protected open space areas, existing development and dedicated parks and recreation. State and federal lands were not included as potential growth areas. Areas partially built out receive partial consideration.

In addition to presenting a model using current zoning and land use classifications, MDP ran a model for two different scenarios that have varying densities. Both scenarios show different levels of decreased densities in the agricultural and rural areas. The more restrictive regulations could be used as a tool to protect open space areas and farmland.

Both scenarios show decreased densities for the Agricultural Resource (AR), Rural Resource (RR), Lake Residential (LR), and Rural (R) land use classifications. The densities are shown in chart form as part of the capacity analysis on Table 2. Ms. Martins noted that the AR and RR "zones" were changed to require more acreage for development for each scenario. Scenario 1 requires one dwelling unit per six acres, instead of the current 3-acre requirement. Scenario 2 specifies one dwelling unit per 20 acres. The densities for the LR and R zones were changed only for Scenario 1, densities were held constant for Scenario 2. Scenario 2 would require one dwelling unit per two acres instead of the current requirement of one acre. A complete, updated copy of the report titled Draft Garrett County Development Capacity Analysis is available on the County website at:

http://www.garrettcounty.org/PlanningLand/PlanningZoning/documents/capacitydevelopmentanalysis10_29.pdf.

As shown on Table 2, current household capacity allows for 129,521 units. Scenario 1 decreases capacity to 72,773 units and Scenario 2 decreases capacity to 65,583 units. Each scenario is broken down by land classification.

The County's municipalities and Priority Funding Areas are shown on maps that are part of the capacity analysis document. Growth policy of the State specifies that development should be concentrated in the PFA's. Protected areas are also shown on this map. Graph 1 compares supply and demand of housing units within the PFA's. Table 3 shows development capacity in Garrett County by PFA sub-areas for each scenario. The scenarios only slightly reduce the densities for the Deep Creek South

and Oakland areas. Outside of the PFA's, new housing unit capacities are reduced by approximately 50 percent using the hypothetical scenarios. Capacities of PFA sub-areas are also listed for each growth scenario, though the change is small.

Ms. Martins also presented maps comparing developed area in 1973 with developed area in 2003. Zoning classifications and the County subdivision classifications are also shown on a separate map. For the purposes of this analysis, the MDP uses a housing unit projection of approximately 4,228 new housing units between 2005 and 2030. ERM has developed higher moderate and rapid growth scenarios for the County for the year 2030. In the moderate growth scenario, it shows a growth of 6,750 additional housing units and in the rapid growth scenario 8,750 housing units. Larger parcels with capacity for new dwelling units are mapped using concentric circles to illustrate the amount of capacity, with each scenario.

In summary Ms. Martins noted there is a large capacity in the rural and semi-rural areas of the County. Fast growth in the Deep Creek influence area is combined with this high capacity. Supply in the PFA's is very close to the projected growth using the moderate growth scenario. Discussion ensued concerning mandatory clustering and the impact of a 20-acre minimum on agricultural land and the creation of Land Preservation districts.

Mr. Nelson explained that the Planning Commission could propose mandatory clustering together with a larger minimum lot size for agricultural land as a method to help preserve farmland. Another way to preserve agricultural land may be to limit the number of parcels that could be created from an individual property of a certain size, to say 5 or 6. Mr. Nelson suggested that there are a variety of tools that can be used to accomplish this goal.

Members of the Commission suggested that all municipalities be shown as PFA sub-areas. Ms. Martins said that Loch Lynn and Mt. Lake Park would be added to the list so that all would be included.

Megan Rhodes of MDP also reviewed important findings of the Garrett County Development Capacity Analysis. Ms. Rhodes explained that Table 2 shows a significant decrease in capacity in the AR district with both Scenario 1 and 2. Ms. Rhodes also pointed out the significance of the residential supply versus demand within the PFA's, illustrated on Graph 1.

Draft findings with the alternative Scenario 1 shows an overall capacity decrease by almost one half, with the largest decreases in the R and LR areas. The AR and RR districts also decreased by one half. Draft findings using alternative Scenario 2 shows a capacity decrease by approximately 71% in AR, and 61% in the R districts.. Other alternatives to preserve land as outlined in the PowerPoint presentation include, using Scenario 2 and increase the allowable densities inside the PFAs or expand the PFAs. Other alternatives are to otherwise encourage concentrated growth and preserve more

rural area. The MDP will continue to work with the County to update the Comprehensive Plan.

The Planning Commission formally adopted the Garrett County Development Capacity Analysis, developed by MDP, by unanimous vote of 7-0. The Commission will utilize the analysis along with the data and assumptions regarding the build out analysis to proceed with the development of the new Comprehensive Plan.

Mr. Nelson noted that the projections for the next 25-year growth period, as prepared by ERM, will also appear on the County's web site.

- B. Amendments to the Deep Creek Watershed Zoning Ordinance.** As presented at the last meeting of the Commission, John Nelson noted that the Garrett County Commissioners have remanded the amendment regarding Liquid Chrystal Display (LCD) and Light Emitting Diode (LED) message signs back to the Planning Commission for further review. The status of the existing signs is also a concern as whether they should be amortized or possibly grandfathered. Some members of the Commission believe that their original recommendations to the Commissioners may be too restrictive and additional information may be necessary in order to make another recommendation. The Commission asked Mr. Nelson to check other jurisdictions regarding restrictions on these types of signs. The Commission decided to table the issue in order to acquire more information. The Commission will reconsider the subject at a later date.

Mr. Nelson said that he would contact the Garrett County Development and the Garrett Chamber of Commerce to solicit comments regarding these message signs.

- C. Review of Ag-land District Applications:** None

- D. Miscellaneous**

1. Deep Creek Watershed Zoning Appeals Cases

The Deep Creek Watershed Board of Zoning Appeals will conduct a public hearing on Thursday, November 16, 2006, starting at 7:30 pm, in the County Commissioners Room, second floor, 203 South Fourth Street, Oakland. The Board will review the following docketed cases and hereby request an advisory opinion from the Planning Commission for this case:

- a. SE-377-** an application submitted by St. Moritz Properties, LLC for a Special Exception permit to construct indoor boat storage buildings on property owned by James and Sally Keesling. The property is located at 3564 Glendale Road, tax map 59, parcels 588 and 346, and is zoned Lake Residential.

The Planning Commission has no comment on this application.

- b. **VR-619**- an application submitted by Joseph E. Conway, for a Variance to allow the construction of an existing second story deck to come within 2.0 feet of a rear property line, instead of the required grandfathered 14.3 feet. The property is located at 529 Marsh Hill Road, tax map 50, parcel 500 and is zoned Lake Residential.

The Planning Commission has no comment on this application.

- 2. **Minor Subdivisions** – Mr. Nelson has approved, or is about to approve, a number of minor plats since the last Planning Commission meeting. Copies of the plats were included in the packet mailed to the Commission members. Mr. Nelson said that he would request that the surveyors provide better copies of the subdivisions for the Commission.
- 3. **Waiver Requests-none**
- 4. **Mining Permits-none**
- 5. **Commission Notification**- members of the Planning Commission asked to receive email notification of any important meetings that may be of interest to the Commission. According to Mr. Nelson, the Planning Office will provide such notification to all who would like to receive email notice.

6. **Action on Major Subdivision Plats-**

- A) **Major Subdivision for *The Homestead Residential Lots***. The subdivision is located on Garrett Road, tax map 79, parcels 307, 358, & 378 in the Rural land classification. The applicant is seeking final approval for the proposed 8-lot subdivision. Preliminary approval was granted August 2, 2006. The owner-developer is JC Holdings. Mr. Nelson and Mr. Fike of the County Planning office feel that the plat meets the requirements of the subdivision ordinance. The Planning Commission granted approval of this subdivision plat, by a unanimous vote of 7 to 0, contingent on approval of the stormwater, sediment and erosion plan and the road plan.
- B) **Major Subdivision – *Sweetwater*** - This application is located on tax map 41, parcel 51, in the Town Center zoning district, just off of State Route 219. The developer is Joe Spiker of the Weaver Group. The applicant is seeking preliminary approval. The plat meets the requirements for preliminary approval and was unanimously approved by a vote of 7-0.
- C) **Major Subdivision- *Aspen Woods West, LLC***- the owner developer is **Aspen Woods West**. The applicant is seeking preliminary approval for this revised subdivision plat.

The revised application is for 33 lots, tax map 41, parcel 425. The lots are not located in the Deep Creek Watershed. A secondary treatment plant is no longer proposed on this property. The Commission granted preliminary approval of this subdivision plat by a unanimous vote of 7 to 0.

D) **Wisp Resort PRD- Phase 9A, 9B and 9C** - This application is for 60 lots, located on tax map 49, parcel 11, in the Lake Residential zoning district, along Shingle Camp Road. The developer is DC Development. The applicant is seeking preliminary approval for this phase of the PRD. The plat meets the requirements for preliminary approval and was unanimously approved by a vote of 7-0.

7. **Next Scheduled meeting** - The next regular meeting of the Planning Commission is scheduled for Wednesday, **December 6, 2006**, in the County Commissioners Meeting Room, at 1:30 pm.

8. Adjournment- 3:30 pm.

Respectfully submitted,

William J. DeVore
Zoning Administrator