

Maryland Sustainable Growth Commission Meeting

March 26, 2012/1:00 p.m. to 4:00 p.m.

**Department of Housing & Community Development
100 Community Place
Crownsville, Maryland**

Meeting Summary

Members: Jon Laria, Derick Berlage, Greg Bowen, Dave Carey, Kelly Cartales, Diane Chasse, David Costello, Sandy Coyman, John Dillman, Alan Girard, Rich Hall, Don Halligan, Frank Hertsch, Victoria Jackson-Stanley, David Lever, Mary Ann Lisanti, Sam Parker, Dru Schmidt-Perkins, Bob Walker, Duane Yoder

Attendees: Tad Aburn, Marty Baker, Kevin Baynes, Jamie Bridges, Jeremy Rothwell, John Sheff, Hara Wright-Smith

MDP Staff: Chuck Boyd, Amanda Conn, Peter Conrad, Arabia Davis, Jason Dubow, Jenny King, Stephanie Martins, Matt Power, Pat Russell, Bihui Xu

Introductions/Administrative Matters

The Chair, Jon Laria thanked everyone for coming to the meeting. He then turned the meeting over to Tad Aburn from MDE for a presentation on the “*Greenhouse Gas Emissions Reduction Act (GGRA) Plan.*”

Mr. Aburn said that the draft plan had just been released a little over a week ago, and is located on MDE’s website. He elaborated on what the GGRA Plan pertains to and what it does not entail. Mr. Aburn provided some background information on why the GGRA Plan is needed and actions have occurred to this point in preparing the plan. He reviewed the major strategies contained in the plan, and stated that the final plan is due December 2012. Mr. Aburn acknowledged that there is still quite a bit of work to do before the plan is finalized.

After completing his presentation, Mr. Aburn asked members if they had any questions or concerns.

Mr. Bowen inquired about the economic benefits or work that needs to be done. Mr. Aburn responded that there are “net benefits” to moving forward with the plan.

Mr. Lever asked – whether the plan includes secondary effects like health benefits? Mr. Aburn responded not at this point but that there will be a series of workshops on the analysis.

Mr. Coyman inquired about the sea level rise and if it will be played in the analysis? Mr. Aburn said he is looking at property insurance implications in the sea level rise.

Mr. Costello said his agency looked at net economic impact of 65 programs; however, the analysis does not taken into account the broader cost implications associated with construction jobs. He noted that the Environmental Protection Agency (EPA) is also doing a study this summer.

Mr. Aburn felt that there were some interesting conclusions from the plan. He noted the land compact benefits happen post 2020 to 2050.

Mr. Laria thanked Mr. Aburn for his presentation.

Mr. Laria then asked everyone to refer back to the first two items on the agenda under *Introductions/Administrative Matters*.

Adequate Public Facilities/Annual Report Reporting

Mr. Boyd reminded members that Rich Josephson presented a brief report on the APFO at the last Commission meeting. At that time, Mr. Josephson stated that Calendar Year (CY) 2009 was the first year that jurisdictions with adopted APFOs were required to report on development impacts. Mr. Boyd stated that MDP will be collecting information this summer from jurisdictions for CY 2011, so a more complete picture of the impact APFOs have on development can be reported to the Commission in early fall.

Mr. Conrad reported to the Commission that MDP is completing a compilation of CY 2010 local government annual report efforts, which contain a combination of both quantitative and qualitative data. He indicated the CY 2010 data was a snap shot in time, but with the CY 2011 annual report data coming in this summer, MDP will be able to provide a much better assessment of smart growth implementation at the local level. He mentioned that he will be working with Plan Maryland or Concentrating Growth workgroups to review the results from the local annual reports.

Mr. Laria mentioned that Mr. Hertsch was the APFO workgroup chair. In the 2010 questionnaire that members filled out, there was a significant amount of comments on the APFO. He said we need to begin framing the questions on the impacts of APFOs based on the information from these annual reports. He felt that it would be useful to get this group started up.

Mr. Bowen suggested that this effort should be broaden to include APFs (adequate public facilities), and not just the impact of the ordinance, to address the issue of providing the needed infrastructure capacity for new development.

Governor's APA Planning Award

Mr. Hall mentioned that the American Planning Association (APA) is the main professional organization in the United States and Canada. This year the conference will be held in Los Angeles, CA. The total membership is about 30,000 people.

Every year an award is presented and submittals come from all over the world. This year Governor O'Malley has won the National Leadership Award for Maryland, which will be presented at the conference in April. Mr. Hall said he will more than likely be accepting on behalf of the Governor and noted that he is very excited as this award reflects not only on the Governor's commitment to Smart Growth but also the efforts of the Commission, State agencies, local governments and many interests groups in promoting smart, sustainable growth throughout the Maryland.

Before moving on to the next item on the agenda, Mr. Laria presented a Certificate of Appreciation to Jenny King on behalf of the Commission. He said this is a gift of gratitude for Ms. King's services from 2007 to 2012.

2012 Legislative Session – All Agency Representatives

Mr. Hall referred members to the 2012 Legislative Update (distributed in today's meeting packet). He then briefed members on the Septics Bill (SB 236). He gave some background, noting that amendments were made last week. It is in third reader this evening and there is some pressure on the House side.

Mr. Laria inquired about the HB 1467, Sustainable Communities – Financing [Tax Increment Financing (TIF) Bill], noting this bill came out of the Finance Workgroup's efforts. Mr. Hall was uncertain of this bill's future during the Session. Mr. Hall indicated that the bill is not a lost cause, and if it did not pass this year, there are several promising revitalization tools contained in the bill that could be refined during this coming year for consideration new year. Mr. Laria encouraged everyone to take a look at the fiscal note for this bill. He said it is a very positive note and presents an opportunity to move smart growth forward as well as to take a broader look at financing tools.

Mr. Costello said with regards to the Bay Restoration Fund (BRF), there has been a proposed doubling of the fee. The fee has passed the House, and requires the 10 largest jurisdictions to create a stormwater management fee.

Several other bills were noted and Mr. Laria thanked everyone for their time and hard work on the bills.

PlanMaryland Update

Mr. Boyd gave a brief status report on PlanMaryland. He referred to several handouts in today's meeting packet – *Planning Area Guidelines (draft)*; and *PlanMaryland Guidance Map*. Comments on the Planning Area Guidelines will be accepted through April 15th, at which time a final draft of the Guidelines will be prepared for review and approval by the Smart Growth Subcabinet. Mr. Boyd asked members to please take a look at the draft and that their comments are welcome. He also noted that there is a new tool for local governments to look at – *Plan Maryland Guidance Map*. It is an important resource and helps to identify those areas that need improvement.

Mr. Boyd noted that the PlanMaryland Workgroup was the first to see the draft of the Planning Area Guidelines and they will continue to be a sounding board for PlanMaryland's implementation. He noted that MDP staff is currently working with each State agency in the Smart Growth Subcabinet to evaluate their plans, programs and procedures to implement PlanMaryland. Mr. Boyd stated the PlanMaryland Workgroup will be briefed on the State agency assessments and provide input on State Agency Implementation Strategies. He also reported that MDP has been meeting with local governments to go over the Planning Area Guidelines and discuss how local governments can propose their Planning Areas. Mr. Boyd stated that the PlanMaryland Workgroup will be briefed on the mapping process, as local governments submit their proposed Planning Areas. He advised that the Workgroup will play an important role in commenting on the new composite Planning Area map as it evolves.

Workgroup Updates/2012 Work Plans (copies of Workgroup 2012 Work Plans in today's meeting materials)

WIP Workgroup

Mr. Girard reported the group is waiting for Phase II WIP to be finalized. He anticipates to begin working with the Growth Offset Workgroup. The workgroup intends to have a draft report to the Commission on the State's growth offset policy and implementations by December 2012.

Funding Workgroup

No report at this time.

Concentrating Growth Workgroup

Mr. Berlage went over the workgroup's 2012 Work Plan highlighting the group's activities. He said we need to look at a better understanding of what rural, economic development needs are.

Mr. Berlage inquired about MDP's "Generalized Zoning Map" shown on the PlanMaryland Guidance Mapping Tool. Mr. Boyd explained that the generalized zoning map is a generalization of the existing zoning from each jurisdiction, according to the most recent information they have provided MDP. He pointed out that MDP is asking local planning

departments to look at this generalized zoning and help us correct any inaccuracies. Again, this is intended to be an informational tool in helping identify Planning Areas.

Indicators Workgroup

Mr. Coyman reported that the final report draft is being reviewed by MDP. He hopes to smooth out any details in the strawman draft. The Workgroup has been going over where they have been and what they need to complete. The report contains some recommendations that do relate to smart growth. He said the final presentation will be given at the next Commission meeting.

Education Workgroup

Ms. Jackson-Stanley briefed the members on the activities that the Education Workgroup would like to see implemented:

- 1) Create a sustainable group challenge.
- 2) Collaborate with colleges throughout Maryland. Have an educational challenge, i.e. an incentive to get kids excited about planning; create excitement for young people. She said they are looking to have something by spring 2013.
- 3) Expanding college degrees; offering planning degrees; offering courses in urban planning.
- 4) Activities – promoting Live Near Where You Work; promote smart growth and increase incentives.

Ms. Jackson-Stanley said she plans to share more information at the next Commission meeting.

Mr. Conrad added that the Workgroup is also looking at the curriculum of private and public colleges regarding smart growth. He said a number of schools are promoting smart growth activities and we could advance this effort. He noted that there are additional folks on the Commission that may have connections.

Housing Workgroup

Ms. Wright-Smith briefed the Commission on the activities of the Housing Workgroup. The group has not been meeting as a whole lately, but some members have been focused on preparing the first draft of a State Housing Plan. The first draft is due in April. Ms. Wright-Smith noted that the Workgroup provided important guidance on the issues that should be addressed in the draft Housing Plan.

2012 Commission Focus Annual Forum/Symposium/Award Program

Mr. Laria expressed interest in getting together a small group of Commission members to work on this effort. Mr. Laria then asked members for their thoughts on this effort.

Mr. Lever questioned who is the target audience? Mr. Laria responded there has been some interest among local governments and professionals, but this is one thing this Ad Hoc Committee should address.

Ms. Cartales suggested thinking about using the forum to roll out a workgroup product. She said the awards program needs to promote broad participation.

Mr. Bowen said the audience can be tied to the awards program. The work coming out from the groups needs to go through all of the media.

Mr. Parker questioned how do we get the message out to the public? We need to look at the long term.

Mr. Dillman felt it was a great idea. He said we need something that is positive-oriented. We need to reach out to the private sector and take a hold of a project and make it happen.

Mr. Lever felt there are too many forums and too many awards. He also had concerns about the mission.

Mr. Hall advised that the Commission in the 90's did help to get the message out and had an awards program. He felt that this Commission could also do the same thing. He said there is a range of opportunities for categories.

Mr. Costello suggested that the Commission could take over the Smart Green & Growing Awards. He said the categories are fine; and the smart sites are just designations. He added that with a forum you have broader constituency here.

Mr. Laria said we need to reinforce the values of the Commission. Look at what values we are trying to do and what we are about. He felt the Commission can bring a unique perspective.

Mr. Lever added this could have an educational perspective.

Mr. Halligan suggested that the forum could be a tactical way of addressing specific problems.

Mr. Coyman said the root to this is getting the political support. We need to generate the expectations that smart growth is going to happen.

Mr. Girard suggested the workgroup chairs need to look at who are the people that have concerns with us; and as for the forum, we need to look at who are the stakeholders that this will affect.

Mr. Bowen noted that the State of Oregon did a nice video on smart growth which was shown on MPT.

Mr. Laria encouraged the members to feel free to send him a follow-up email if you would like to discuss this further. He said there is plenty of time to get this together. He asked everyone to

think about it and come up with some recommendations on going forward. Mr. Laria said we can talk about this some more at the next Commission meeting.

Commissioners Self-Evaluation – Looking Ahead

Mr. Halligan said we need to reevaluate our mission statement. We need to make assignments a little more concise and set aside some time for doing this.

Mr. Berlage said we need to increase our knowledge of issues. We need a longer term game plan- maybe a 3-5 year workplan.

Mr. Parker said there is a lot going on in the metropolitan areas. He added we need to be more forceful beyond Maryland. He said we need to look at how we can influence growth outside Maryland and look at the longer term effects.

Mr. Hertsch said he is looking forward to larger groups and missing the reporting of the workgroups back to the Commission.

Mr. Yoder suggested we need to continue to get information from various areas of the State.

Mr. Laria said he appreciates the insight of the Commission members. The work that has come from the workgroups has been very helpful. He felt there has been a real benefit of learning from the members when we have moved around to different parts of the State. He added that there are a lot of things that have happened in Maryland that could be used by the Commission to highlight how smart growth can work.

Mr. Lever said he wasn't clear about the legislative process with this Commission and their position. He asked should the Commission take a formal position and provide testimony.

Mr. Laria noted that the Commission has been effective in formulating legislation and successful in getting it passed.

Mr. Dillman felt the Commission has been successful with legislation. However, he said all of what is happening is coming with a tremendous price tag.

Ms. Lisanti said the municipalities and counties need to be factored into the process as they are impacted by State actions.

Mr. Carey felt that the Commission needs to do a little more outreach, and communicating this information.

Mr. Coyman suggested educating the people more on smart growth. He said we need more private sector perspective.

Ms. Cartales said the local leaders need to carry the message. She said we need an identity that Maryland can connect with.

Mr. Bowen said he liked the leadership and decorum. He agrees with the mission, but felt that sometimes issues are gone through a little too quickly.

Mr. Laria said that he appreciated this feedback and it has been very helpful. He said he is willing to devote as much time as it takes and would be happy to meet more often, if need be. We need to ask ourselves how much time do we want to spend, and decide to either make more time for the issue of concern or use our time differently.

Mr. Laria said he will follow up regarding Mr. Lever's question concerning the legislative process.

We need to look at how we interact with this process constructively. He said that at the next Commission meeting we will make some decisions and commitments for this year. Mr. Laria expressed his gratitude to the members and added that he is proud of the work that been done by the Commission. He added that there is much more work to be accomplished.

Public Comments

None.

The meeting adjourned at 4:10 p.m.