

## **GREENSBORO PLANNING COMMISSION**

**November 20, 2018**

The meeting was opened at 7:06 pm.

In attendance: Cheryl Jones, Bill Schaffner, Steve Fleegle

Also in attendance: Debbie Pfeil, Kevin Reichart, Terri Sprouse, Kevin Shearon

Staff attendance: Nicole Armour

Steve Fleegle made a motion to approve the minutes from the October 16, 2018 minutes. Bill Schaffner seconded the motion. All in favor, motion passed.

### **New Business**

#### **New Members**

Ms. Jones announced that there are two new members that will be sworn in by council in December. Matthew Nelson will be filling the empty board member seat, and Terri Sprouse will be the alternate and stand in when a member is absent from the meetings.

#### **GES – Concept Plan – Kevin Shearon**

Mr. Shearon works for DMS, the engineering firm working with the school board for the new Greensboro Elementary School. They are currently in the concept phase and will be coming back to the board a few more times. He stated that the property is currently zoned R-1 and he is requesting a recommendation to the BOA for a special exception for the school. He went on to show the board the preliminary site plan which he feels will be definitely changed at the request of the construction manager that the school board hired. He went on to explain that the old school would come down to allow for more parking and better bus loops. Bill Schaffner motioned to address a letter of favorable recommendation to the BOA to approve a special exception for the new school. Steve Fleegle seconded the motion. All in favor. Motion passed.

### **Old Business**

#### Comprehensive Plan

Debbie Pfeil handed out Discussion Topics, Legislative Regulations, a to-do list, and a Preliminary Checklist (attached) to all of the board members. She felt that this would get the board on the path toward actually working on the comprehensive plan update. She stated that all members should look over this information, and start marking up their comp plans with additions and deletions. Using these handouts is a great way to build the scope of what work they will need to do. Mr. Schaffner asked if they will do workshops. Ms. Jones stated that the workshops will be the first Tuesday of every month, and the regular meetings would remain the third Tuesday of every month. Debbie said that the board should take December – February to go through the check lists and she will come back in March. After she compiles all the information she will be able to come up with a proposal for the Comp Plan as well as a schedule and scope of work. The board discussed which event to use as the “community event” and Debbie stated she would like to see that scheduled for 2020.

#### Cherrywood Solar

Ms. Jones stated that the Public Hearing was cancelled, but Cherrywood/NextGen met with council. Ms. Jones turned the floor over to Mr. Reichart. He stated that the council agreed to 4.5 Million dollars over 40 years with the first 2 years free, after construction is complete; along with the annexation of the property. Ms. Jones said

she would like to see council make sure that the annexation includes the “wrap-around” parcel that comes around to Cedar.

#### Riverside Rentals

Ms. Sprouse stated that the building is coming along and there wasn't much to report.

#### “A Better Maryland”

Ms. Jones stated that she and Mr. Schaffner attended the meeting and it was very informative. She stated that on the Better Maryland website there is a survey and encouraged all members to complete it.

Ms. Jones announced that Steve Fleegle has completed his training.

Mr. Fleegle motioned to adjourn the meeting. Mr. Schaffner seconded the motion. All in favor, motion passed.

The meeting was adjourned at 8:15 pm.

Respectfully Prepared by Nicole Armour



## **DISCUSSION TOPICS**

### **1. Current Comprehensive Plan Review**

- a. What should remain in the Plan (not completed, still relevant, etc.)?
- b. What should be removed (completed, outdated, not relevant, etc.)?

### **2. Managing Maryland's Growth (Transitioning to the 10-Year Review Cycle)**

- a. Planning Legislation
- b. Preliminary Checklist Questions / 10-Year Review Cycle Evaluation Checklist
- c. Table 5 MD Code Requirements for Local Comprehensive Plans

### **3. Town Data (any since 2010?)**

- a. Land Development Activity
- b. Business License Data
- c. Rental License Data
- d. Multi-Family Housing List
- e. Top 10 Employers List
- f. Code Enforcement Violation Data
- g. Police Data (Heat maps?)
- h. Improvement Project Descriptions

### **4. Community Outreach**

- a. Internal S.W.O.T. Analysis
- b. Survey
- c. Community Event

### **5. Areas For Consideration**

- a. Identify New Data / Regulations
- b. Gather Current Plan Input
- c. Discover Available Town Data
- d. Define Intergovernmental Coordination
- e. Create Community Outreach Approach
- f. Determine Number of Meetings
- g. Generate a Realistic Schedule

Table 5: Maryland Code Requirements for Local Comprehensive Plans — Charter and Code Counties

	MD Code Reference		Additional MD Code Reference
Non-Charter Counties* & Municipalities	(1) A comprehensive plan for a non-charter county or municipality <b>MUST</b> include:	<a href="#">L.U. § 3-102(a)</a>	
	(a) a community facilities element	<a href="#">L.U. § 3-102(a)(1)(i)</a>	<a href="#">L.U. § 3-108 -- Community facilities element.</a>
	(b) an area of critical state concern element <sup>3</sup>	<a href="#">L.U. § 3-102(a)(1)(ii)</a>	<a href="#">L.U. § 3-109 -- Areas of critical state concern element</a>
	(c) a goals and objectives element	<a href="#">L.U. § 3-102(a)(1)(iii)</a>	<a href="#">L.U. § 3-110 -- Goals and objectives element</a>
	(d) a land use element	<a href="#">L.U. § 3-102(a)(1)(iv)</a>	<a href="#">L.U. § 3-111 -- Land use element</a>
	(e) a development regulations element	<a href="#">L.U. § 3-102(a)(1)(v)</a>	<a href="#">L.U. § 3-103 -- Development regulations element</a>
	(f) a sensitive areas element	<a href="#">L.U. § 3-102(a)(1)(vi)</a>	<a href="#">L.U. § 3-104 -- Sensitive areas element</a>
	(g) a transportation element	<a href="#">L.U. § 3-102(a)(1)(vii)</a>	<a href="#">L.U. § 3-105 -- Transportation element</a>
	(h) a water resources element	<a href="#">L.U. § 3-102(a)(1)(viii)</a>	<a href="#">L.U. § 3-106 -- Water resources element</a>
	(i) a mineral resources element, IF current geological information is available	<a href="#">L.U. § 3-102(a)(2)</a>	<a href="#">L.U. § 3-107 -- Mineral resources element</a>
	(j) for municipalities only, a municipal growth element	<a href="#">L.U. § 3-102(a)(3)</a>	<a href="#">L.U. § 3-112 -- Municipal growth element</a>
	(h) for counties only if located on tidal waters, a fisheries element	<a href="#">L.U. § 3-102(a)(4)</a>	<a href="#">L.U. § 3-113 -- Fisheries element</a>
	(2) A comprehensive plan for a non-charter county or municipality <b>MAY</b> include:	<a href="#">L.U. § 3-102(b)</a>	
	(a) a community renewal element	<a href="#">L.U. § 3-102(b)(2)(i)</a>	
	(b) a conservation element	<a href="#">L.U. § 3-102(b)(2)(ii)</a>	
	(c) a flood control element	<a href="#">L.U. § 3-102(b)(2)(iii)</a>	
	(d) a housing element	<a href="#">L.U. § 3-102(b)(2)(iv)</a>	
	(e) a natural resources element	<a href="#">L.U. § 3-102(b)(2)(v)</a>	
	(f) a pollution control element	<a href="#">L.U. § 3-102(b)(2)(vi)</a>	
	(g) information concerning the general location and extent of public utilities	<a href="#">L.U. § 3-102(b)(2)(vii)</a>	
	(h) a priority preservation area (PPA) element	<a href="#">L.U. § 3-102(b)(2)(viii)</a>	<a href="#">For PPA requirements, see § 2-518 of the Agriculture Article</a>
	(3) Visions -- A local jurisdiction <b>SHALL</b> through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 3-201(c)</a>	<a href="#">L.U. § 1-201 -- The 12 Planning Visions</a>
	(4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	<a href="#">L.U. § 1-509</a>	

<sup>3</sup> The Area of Critical State Concern element is only required for areas that have been designated as an Area of Critical State Concern.  
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## B. Preliminary Checklist Questions

There are a couple of preliminary questions that you should answer before you begin the *Comprehensive Plan 10-Year Review Cycle Evaluation Checklist* in Section C.

- (1) What is the adoption date (year) of your jurisdiction's current comprehensive plan? (This includes any comprehensive plan amendments, community plans, sector plans, or geographic section or division plans, list each). .....

*The adoption date is necessary to determine how many years may have passed since the last comprehensive plan update. The adoption date will also help to determine when, if applicable, a growth tier map may need to be incorporated into the comprehensive plan. The adoption date will also be used to determine when the 5-Year Report. The adoption date may be different than the date that appears on the comprehensive plan cover. Adoption dates are included in Table 2: Target Comprehensive Plan Report and Review Schedule 2015-2033 – Counties, or Table 3: Target Comprehensive Plan Report and Review Schedule 2015-2033 – Municipalities. Each jurisdiction should ensure that these dates are accurately reflected.*

- (2) When was the last planning commission or board review of the comprehensive plan? .....

*The review date is necessary to determine how many years have passed since the last review and to determine how many years until the next review must be completed. The scope and detail of the comprehensive plan is determined by each jurisdiction.*

- (3) Did the review include the entire comprehensive plan, or individual elements? .....

*If the review only included portions of the comprehensive plan, the planning commission or board is responsible for reviewing all elements of the comprehensive plan within the 10-year review cycle.*

- (4) Is all land within the boundaries of the jurisdiction in the Priority Funding Area (PFA)? ..... Y ☐ N ☐

*If the answer to this question is yes, then the local land use percentage goal does not need to be established in the comprehensive plan.*

*If the answer to this question is no, and the area does not qualify for PFA, then the jurisdiction must establish a local percentage goal to achieve the statewide land use goal, under [Land Use Article](#) Section [1-208\(2\)](#) to increase the current percentage of growth located inside the PFAs and decrease the percentage of growth (new lots and new residential units) located outside the PFAs. It is recommended this percentage goal be included in the comprehensive plan with associated strategies and policies to achieve it.*

- (5) Does your comprehensive plan include the required elements? ..... Y ☐ N ☐

For non-charter counties and municipalities, the comprehensive plan must include the following elements, pursuant to [Land Use Article](#) Sections [3-102](#), [3-103](#), [3-104](#), [3-105](#), and [3-106](#):

- |  |  |
|--|--|
| <input type="checkbox"/> Community Facilities element            | <input type="checkbox"/> Transportation element  |
| <input type="checkbox"/> Area of Critical State Concern element* | <input type="checkbox"/> Water Resources element |

## Managing Maryland's Growth — Transitioning to the Comprehensive Plan 10-Year Review Cycle

*Planning? Do the procedures address the changes pursuant to [Land Use Article](#) Sections [3-204](#) and [3-205](#)?*

*If your answer to this question is no, then it is recommended that your jurisdiction prepare a local process for when or how reviews and updates of the comprehensive plan take place.*

- (8) Was the last planning commission or board review of the comprehensive plan before January 1, 2010? ..... Y ☐ N ☐

*If your answer to this question is yes, then the planning commission or board should conduct a review of the implementation status of the comprehensive plan (5-Year Report), pursuant to [Land Use Article](#) Section [1-207\(c\)\(6\)\(i\)-\(vi\)](#). This report should be incorporated into the local jurisdiction's annual report, pursuant to [Land Use Article](#) Section [1-207\(b\)](#), and submitted to the Secretary of Planning by July 1, 2018. For additional information on annual report requirements, please visit the [Annual Report Tools](#) website.*

Having answered the questions in this preliminary checklist of basic requirements, you should have some indication if your comprehensive plan needs an update.

## Managing Maryland's Growth — Transitioning to the Comprehensive Plan 10-Year Review Cycle

- (6) Has your jurisdiction incorporated the latest version of the Critical Area program and criteria? (Review of the Critical Area program is required every 6 years, pursuant to Section 8-1809(g) of the [Natural Resources Article](#).) Do those changes come in conflict with your adopted comprehensive plan? ..... Y ☐ N ☐
- (7) Have significant areas been designated for preservation or acquired for parks? .. Y ☐ N ☐
- (8) Have you designated a Historic District, Enterprise Zone, Sustainable Community, Main Street, Art & Entertainment District or other similar district? ..... Y ☐ N ☐
- (9) Has there been a significant reduction in lands available for development? (e.g. not enough land available to accommodate projected populations?) ..... Y ☐ N ☐
- (10) If your jurisdiction is included in a Metropolitan Planning Organization (MPO) region, have there been updates to the MPO Plans that affect your jurisdiction's plan? ..... Y ☐ N ☐
- (11) Have there been changes in transportation modes, corridors or infrastructure? .. Y ☐ N ☐
- (12) Have there been changes in the Water and Sewerage Master Plan? Has your jurisdiction identified a problem with available water and sewer capacity that may not accommodate your growth needs for the planning horizon? ..... Y ☐ N ☐
- (13) Does the information on your capital improvement program within the comprehensive plan need updating?..... Y ☐ N ☐
- (14) Have any schools been built or closed? ..... Y ☐ N ☐
- (15) Have there been annexations? If the answer to this question is yes, do your maps/data in the plan reflect them; otherwise an update may be needed? ..... Y ☐ N ☐
- (16) Are changes needed to the current comprehensive plan goals, objectives and policies to reflect the priorities of your jurisdiction? ..... Y ☐ N ☐
- (17) Have you implemented most of the current comprehensive plan recommendations? ..... Y ☐ N ☐
- (18) Does your comprehensive plan reference Article 66B instead of the Land Use Article? Or does your plan reference a 6-year review cycle instead of a 10-year cycle? ..... Y ☐ N ☐
- (19) Does your comprehensive plan reference [census data](#) from the 2000 census, or earlier?..... Y ☐ N ☐
- (20) Have there been in changes in major adjacent land uses that could affect your jurisdiction such as Military Base Realignment (BRAC) or the closure or construction of a major employer? ..... Y ☐ N ☐



# Planning Legislation

## 1992 Planning Legislation

### Economic Growth, Resource Protection, and Planning Act

The 1992 Economic Growth, Resource Protection, and Planning Act articulates the State's growth policy through seven visions (the General Assembly added an eighth vision in 2000) centered on concentrating development in suitable areas, protecting sensitive areas, and establishing funding mechanisms to achieve the visions. The Act also requires local jurisdictions to address these same visions in their comprehensive plans. All local jurisdictions with few exceptions, incorporated these visions into their comprehensive plans on or before July 1, 1997. Under the Act, local governments are required to review, and if necessary, update their plans once every six years...

These are the eight visions from the 1992 Planning Act.

- 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 items (1) through (5) of this section, 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.

The Economic Growth, Resource Protection, and Planning policy is codified in §5-7A-01 of the State Finance and Procurement Article of the Annotated Code. The visions are codified in §3.06(b) of [Land Use Article](#) of the Annotated Code of Maryland.

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## 1997 Planning Legislation

### Priority Funding Areas Act (click heading to expand)

The 1997 Priority Funding Areas Act directs State funding for growth related infrastructure to Priority Funding Areas (PFAs), providing a geographic focus for State investment in growth. PFAs are existing communities and places where local governments want State funding for future growth. Growth-related projects include most State programs that encourage growth and development such as highways, sewer and water construction, economic development assistance, and State leases or construction of new office facilities. The Act legislatively designated certain areas as PFAs - municipalities (as they existed on January 1, 1997), Baltimore City, areas inside the Baltimore and Capital Beltways, Department of Housing and Community Development Designated Neighborhoods - and established criteria for locally designated PFAs. The criteria include permitted density, water and sewer availability, and designation as a growth area in the comprehensive plan.



[Priority Funding Areas Mapping](#)

[Senate Bill 389 from the 1997 regular session of the General Assembly](#)

The PFA Act is codified in §5-7B of the State Finance and Procurement Article of the Annotated Code of Maryland.



## **2010 Planning Legislation**

### **Sustainable Communities Act**

The Sustainable Communities Act of 2010 strengthens reinvestment and revitalization in Maryland's older communities by reinventing an existing rehabilitation tax credit and extending the life of the credit through 2014, simplifying the framework for designated target areas in the Community Legacy (CL) and Neighborhood BusinessWorks (NBW) program by creating "Sustainable Communities", establishing a new transportation focus on older communities, and enhancing the role of the Smart Growth Subcabinet (SGSC) in the revitalization of communities.

[House Bill 475 from the 2010 regular session of the General Assembly](#)

The Sustainable Communities Act of 2010 is codified in Md. Code Ann., Econ. Dev. § 5-1304; Md. Code Ann., Hous. & Cmty. Dev. § 6-104, -201 to -213, -301 to -306; Md. Code Ann., SFP § 5A-303; Md. Code Ann., State Gov't § 9-1406; Md. Code Ann., Transp. §§ 2-701 to -703, 7-101.

## **Maryland Sustainable Growth Commission**

The Maryland Sustainable Growth Commission continues the vital work started by the Task Force on the Future for Growth and Development. This law transforms the original task force into the Maryland Sustainable Growth Commission by expanding its charge and extending its membership and tenure. The Commission will provide the State with a broad representation of stakeholders who can continue to promote a smart and sustainable growth agenda and to build on the work of the task force. Commission members who represent a region of the State must have knowledge of smart growth and planning issues.

[House Bill 474 from the 2010 regular session of the General Assembly](#)

The Maryland Sustainable Growth Commission is codified in Md. Code Ann., SFP § 5-701 to -707

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## **2012 Planning Legislation**

### **Sustainable Growth & Agricultural Preservation Act**

The Maryland General Assembly approved the Sustainable Growth & Agricultural Preservation Act of 2012, also known as the septic law, during the 2012 General Assembly session.

As part of its technical assistance responsibility under the law, MDP is providing guidance to local jurisdictions and a web mapping application. The web application provides the key components for local jurisdictions to create their tier map. MDP is also available to help jurisdictions that might need additional assistance.

[Senate Bill 236 from the 2012 regular session of the General Assembly](#)

The Sustainable Growth & Agricultural Preservation Act of 2012 is codified in Md. Code Ann., Envir. § 9-206, 9-1110 ; Md. Code Ann., LU Title 1, Subtitles 5 and §5-104

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## **2013 Planning Legislation**

### **Sustainable Communities Tax Increment Financing (TIF) Designation and Financing Law**

# Local Government Annual Reporting Tools

The Maryland Department of Planning has developed annual report templates to help facilitate each local jurisdiction complete their annual report information as required by the General Assembly under Land Use Article §1-207 (basic requirements), §7-104 (adequate facilities reporting requirements), and §1-208 (indicators). We hope you find these templates most useful to supplement your current annual reporting requirements.

We encourage all jurisdictions to utilize these templates as it will provide a uniform data management system across the State and a comparable format to other jurisdictions.