

**Open Work Session
Comprehensive Plan
April 5, 2016**

Mr. Keith Hall, Long Range & Transportation Planner, came before Council. Mr. Hall said he would like to discuss the Comprehensive Plan update with Council. The current plan is dated 1998 and was amended in 2009. He said he would like to go over the first five chapters of the updated Comprehensive Plan, which is less than one-third of the entire document. He said he will be discussing some elements that are germane to the overall discussion as they do not have the level of substance that some of the more complex chapters have, such as land use and transportation. He said these chapters serve as the foundation for the framework for preparing the plan update. Mr. Hall said it is important to note the Comprehensive Plan update has had public involvement over the last four years. Although the Comprehensive Plan is not regulatory in nature, the implementation of it has some regulatory controls through the zoning code, subdivision regulations, zoning map, and it will also have considerations for capital programming. Mr. Hall continued, he said as the County continues to grow and the population continues to increase, the County needs to have a road map of where it wants future development and growth, while at the same time trying to protect our natural resources and environment. He said that is something that was discussed earlier tonight with the potential poultry houses coming to the County. Mr. Hall said since 1943, the City and County have been doing joint planning activities. He said the Planning Department was established in the early 60s, and the purpose of the Planning Department is to provide professional and technical planning expertise to elected officials, appointed boards and commission, the general public and assisting local municipalities in looking at community issues that need to be addressed in a professional manner. Mr. Hall said Comprehensive Planning is not new to Wicomico County. The first Comprehensive Plan was in 1982, subsequently to that the update occurred in 1998 and that plan was updated in 2009 to include the Water Resources Element. Mr. Joe Holloway said it was discussed previously about the connection between the Comprehensive Plan and the poultry legislation, in that small towns and villages have Growth Areas around them. He asked if the folks that have the land in the Growth Areas can opt out. Mr. Hall said as part of the Comprehensive Planning process, the County is seeking citizen input whether any are looking for a change in the use of their land. He said, for example, several property owners came to the Planning Commission looking for an intensification of their land. What the County is trying to predicate a sound decision on, so it does not become a political or arbitrary decision, is what has changed in the context of the neighborhood. Is there a new road coming in? Are facilities such as water and sewer going to those regions? He said from that approach Council can justify decisions. He said as part of this Council's discussion when we get into the Land Use Chapter, will be that you will see recommendations coming in both ways. He said there are some people that are located between the small towns that do not want to be zoned in intense growth and would like to go back to agriculture zoning. Mr. Joe Holloway said their concerns are that if they want to add on to their poultry farm, they would need to ask for a special exception if they are included in the Designated Growth Area, but there is no growth out there. Mr. Joe Holloway then asked if the same would apply to around Salisbury, if someone wants to opt out of the Growth Area. Mr. Hall said that would be a consideration. The Planning

Commission would bring their consideration and recommendation to Council to review. Mr. Creamer asked who would make that decision, the Planning Commission or Council, to which Mr. Hall responded ultimately the Planning Commission. He explained that if the Council feels comfortable, the Planning Commission can always be involved in those types of decisions because there would be a change to what the Planning Commission has approved. Mr. Hall said there is a level of coordination that does need to occur. He recommends that if the land use requests go back to the Planning Commission, that they be done as a batch process. Mr. Hall said some of the areas between the small towns, for example Pittsville and Willards, the whole corridor between the towns is designated for growth. Mr. Hall said you are not seeing growth and what that has done to rural property owners between the jurisdictions is limited the flexibility in what they can do to their land. It has provided them with intensification of residential use, but there is no market. He said it has eliminated their ability to get Ag Preservation dollars voluntarily. He thinks people have come out of the craze of the early 90s, the development boom, and are starting to realize that this is their chance. This County does not do spot rezoning as rezoning results in a change to the Comprehensive Plan or a change/mistake that can be documented and justified. Mr. Kilmer said the areas between Pittsville and Willards are designated as Growth Areas, but if you look at places like Sharptown, it is more reasonable in how Sharptown is going to grow. Mr. Hall said once upon a time they were looking to combine water and sewer systems and that was the logical connection and that would encourage that type of intensification of growth. However, he does not think that is being considered at this time. Mr. Joe Holloway said in the early 70s, Willards had to put in water and sewer, the Farms Home Administration lent them the money for it, and there was a rumor that Pittsville was going to have to do the same, so they tried to talk the Pittsville residents in joining in with Willards. Pittsville resisted at the time and then about 10 years later, Pittsville had to put in their own system. They would have been ahead of the game if they joined forces with Willards initially. Mr. Kilmer then clarified that this is a process that Council could reexamine and say this does not hold up anymore. Mr. Hall confirmed that he is correct, but it needs extensive public input. He said anytime you are downzoning property, typically people are concerned because there could be the perception that there would be a decrease in their property value. He said it is a very delicate balance. Mr. Hall said this is an open planning process, so he does think they will see requests come in. Mr. Joe Holloway said it is interesting that Council is having this conversation because seven years ago, Council was having the other side of the fight in that the land might be worth more now as farmland than development land because there is no development; it really would not be called downzoning. Mr. Hall said the County wants to provide as many opportunities for flexibility as it can, especially for rural property owners because their land is their 401K. He said what might have been perceived in the 2000 market is that every piece of land had intense residential value as it developed above rural county standards. He said these are the issues that Council will work collectively through. Mr. Joe Holloway said another problem is that Pittsville and Willards are pretty much maxed out on their water and sewer. Mr. Hall explained that may be true today, but the County is looking at a plan that is over a course of 15 to 30 years. Mr. Hall said the 1998 plan is a very good plan, but it has not been before Council to be disputed from a land use perspective. He said what the public disputed in 2008 and 2009 was more of the zoning code, and it was related directly to the density in the rural zoning areas of the County. The market has

taken care of itself, and the County has enough surplus building capacity for probably 10 to 15 years on the books. Mr. Hall said the County has to be cautious and minimize the unintended consequences. Mr. Hall further said the Maryland Annotated Code prescribes the jurisdiction for preparing the Comprehensive Plan. He said some elements are required by law. He said for a charter county, the plan is prepared and approved by the Planning Commission then forwarded to the legislative body for review and action. Mr. Cannon said, in Chapter 1, it references the Priority Funding Area Act of 1997. He was told recently the state was dropping the designation to the Priority Funding Area and instead was referencing only the Designated Growth Areas. Mr. Hall said he has not been apprised of that change. He said the Priority Funding Area is still the way the state is making decisions from a capital programming standpoint on where they want to invest for public infrastructure and support smart growth principals. Mr. Hall continued, he said Chapter 2, titled "Development Goals and Objectives," are overarching goals that the public has come up with. He said there are several themes, such as orderly growth, controlled growth, protecting the environment, retaining our rich agriculture history, and being the center for academic institutional and medical services in the region. He said these goals hold true for the 1998 plan and probably the 1982 plan. He said these are important for the citizenry. These goals will help the County formulate what will become the foundation for the policies that will be established as well as implementation strategies that are going to be recommended within each of the chapters. Mr. Cannon asked if Mr. Hall could go back to page 1-7 as it mentions House Bill 474-the Sustainable Communities Act of 2010, giving a tax credit and extending the life of the credit through 2014. He then asked since it is 2016 is that date outdated or relevant. Mr. Hall said it still gives the relevancy from a historical standpoint, and it is not contradictory to anything currently. Mr. Cannon then asked, on page 1-8, the section pertaining to Senate Bill 236 (2012), if the reference made to the adoption of the Tier Map as being uncertain could be taken out, to which Mr. Hall responded at the discretion of the Council, they would like to take that out. However, from a staff perspective, they are not trying to get Council to adopt something it is not comfortable with whether is it a Tier Map or any portion of the Comprehensive Plan. He said the plan has had many iterations in draft form since 2010, but, hopefully, this will be the Council that adopts it, but there is no certainty in that either. Mr. Hall explained that they factored in that language to make sure all bases are covered. Mr. Creamer asked if Mr. Hall could briefly explain the relevancy of House Bill 1160 (2006), on page 1-6, pertaining to the Workforce Housing Grant Program. Mr. Hall said it is a new element; it is not required to be in the plan by state law, however, if there is money through the CDBG Grant program, if you are an entitlement community, in order to be eligible for those funds, there has to be a housing element in the Comprehensive Plan. Mr. Creamer then asked if he should wait to discuss the housing element when he gets to Chapter 11, to which Mr. Hall responded, yes, he would prefer to wait. Mr. Matt Holloway said going back to Chapter 2, the first objective indicates 49,650 households by 2040. Mr. Hall said that is an increase of about 12,000 households from where the County is right now. Mr. Matt Holloway asked if the County has enough capacity in the pre-subdivided lands to accommodate the additional households. Mr. Hall said for what is subdivided in the unincorporated portion of the County that is sitting on the books but not recorded yet, he thinks there is not close to capacity to accommodate 12,000 households. He said, however, in the Designated Growth Areas there is more than enough capacity for more intense development that could easily

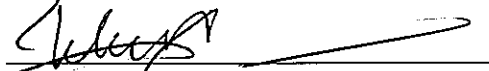
accommodate that type of development pressure. In addition, in the City of Salisbury alone, they could handle an additional 12,000 more households. Mr. Creamer asked is there likely to be sufficient inventory in the unincorporated areas to satisfy those future people, who do not want to live in a box over or, under another box. He said this plan focuses on planning growth where there is planned existing services, recognizing the importance of people to develop in the unincorporated areas that do not have public water and sewer today. He said the Comprehensive Plan does provide a level of accommodation that can handle the development pressures for the planning horizon of the plan, which is out to 2040. He said that is one of the considerations they made. All the cities and towns started drawing out where they wanted to grow around their existing boundary. Some cities and towns did not pick up entirely on what the County Zoning Map has designated as Growth Areas. He said for that reason alone the Planning Commission did not want to shrink or limit people's ability to develop in the unincorporated portion of the County at a higher density than the Ag resource area. He said not everyone wants to live in a city or town, however, the County needs to look at accommodations for future growth, which he thinks is roughly 25,000 people between now and 2040. Mr. Creamer asked what is the density allowed out in the Designated Growth Areas on septic systems. He then asked if it is the same as the Agriculture District. Mr. Hall said, if the Tier Map is approved, if you are zoned in an R-20, or most of the Designated Growth Areas on septic, it is a 20,000 square foot lot, if you can achieve the perk. Mr. Dodd asked if Wicomico County is the only county on the Eastern Shore that does not have its own water and sewer. Mr. Creamer said Wicomico County does have water and sewer authority as the Urban Services Law allows Wicomico County to be in the water and sewer or any other municipal service business. Mr. Creamer said it is not that we do not have the authority, the County just never exercised the authority, except in a limited capacity. Mr. Hall said you will see the Comprehensive Plan has recommendations for the County to start evaluating whether or not it wants to own and operate its own systems without being super scripted in saying where you can do it and where you cannot do it. Mr. Creamer said Wicomico County is the only County in the State of Maryland that has the broad authority that is provided in the Urban Services Law; no other county has that. Mr. Cannon said the first objective indicates, "maintain a moderate population growth . . ." He then asked how does the County maintain a moderate population growth. Mr. Hall said they look at the population trends. Traditionally the County grows 1,000 persons per year, 10,000 person per decade. He said they want to preserve that rate because at that rate, the County has achieved keeping up with providing services. He said if the County has a tremendous growth in population based on something that is not predicted at this time, it is going to be hard to keep up with not only the existing services, but to meet the future demand. He said we cannot put a gate at the borders of Wicomico County, but as planners they have to look out for population spikes and trends. He said as soon as they start occurring, they need to be back before the Planning Commission as well as working with the Executive and Council to make sure they are doing the appropriate level of planning. Mr. Creamer said from an economic development perspective, the County's approach has been to attract small and medium size businesses, not big companies that may employ 5,000 people, because that would be a 15,000 population increase, and the County would not have any place for the additional children to go to school, or provide an adequate level of other county services, etc. Mr. Hall said the County would not have the roads to support where their houses need to go. He said if

the County was in the water and sewer business, we would not get that far out ahead either. Mr. Joe Holloway said not that we would turn them away. Mr. Hall said we have to be cautious because we see the demands that we are having on our schools. As our schools are aging, if there is an increase in enrollment, that means more facilities have to be planned, which means more capital expenditures and more debt service the County has to take on. Mr. Creamer said just imagine what a large increase in population would do to the County's Maintenance of Effort liability. Mr. Cannon said there would be more revenue. Mr. Hall said, in looking at Chapter 3, it is a snapshot of what the community characteristics look like and what the profile is today. Mr. John Hall said on page 3-1, it mentions 11 elements, but he was not able to find 11 elements in the Comprehensive Plan. Mr. Hall said there are 14 chapters, which are also referred to as elements. The first three chapters, although they are substantive, they do not have implementation strategies associated with them. He said that is a minor change they will make so there is not any confusion between the table of contents that says 14 and page 3-1 that indicates 11. Mr. Hall continued, he said when we know our population, we can start planning what our land use, transportation, and infrastructure needs are going to be. In addition, it allows them to do trend analysis of looking at where we were at in 2000 or 2010 and compare to future plans in 20 or 30 years. It is an indicator of whether we are trending in the right direction or trending negatively. He said Council will find a ton of social economic, demographics, housing data, labor force data, and educational data. He said all of this is mainly census driven and updated annually with an American Community Survey. Mr. Matt Holloway said, in table 3-6, the number of vacant housing units is 5,000 for the estimate of between 2010 and 2014. He said SWED sends out updates and the March inventory update indicates 552. He then asked does that mean there are 4500 units that are sitting there not being actively listed. Mr. Hall said that is the inventory for sales, so when you are looking at vacant housing from a census bureau standpoint that could also be a rental, and he thinks SWED only collects data from Fruitland, Delmar, and Salisbury and does not collect any other municipal data, which might be why there is a disparity. Mr. Hall said, like any number, you need to know how the data was collected and the methodology. Mr. Joe Holloway asked do the census people drive around and just look to see if a house is vacant. Mr. Hall explained that his information is from the census for the American Community Survey. He said the difference between the Decennial Census and the American Community Survey Census is the decennial survey requires everyone to participate, and the American Community Survey takes a sample of a very small size. Mr. Joe Holloway said we have houses that people cannot live in. Mr. Hall said he looks at SWED's information for the active sales trend. Mr. Hall explained what is vacant at the time of the census is a snapshot, but it may not be vacant today. Mr. Cannon said he would only like to discuss the first three chapters tonight, rather than the first five chapters. Mr. Hall said the first three chapters is a good stopping point, as they provide the foundation. Mr. Matt Holloway said he had one more question on Chapter 3 and that is table 3-15 on the commute to work characteristics, the public transportation indicates less than 1%, but the state is almost 9%. He said that is a statistic to keep in mind as we go into budget season. Mr. Hall said one of the things to look at is disparity between the two areas. He said when you look at it statewide, you have a large labor force in the Baltimore- Washington DC region that are probably used to using transit or light rail to commute to work. He said here transit is used for more everyday necessities. Mr. Matt Holloway said he looks at our public transportation and what we are using for our public

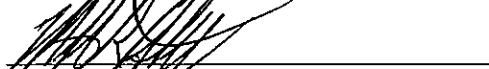
transportation and does that fit with our needs. He said Mr. Joe Holloway has brought up many times about the buses used for public transportation that hardly have any people on them and perhaps a van or smaller vehicle may be a lot cheaper. Mr. Hall said that is an interesting conversation the Council will have with Tri-County as part of the budgeting process. He said we need to look at ridership and routes as a whole. He said there are routes that Shore Transit has that are 4 hours round trip, 130 miles. He said what you perceive as an empty bus may have been full three to five miles before then. He said keep in mind the system itself and not just what you see at one stop. Mr. Cannon said table 13-14 indicates the percentage of employment is 1.3%, which he thinks is awful low. He then said he thought poultry was in agriculture, but maybe it is in manufacturing. Mr. Hall said the data collected is a random sampling, it is not total enumeration; it probably does not have factors built in to look at the fluctuation of seasonal workers. This is probably more for a year round worker. He said it is dependent on who gets the survey to fill out on the type of information you are going to see. He said it could have a different look two years from now depending on who is completing the forms. Mr. Cannon said it seems unusual because poultry is one of the County's largest industries, and it does not seem as if it is being considered properly in the Comprehensive Plan. Mr. Hall said it is his general understanding as an outsider looking in, as he did not grow up with farming, but he grew up in this community, that farming is only labor intensive during certain periods of the year, harvesting time for example. He said when you are between harvesting and planting, are there a lot of workers on the farm tending to the crops as they are growing. Mr. Joe Holloway said farmers are diversified as they are either raising chickens or raising plants. Mr. Hall said he was referring to the labor that supports the farm. Mr. Hall said he recommends going to the agriculture chapter (Chapter 6) and look at the Ag census, and that will tell you how many farms there are, how many acres, what is the value of the products and it is going to look at it from 1997 to 2012 and that is going to give you a better snapshot. Mr. Joe Holloway said he thinks Mr. Cannon's comment relates to the people that work in the office at Perdue or in the processing plant. He then asked if they are included in that percentage, to which Mr. Hall said, no, they are not included in the agriculture part of where people work. They would be in a difference section. He said an executive of a poultry plant would be listed under professional. He said this is census data, so the Council cannot change it. He said take it with a grain of salt, and they will do their best to explain why it is not in the landscape of where you think it should appear. Mr. Cannon asked if he could put a comment in table 13-14 in what role poultry plays, to which Mr. Hall said that he would make a reference to the agriculture chapter, Chapter 6.

Signatures are on the next page.

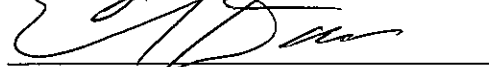
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John T. Cannon, President



Matt Holloway, Vice President



Ernest F. Davis, District 1



Marc Kilmer, District 2



Larry W. Dodd, District 3



John B. Hall, District 4



Joe Holloway, District 5



Matthew E. Creamer, Council Administrator