

**ADEQUATE PUBLIC FACILITIES
STUDY COMMITTEE**

ACTION MINUTES

MEETING OF FEBRUARY 10, 2011

The meeting was convened at 7:05 p.m. The following members were present: Jason Anthony, Dennis Cain, Julie Palakovich Carr, Tom Gibney, Soo Lee-Cho, Charles Littlefield, Roald Schrack, Eric Siegel, Sean Hart.

Planning Commission Chair John Tyner provided the committee with some thoughts on process for the committee and the eventual future outcome.

Zoning Administrator led an examination of the text of Article 20 of the Zoning Ordinance, being the Adequate Public Facilities Ordinance. Article 20 acts as the enabling framework for establishing the standards, and also the process for approving projects and amendments. The discussion emphasis focused on the queue system for conditional approval of projects, the validity periods and extensions.

The committee then began a review of the Adequate Public Facilities Standards manual. The staff noted that the manual has not been revised since adoption in 2005. There are technical revisions needed to have the project names be consistent with the revised zoning ordinance.

In Table II, the committee noted that the terminology among the various processes was inconsistent . The table needs to be revised and clarified.

Under the Waivers provisions, by consensus the committee agreed that we should look at having those service level standards that don't apply not be required to seek a waiver. The language needs to be revised to make it clear exactly what is being waived. We also need to consider what to do about how public facilities should be treated.

At this point, the committee decided to continue the discussion of the manual at the next meeting.

Under old business, the staff provided an update on the recent annexation application by Silverwood for the Reed Brothers auto dealer site on Rt. 355 near the Shady Grove Metro station. Silverwood has also filed a text amendment that would amend Article 20 to exempt annexations where the annexation agreement exempts the project from the APFO standards.

The staff also noted that a bill had been introduced in Annapolis to exempt portable public school classrooms from the APFO requirements. The Mayor and Council are considering action to exempt the portables via an amendment to the APFS. This will be considered at the February 28 Mayor and Council meeting.

The committee suggested revising the draft meeting schedule to add more dates. There was some discussion as to whether or not the staff had to attend every meeting. The Assistant City Attorney indicated she will research whether or not staff is required to attend the meetings.

The Assistant City Attorney also briefed the committee on how the chair may conduct meetings. There is not a requirement for a motion on every item. The committee may agree by consensus. The chair needs to call the meetings to order, maintain order during the meeting, and adjourn the meetings.

There was consensus by the committee that the chair will not speak publicly about the conduct of the meetings. The approved minutes will reflect that.

It was moved by Dennis Cain, seconded by Roald Schrack to allow the chair the discretion to accept public input. The motion failed by a 4-4-1 vote.

Eric Seigel moved, seconded by Soo Lee-Cho, to elect Julie Palakovich Carr chair, and Jason Anthony vice-chair. The vote was unanimous.

Tom Gibney moved, seconded by Charles Littlefield, that all comments from guests must be submitted in writing to the committee. There will be no comments accepted from the public at the meetings. The motion passed 8-1, with Dennis Cain opposed.

The meeting was adjourned at 9:45 p.m.

Deane Mellander
Zoning Administrator