

# **Mayor and Council Work Session and Executive Session November 21, 2017 Agenda**

*"A diverse, business-friendly, and sustainable community with clean, safe and strong neighborhoods."  
"Providing the most efficient and highest-quality services as the municipal location of choice for all  
customers."*

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"Gratitude makes sense of our past, brings peace for today, and creates a vision for  
tomorrow." Melody Beattie

## **EXECUTIVE SESSION**

**3:30 PM** 1. Executive Session

## **4:00 PM WORK SESSION**

**4:00 PM** 1. Proclamation - Small Business Saturday

**4:05 PM** 2. Introduction of Stephen Beaudoin, Maryland Symphony Orchestra Executive Director -  
*Amanda Whitmore, Downtown Coordinator*

**4:15 PM** 3. Washington County Community Coalition Request - *Paul Frey, CEO/President of  
Washington County Chamber of Commerce*

**4:30 PM** 4. Preliminary Agenda Review

**4:40 PM** 5. Land Management Code Text Amendment Regarding Cluster Subdivisions - *Stephen  
Bockmiller, Development Review Planner/Zoning Administrator*

**4:55 PM** 6. Tiered Property Tax Discussion – *Scott Nicewarner, Director of Communications,  
Technology and Support Services*

## **CITY ADMINISTRATOR'S COMMENTS**

## **MAYOR AND COUNCIL COMMENTS**

## **ADJOURN**

**REQUIRED MOTION  
MAYOR AND CITY COUNCIL  
HAGERSTOWN, MARYLAND**

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**Topic:**

Executive Session

**Mayor and City Council Action Required:**

**Discussion:**

**Financial Impact:**

**Recommendation:**

**Motion:**

**Action Dates:**

**ATTACHMENTS:**

**File Name**

November\_21\_\_2017\_Executive\_Session.pdf

**Description**

Executive Session Agenda



## EXECUTIVE SESSION

MAYOR & CITY COUNCIL

NOVEMBER 21, 2017

### AGENDA

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3:30 p.m. EXECUTIVE SESSION – *Council Chamber, 2<sup>nd</sup> floor, City Hall*

1. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, #4  
*\*Business Proposal*

**\*AUTHORITY: Annotated Code of Maryland, General Provisions Article: Section 3-305(b)**  
**(Subsection is noted in parentheses)**

# CITY OF HAGERSTOWN, MARYLAND

**PUBLIC BODY:** Mayor & City Council

**DATE:** November 21, 2017

**PLACE:** Council Chamber, 2<sup>nd</sup> floor, City Hall

**TIME:** 3:30 p.m.

**AUTHORITY:** **ANNOTATED CODE OF MARYLAND, GENERAL PROVISIONS ARTICLE: Section 3-305(b) :**

1. To discuss:
  - ☐ (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - ☐ (ii) any other personnel matter that affects 1 or more specific individuals;
- ☐ 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- ☐ 3. To consider the acquisition of real property for a public purpose and matters directly related thereto;
- ☒ 4. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- ☐ 5. To consider the investment of public funds;
- ☐ 6. To consider the marketing of public securities;
- ☐ 7. To consult with counsel to obtain legal advice;
- ☐ 8. To consult with staff, consultants, or other individuals about pending or potential litigation;
- ☐ 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- ☐ 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans;
- ☐ 11. To prepare, administer or grade a scholastic, licensing, or qualifying examination;
- ☐ 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct; or
- ☐ 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- ☐ 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- ☐ 15. Administrative Function

**REQUIRED MOTION  
MAYOR AND CITY COUNCIL  
HAGERSTOWN, MARYLAND**

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**Topic:**

Proclamation - Small Business Saturday

**Mayor and City Council Action Required:**

**Discussion:**

**Financial Impact:**

**Recommendation:**

**Motion:**

**Action Dates:**

# **REQUIRED MOTION MAYOR AND CITY COUNCIL HAGERSTOWN, MARYLAND**

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## **Topic:**

Introduction of Stephen Beaudoin, Maryland Symphony Orchestra Executive Director - *Amanda Whitmore, Downtown Coordinator*

## **Mayor and City Council Action Required:**

## **Discussion:**

At the November 21, 2017 Mayor and City Council work session, staff will introduce the new Executive Director of the Maryland Symphony Orchestra, Stephen Marc Beaudoin. Mr. Beaudoin joined the Maryland Symphony Orchestra as Executive Director in early September of 2017, and is a proud Hagerstown resident.

Mr. Beaudoin has over 16 years of senior nonprofit and public sector leadership experience, including as Executive Director of PHAME – an innovative Portland-based nonprofit serving artists and musicians with intellectual disabilities and helping to build a more inclusive creative world; as Assistant Director of The Fenway Alliance in Boston; Executive Director of Vox Consort Baroque music ensemble; and as a consultant to nonprofits on fundraising and organizational development. Mr. Beaudoin also served as a publicly elected school board member in Oregon, where he was elected to the board of the Multnomah Education Service District, an \$81 million public education agency, where he served one term as board chair. Mr. Beaudoin holds a Bachelor of Music degree from the New England Conservatory of Music in Boston, MA.

Since its founding in 1982, the Maryland Symphony Orchestra's influence and reputation has reached far beyond Western Maryland. It is one of only four professional symphony orchestras in Maryland and audience members from South Central Pennsylvania, West Virginia's Eastern Panhandle, the Shenandoah Valley of Virginia and the Baltimore-Washington Metropolitan area are drawn to concerts held at the historic Maryland Theatre in downtown Hagerstown.

## **Financial Impact:**

## **Recommendation:**

## **Motion:**

**Action Dates:**

**ATTACHMENTS:**

**File Name**

MCC\_Memo\_Introduction\_of\_MSO\_Executive\_Director.pdf

**Description**

MEMO: Introduction MSO  
Exec Director



# **CITY OF HAGERSTOWN, MARYLAND**

Department of Community & Economic Development

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TO: Valerie Means, City Administrator

FROM: Amanda Whitmore, Downtown Coordinator

DATE: November 1, 2017

SUBJECT: Introduction of Maryland Symphony Orchestra's Executive Director

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At the November 21, 2017 Mayor and City Council work session, staff will introduce the new Executive Director of the Maryland Symphony Orchestra, Stephen Marc Beaudoin. Mr. Beaudoin joined the Maryland Symphony Orchestra as Executive Director in early September of 2017, and is a proud Hagerstown resident.

Mr. Beaudoin has over 16 years of senior nonprofit and public sector leadership experience, including as Executive Director of PHAME – an innovative Portland-based nonprofit serving artists and musicians with intellectual disabilities and helping to build a more inclusive creative world; as Assistant Director of The Fenway Alliance in Boston; Executive Director of Vox Consort Baroque music ensemble; and as a consultant to nonprofits on fundraising and organizational development. Mr. Beaudoin also served as a publicly elected school board member in Oregon, where he was elected to the board of the Multnomah Education Service District, an \$81 million public education agency, where he served one term as board chair. Mr. Beaudoin holds a Bachelor of Music degree from the New England Conservatory of Music in Boston, MA.

Since its founding in 1982, the Maryland Symphony Orchestra's influence and reputation has reached far beyond Western Maryland. It is one of only four professional symphony orchestras in Maryland and audience members from South Central Pennsylvania, West Virginia's Eastern Panhandle, the Shenandoah Valley of Virginia and the Baltimore-Washington Metropolitan area are drawn to concerts held at the historic Maryland Theatre in downtown Hagerstown.

c: Jill Thompson, Director of Community & Economic Development

**REQUIRED MOTION  
MAYOR AND CITY COUNCIL  
HAGERSTOWN, MARYLAND**

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**Topic:**

Washington County Community Coalition Request - *Paul Frey, CEO/President of Washington County Chamber of Commerce*

**Mayor and City Council Action Required:**

**Discussion:**

**Financial Impact:**

**Recommendation:**

**Motion:**

**Action Dates:**

**ATTACHMENTS:**

**File Name**

memo\_-\_coalition\_request\_for\_2018.pdf

**Description**

Memo



# CITY OF HAGERSTOWN, MARYLAND

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**Donna K. Spickler**

City Clerk

One East Franklin Street • Hagerstown, MD 21740

E-mail: [dspickler@hagerstownmd.org](mailto:dspickler@hagerstownmd.org)

Telephone: 301.766.4183 • TDD: 301.797.6617

TO: Mayor and City Council Members  
Valerie Means, City Administrator

FROM: Donna K. Spickler, City Clerk

SUBJECT: Community Coalition Meeting Update

DATE: November 17, 2017

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Paul Frey, CEO/President of the Washington County Chamber of Commerce, will be present during the November 21, 2017 Work Session to discuss the Community Coalition and the City of Hagerstown's participation in the Coalition.

Please let me know if you have any questions.

Thank you.



**REQUIRED MOTION  
MAYOR AND CITY COUNCIL  
HAGERSTOWN, MARYLAND**

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**Topic:**

Preliminary Agenda Review

**Mayor and City Council Action Required:**

**Discussion:**

**Financial Impact:**

**Recommendation:**

**Motion:**

**Action Dates:**

**ATTACHMENTS:**

**File Name**

Nov\_28\_2017\_Prelim\_Agenda.pdf

**Description**

Agenda - November 28,  
2017



**29<sup>TH</sup> REGULAR SESSION AND EXECUTIVE SESSION  
MAYOR & CITY COUNCIL  
NOVEMBER 28, 2017  
AGENDA**

**Preliminary Agenda**

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**6:00 p.m. EXECUTIVE SESSION – *Council Chamber, 2<sup>nd</sup> floor, City Hall***

**7:00 p.m. REGULAR SESSION – *Council Chamber, 2<sup>nd</sup> floor, City Hall***

**I. CALL TO ORDER - Mayor Robert E. Bruchey, II**

**II. INVOCATION - Mayor Robert E. Bruchey, II**

**III. PLEDGE TO THE FLAG**

**IV. ANNOUNCEMENTS**

- A. Rules of Procedure – *Adopted December 20, 2016*
- B. Use of cell phones during meetings is restricted.
- C. All correspondence for distribution to Elected Officials should be provided to the City Clerk and should include a copy for the City Clerk for inclusion in the official record.
- D. Meeting Schedule
  - 1. Tuesday, December 5, 2017 – Work Session at 4:00 p.m.
  - 2. Tuesday, December 12, 2017 - Work Session at 4:00 p.m.
  - 3. Tuesday, December 19, 2017 – Regular Session at 7:00 p.m.
  - 4. Tuesday, December 26, 2017 – No Meeting Scheduled

**V. CITIZEN COMMENTS**

**VI. PUBLIC HEARINGS**

Land Management Code Text Amendments

**VII. CITY ADMINISTRATOR COMMENTS**

**VIII. MAYOR & COUNCIL COMMENTS**

**IX. MINUTES**

(October 3, 2017, October 10, 2017, October 17, 2017, and October 24, 2017)

**X. CONSENT AGENDA**

A. Parks and Engineering:

- 1. Engineering – 2018 and 2019 Pavement Preservation Lists

B. Police:

- 1. Downtown Fiber Loops Material – FiberPlus (Jessup, MD) \$ 18,914.00
- 2. Signal Sidearm and Vehicle Systems – Axon Enterprise, Inc. (Scottsdale, AZ) \$ 28,834.92

C. Public Works:

- 1. Bulk Diesel Fuel – IPC (USA) Inc. (Columbia, MD) \$ 199,730.00 (\$ 1.6468/gallon)
- 2. Bulk Gasoline – Petroleum Traders Corporation (Fort Wayne, IN) \$ 259,162.00 (\$ 1.5628/gallon)

***Consent Agenda Continued***

D. Utilities:

1. Water – 6” Neptune HP Protectus II Meters – Core & Main (Montrose, VA) \$ 20,400.00
2. Water – R. C. Willson Plant – Flocculator Rehabilitation – Jim Myers & Sons, Inc. (Charlotte, NC) \$ 43,560.00
3. Water and Wastewater – Bulk Chemical Purchase – Wastewater Division \$ 470,044.00 (multiple vendors) and Water Division \$ 741,734.00 (multiple vendors)
4. Wastewater – Vehicle Replacement Unit # 512 – Keystone Ford (Chambersburg, PA) \$ 117,416.00
5. Wastewater – Muffin Monster Repair – JWC Environmental (Santa Ana, CA) \$ 19,259.00

**XI. UNFINISHED BUSINESS**

- ✓ A. Termination of Contracts and Prohibiting Future Purchases with VerStandig Broadcasting (Tabled on October 24, 2017)

**XII. NEW BUSINESS**

- ✓ A. Introduction of an Ordinance: Land Management Code Text Amendments
- B. Approval of a Resolution: Approval of First Amendment to the Agreement with American Traffic Solutions, Inc. (ATS) Extending the Contract Through December 31, 2018
- C. Approval of Resolution: Lease Agreement with Buckler Business Services and Mycore at the BuroBox, 60 W. Washington Street

**XIII. ADJOURN**

✓ *Items that have been discussed and reviewed previously or are of a routine nature and, therefore, additional information may not be attached to this agenda.*

**REQUIRED MOTION  
MAYOR AND CITY COUNCIL  
HAGERSTOWN, MARYLAND**

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**Topic:**

Land Management Code Text Amendment Regarding Cluster Subdivisions - *Stephen Bockmiller, Development Review Planner/Zoning Administrator*

**Mayor and City Council Action Required:**

**Discussion:**

**Financial Impact:**

**Recommendation:**

**Motion:**

**Action Dates:**

**ATTACHMENTS:**

**File Name**

Land\_Management\_Code\_Text\_Amendment\_Regarding\_Cluster\_Subdivisions.pdf

**Description**

Land  
Management  
Code  
Amendment



# CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

## MEMORANDUM

**TO:** Valerie Means, City Administrator

**FROM:** Stephen R. Bockmiller, AICP  
Development Review Planner/Zoning Administrator

**SUBJECT:** Land Management Code Text Amendment Regarding Cluster Subdivisions

**DATE:** November 16, 2017

### MAYOR AND COUNCIL ACTION REQUESTED:

Review of Land Management Code Amendment Scheduled for Public Hearing on November 28.

Herewith, please find proposed amendments to Article 4 (Zoning) of the Land Management Code, Section D (Residential Districts) Subsection 6 (Cluster Developments). The Planning Commission held a public hearing on this matter on October 29 and recommends these amendments be adopted by the Mayor and City Council.

The purpose of the proposed amendments are to 1) permit cluster subdivisions in all residential zoning districts and not just the RMOD District where currently permitted, 2) to revise the bulk requirements chart to be more flexible in creating cluster subdivision designs, and 3) to prohibit the use of bulk lots with multiple dwelling structures on them in cluster subdivisions (such as the currently pending McCleary Hill development which is not a cluster development proposal).

This last item is in response to the Mayor and Council's concern that dwellings are not being constructed on their own fee-simple lots in new developments. Staff and the commission are currently working on the annual text amendment package and this issue will be addressed more globally in that process. But since this issue is being forwarded to the elected body in advance of the annual package, text was inserted to address this issue as well.

*Nothing in this proposal will result in increasing permitted densities in cluster subdivisions.*

A public hearing is scheduled for the Mayor and City Council's regular meeting of November 28.

### Background

To date, the City has not received an application for a cluster subdivision in at least 15 years. Staff recently began processing a sketch plan application for a 48-unit townhouse cluster subdivision. After beginning to apply detailed review of the proposal, staff identified a problem that blocks the pending proposal, and the language could be interpreted to permit development concepts not intended by the ordinance. Therefore this proposal is presented in order to move the currently pending development along and adjust the bulk regulations chart to be more flexible and consistent with amendments adopted in 2012 which for the first time, created differing setback and lot area and width requirements that now

vary by zoning district. To that point, the bulk requirements were the same throughout all four residential zoning districts.

When varying bulk requirements were adopted, it seemed like with the new, smaller lot area requirements in the R-MED, RO and RH Zoning Districts, it would be very unlikely that the City would ever receive an application for a cluster subdivision in those zoning districts. Language was inserted limiting cluster developments to the RMOD District to simplify the provision and eliminate references the staff and Commission believed never would be used. The cluster lot area chart did not seem like it needed adjustment to account for this change, and that remained the same.

In retrospect, this change was ill-advised – at least without additional scrutiny of the lot area chart. As a matter of policy, clustering in order to create more open space in developments should be encouraged in all districts – not just the RMOD District. The Planning Commission recommends the following amendments to Article 4 (Zoning) Section D (Residential Districts) Subsection 6 (Cluster Developments).

Since we were looking to resolve these issues, Staff and the Planning Commission looked at the bulk requirements comprehensively, and also now propose adjustments that will improve flexibility in applying designs to cluster subdivisions.

The proposed amendments are shown as follows:

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Text to be removed in ~~red-strikeout~~  
*italics*.

Text to be added in *red bold*

## 6. Cluster Developments.

- a. **Description.** Clustering is an alternative type of development ~~in the RMOD Zoning District~~ which provides for reduction in minimum lot size for residential development. It permits a reduction in the size of individual lots while maintaining the maximum gross density allowed in the district in which it is located. This land development technique involves siting clusters of home sites on smaller lots than those permitted under conventional development regulations with the remaining “saved” land being retained as common open space.
- b. **Use of Open Space.** (no proposed change)
- c. **Site Design Criteria.**
  - (1) Subdivision Approval for Cluster Development. (no proposed change)
  - (2) Open Space. (no proposed change)

- (3) Buffer Zones. (no proposed change)
- (4) Cluster dimensional requirements.
- (a) Lot area requirements shall be based on the average for the entire development.
- (b) Maximum number of townhouse units per building: Eight.
- (c) The minimum lot area, lot width and yard requirements for dwellings in cluster subdivisions shall be in accordance with the requirements set forth in the following chart.
- (d) *Each single-family detached dwelling, semi-detached dwelling, two-family dwelling (as defined in Article 3), triplex dwelling unit, quadraplex dwelling unit and townhouse dwelling in a cluster subdivision shall be located on a separate fee-simple lot when constructed in a subdivision created in accordance with this subsection.*

Cluster Subdivision Minimum Dimensional Requirements Schedule

| Type of Building            | Minimum Lot Size Permitted in Non-Cluster | Minimum Lot Area (square feet) | Lot Width (minimum feet) | Minimum Lot Area Per Dwelling Unit (square feet) | Front Yard Depth (feet) (C) | Rear Yard Depth (feet) (C) (D) | Minimum Aggregate Width of Side Yards (feet) | Minimum Width of Side Yards (feet) | Number of Side Yards Required |
|-----------------------------|-------------------------------------------|--------------------------------|--------------------------|--------------------------------------------------|-----------------------------|--------------------------------|----------------------------------------------|------------------------------------|-------------------------------|
| Single-family detached      | 7,500                                     | 5,000                          | 40                       | 5,000                                            | 15<br>5                     | 30<br>20                       | 10                                           | 4                                  | 2                             |
| Single-family semi-detached |                                           | 2,500                          | 25                       | 2,500                                            | 5                           | 20                             | 5                                            | 5                                  | 1                             |
| Two-family                  | 10,000                                    | 5,000                          | 65                       | 2,500                                            | 15<br>5                     | 30<br>20                       | 10                                           | 4                                  | 2                             |
| Triplex (A)                 | 6,000 (A)                                 | 4,500                          | 65                       | 1,500                                            | 15<br>5                     | 30<br>20                       | 10                                           | 5                                  | 2                             |
| Quadraplex (A)              | 8,000 (A)                                 | 6,000                          | 65                       | 1,500                                            | 15<br>5                     | 30<br>20                       | 10                                           | 5                                  | 2                             |
| Townhouse (B)               | 3,500                                     | 1,500<br>1,000                 | 20<br>15                 | 1,500<br>1,000                                   | 10<br>5                     | 30<br>20                       | 10<br>between buildings                      | 5                                  | 1<br>(end unit)               |
| Accessory Building          | N/A                                       | N/A                            | N/A                      | N/A                                              | 15                          | 5                              | N/A                                          | 4*                                 | N/A                           |

**NOTES:**

- (A) Triplexes and quadraplexes **are** permitted in cluster developments only. This shall be applied as if they were permitted in other districts, and in accordance with the provisions of Subsection 6.c above. ***Due to their design, a triplex or quadraplex unit may not front on a public street per provisions elsewhere in this Chapter, but since fee-simple subdivision is required in cluster developments, such lots may be accessed through dedicated open space areas.***
- (B) ***Townhouses are not a permitted use in the RMOD Zoning District. They are permitted in the RMED, RH and RO Districts.***
- (C) ***All elements of the front and rear façades, including porches, decks or stoops, shall comply with this setback, and development shall not benefit from the provisions found elsewhere in this Section that permit such features to extend into front and rear setbacks for developments created under the standard lot area and setback provisions.***
- (D) ***Rear yards shall have a minimum 20 foot deep area un-encumbered by sheds, detached garages or other detached buildings of any size.***
- \* Accessory structure side setback shall not apply on lots containing attached dwellings, along the lot line containing a party wall if the accessory structure is a garage attached to another garage on the adjacent property or a storage shed attached to another storage shed on the adjacent property.

End of proposed amendment.

The chart on the preceding page can appear confusing with the varying revisions. Therefore, Staff provides the following chart, as it would appear in final format, if adopted as proposed, so that you may have a clear understanding of the proposal, and be able to compare it to the “marked up” version on the preceding page:

| Cluster Subdivision Minimum Dimensional Requirements Schedule |                                |                          |                                                  |                             |                                |                                              |                                    |                               |
|---------------------------------------------------------------|--------------------------------|--------------------------|--------------------------------------------------|-----------------------------|--------------------------------|----------------------------------------------|------------------------------------|-------------------------------|
| Type of Building                                              | Minimum Lot Area (square feet) | Lot Width (minimum feet) | Minimum Lot Area Per Dwelling Unit (square feet) | Front Yard Depth (feet) (C) | Rear Yard Depth (feet) (C) (D) | Minimum Aggregate Width of Side Yards (feet) | Minimum Width of Side Yards (feet) | Number of Side Yards Required |
| Single-family detached                                        | 5,000                          | 40                       | 5,000                                            | 5                           | 20                             | 10                                           | 4                                  | 2                             |
| Single-family semi-detached                                   | 2,500                          | 25                       | 2,500                                            | 5                           | 20                             | 5                                            | 5                                  | 1                             |
| Two-family                                                    | 5,000                          | 65                       | 2,500                                            | 5                           | 20                             | 10                                           | 4                                  | 2                             |
| Triplex (A)                                                   | 4,500                          | 65                       | 1,500                                            | 5                           | 20                             | 10                                           | 5                                  | 2                             |
| Quadraplex (A)                                                | 6,000                          | 65                       | 1,500                                            | 5                           | 20                             | 10                                           | 5                                  | 2                             |
| Townhouse (B)                                                 | 1,000                          | 15                       | 1,000                                            | 5                           | 20                             | 10 between buildings                         | 5                                  | 1 (end unit)                  |
| Accessory Building                                            | N/A                            | N/A                      | N/A                                              | 15                          | 5                              | N/A                                          | 4*                                 | N/A                           |

**NOTES:**

- (A) Triplexes and quadraplexes are permitted in cluster developments only. This shall be applied as if they were permitted in other districts, and in accordance with the provisions of Subsection 6.c above. Due to their design, a triplex or quadraplex unit may not front on a public street per provisions elsewhere in this Chapter, but since fee-simple subdivision is required in cluster developments, such lots may be accessed through dedicated open space areas.
- (B) Townhouses are not a permitted use in the RMOD Zoning District. They are permitted in the RMED, RH and RO Districts.

- ( C ) All elements of the front and rear façades, including porches, decks or stoops, shall comply with this setback, and development shall not benefit from the provisions found elsewhere in this Section that permit such features to extend into front and rear setbacks for developments created under the standard lot area and setback provisions.
- (D) Rear yards shall have a minimum 20 foot deep area un-encumbered by sheds, detached garages or other detached buildings of any size.
- \* Accessory structure side setback shall not apply on lots containing attached dwellings, along the lot line containing a party wall if the accessory structure is a garage attached to another garage on the adjacent property or a storage shed attached to another storage shed on the adjacent property.

End of proposed amendment.

When the Ordinance was revised, counsel stated that the City needed to retain reference to triplexes and quadraplexes in the cluster provision. Staff had recommended removing them as a development option in the city. There were existing triplex and quadraplex developments on file within the City and some reference and counsel recommended that reference should continue to be made to them in the updated Ordinance. They are framed above to be the lesser desirable form of development in a cluster subdivision.

A brief power point presentation will be made to the Mayor and City Council that will provide visual examples of the potential results of developments constructed in accordance with similar setbacks.

If you have any questions, please contact me at your convenience.

**REQUIRED MOTION  
MAYOR AND CITY COUNCIL  
HAGERSTOWN, MARYLAND**

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**Topic:**

Tiered Property Tax Discussion – *Scott Nicewarner, Director of Communications,  
Technology and Support Services*

**Mayor and City Council Action Required:**

**Discussion:**

**Financial Impact:**

**Recommendation:**

**Motion:**

**Action Dates:**

**ATTACHMENTS:**

**File Name**

Tiered\_Property\_Tax\_Discussion.pdf

**Description**

Tiered Property Tax Memo



## CITY OF HAGERSTOWN, MARYLAND

Communications, Technology & Support Services

301-766-4071 (Direct)

301-739-8577, Ext 161

November 21, 2017

TO: Valerie Means, City Administrator

FROM: Scott Nicewarner, Director – C, T & SS *Scott*

RE: Tiered Property Tax Discussion

Staff will be present to discuss options / strategies for possible implementation of a two-tiered tax structure for real property taxes in FY19.

Currently, the City charges a single rate for all real property (FY18 = \$0.941 per \$100 of assessed value). There are a handful of municipalities in Maryland that charge a two-tiered tax rate for real property, with the tiers being either owner-occupied vs. non-owner occupied parcels, or residential vs. commercial parcels.

In an effort to provide alternatives to our present taxing structure, staff will provide information on Maryland municipality tax rates and the documented enhancements identified to the Maryland Municipal League in FY17 to their tax structures. Staff can also provide information on how the opportunities and challenges it would pose to our systems and process should an tiered system be desired.